

Oregon State Bar Judicial Voters Guide 2024

1) Full name:

Benjamin Matthew Bloom

2) Campaign web site (if applicable):

N/A

3) List college and law school attended, including dates of attendance, degrees.

Hamilton College, Clinton, New York 1986-1990, (BA)

University of Edinburgh, Edinburgh, Scotland 1988-1989

Lewis & Clark Law School, Portland, OR 1990-1993, (J.D.)

4) List employment since graduation from law school, including years employed, your position and the nature of the practice or activity.

**Attorney, Hornecker, Cowling, Hassen & Heysell, Medford, OR
9/1993-12/2010-Civil litigator and appellate lawyer with emphasis on
representing physicians and lawyers and representing public bodies such as
Jackson County and Josephine County.**

Jackson County Circuit Court Judge, Medford, OR 1/2011-present

5) List state and federal bars, courts and administrative bodies to which you are presently admitted and the date of admission. If desired, list previous admissions.

Oregon State Bar-9/23/1993

United States District Court for the District of Oregon-1993

United States Court of Appeals for the Ninth Circuit-1994

6) If desired, list publications and/or articles you have authored.

**"Municipal Liability Post *Clarke v. OHSU*" (Oregon Association of Defense
Counsel Newsletter Fall 2009)**

**Update to the OSB Damages CLE publication, False Imprisonment Chapter,
2007**

Update to the OSB Damages CLE publication, False Imprisonment Chapter, 2002

7) List community, teaching (Continuing Legal Education or otherwise) or civic activities.

Board Chair, Southern Oregon Chapter of the American Red Cross; Board Member, Greater Oregon Chapter of the March of Dimes; Member, Oregon Council on Court Procedures; Member, Local Rules Committee, United States District Court for the District of Oregon; Member, Board of Directors, Oregon Chapter of the Federal Bar Association Member, Executive Committee, OSB Litigation Section; Member, Executive Committee, OSB Products Liability Section; Attorney Advisor/Coach, North Medford High School Mock Trial Team; Instructor, Reserve Officer Law Enforcement Academy at Rogue Community College, Publications Representative, Trial Practice Group, Oregon Association of Defense Counsel

8) Prior to your becoming a judge, what was the general character of your legal practice? Where appropriate indicate any legal areas in which you concentrated.

As stated above, I was a civil trial attorney whose primary focus was representing medical providers and attorneys in professional negligence actions. I also represented public bodies, primarily Josephine and Jackson Counties, in state and federal court. Those cases frequently involved alleged civil rights violations. In addition to my trial work, I frequently worked on appellate cases, both in state and federal court. I argued approximately forty cases in courts of appeals, including approximately 20 reported decisions. I also represented individuals in administrative hearings and in property disputes.

During law school, I worked for the United States Attorney's Office in Portland for two years where I was actively involved in assisting the United States in criminal prosecutions. I prosecuted petty officials and prepared criminal appellate briefs.

9) List your judicial experience, including as a pro tem, and/or service on an administrative tribunal, or justice, municipal, tax, circuit, or appellate court.

I have sat as a circuit court judge since January, 2011. I was a circuit court judge pro tem from 2005-2010. In that time, I primarily heard small claims actions about once month. However, in 2007, I spent a week as the duty judge, where I handled landlord tenant cases, presided over a stalking trial, and sentenced a defendant in a criminal case.

10) Describe the general character of your judicial work over the past five years. Indicate the nature of the cases over which you preside, any specialty courts or court programs, and any legal areas in which you concentrate.

In the last three years, I have managed a civil docket which includes general civil litigation, domestic relations and child custody cases, and

probate. I maintained a juvenile docket for two years preceding my current assignment. That included both dependency and delinquency matters.

11) Describe any judicial experience in appellate courts not included above.

N/A

12) Describe any experience serving as an arbitrator or mediator.

I have acted as a settlement judge/mediator in domestic relations cases, personal injury cases, and criminal cases.

13) List any bar association memberships. Where appropriate, list officer positions, committee assignments or other notable work.

Jackson County Bar Association. See also, answer to question 7.

14) Describe any bar association or judicial department committees, task forces, or special projects in which you have been involved.

Civil Litigation Instructor for Oregon judges; Executive Committee Member, Oregon Circuit Court Judges Association; member, Judicial Leadership and Education Committee; member, Civil Justice Initiative Task Force; member, Court Reengineering and Efficiency Work . See also, answer to question 7.

15) Have you ever been convicted of or pleaded guilty to a violation of any federal, state, county or municipal law, regulation or ordinance? If so, please give details. Do not include parking offenses or traffic violations for which a fine of less than \$500 was imposed.

No

16) Have you ever been the subject of a formal disciplinary proceeding as an attorney or judge? If so, please give the particulars and the result. *Include formal proceedings only.*

No

17) What attracted you to a judicial career?

I enjoyed practicing as a lawyer, but I wanted to be the individual making the decisions. I have a logical mind and I am very concerned about the integrity of the judicial process. I thought my temperament would be a good fit for the judiciary and others suggested that I pursue this career path. Pursuing a judicial career was a decision I weighed seriously because

it meant giving up a successful civil practice. However, it is not a decision I have ever regretted. I am so fortunate to serve as a judge.

18) Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

Judges needs to always be mindful that for people seeking recourse in court, their cases represent some of the most important events in their lives. All litigants need to have their opportunity to be heard and to present their cases, whether they are represented or not. With this in mind, I believe it is critical that a judge allow all parties adequate time to present their cases. Judges should then make prompt decisions whenever possible.

Equally important, judges need to remember that the court is governed by the rule of law, and we must make decisions based upon the law as it exists and not what we think it should be.

19) Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

Several years ago, as an attorney, I represented a girl who was being denied the right to participate in a high school sport by a state administrative body because she had previously transferred from another school. After several attorneys had told the girl's parents that the case was not worth pursuing, I represented the girl at a hearing and was able to demonstrate that the agency's rule prohibiting the girl from playing a sport exceeded the agency's authority granting by state law. The girl was ultimately able to play soccer her senior year with her teammates.

20) Briefly describe an issue, related to Oregon's justice system, that is of particular interest or concern to you, or that you have interest in working toward improving.

I am very concerned about the public defender crisis affecting Oregon and particularly Jackson County. We simply do not have attorney capacity to provide timely representation to criminal defendants or to parties in juvenile delinquency and dependency proceedings. I am very interested in correcting the system so that individuals in juvenile proceedings and criminal proceedings are able to promptly obtain an attorney. I am also very concerned that the lack of available attorneys can cause delay in adjudications, impairing child safety, slowing the reunification of families, and endangering community safety by failing to promptly hold offenders accountable.

21) Briefly describe a legal figure (personal, fictional or historical), whom you admire and why.

I admire my former law partner Bob Cowling, who was an excellent trial attorney. Bob hired me in 1993. He was a constant example of zealously

representing every client while behaving professionally and ethically. Most importantly, I will never forget how much he loved being a lawyer, which for me, as a young lawyer, was instructive. I knew that to be an effective litigator, you had to enjoy what you were doing. I think the same principal applies to being a judge. I had a great career as a lawyer, and now I am honored to represent the people of Jackson County and the State of Oregon as a judge. I love serving in this capacity, and I think my enjoyment is reflected in how I treat litigants and how I analyze the issues in front me.

22) State any other information that you regard as pertinent to your candidacy.

I have worked as a lawyer or judge in the Rogue Valley since graduating from law school in 1993. I am committed to helping make our community a better and safer place. I left a law practice I loved to serve as a judge. I intend to continue to be an active member of the community while serving as a circuit court judge and applying the law, not creating it.