



CITY OF SPOKANE MUNICIPAL COURT POSITION 2

Mary Logan

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Please list any professional licenses or other relevant professional experience.

2025 Peer reviewed to be Exceptionally Well-Qualified as a judge by Spokane County Bar Association. Licensed in Washington and California.

Nationally recognized Spokane Municipal Court Judge for 16 years; accomplished attorney for 20 years with 15 focused on trial work and 5 on municipal defense. Extensive experience in civil and criminal law.

Before we dive in, tell us a little about yourself and what you love about downtown Spokane.

I have enjoyed living in the City of Spokane since 1997. The variety of restaurants combined with the downtown mall coupled with the walkability of it all has always been most welcoming. I moved to the lower south hill where my son attended Roosevelt Elementary school while I worked downtown at the courthouse. My husband was stationed at Fairchild Air Force base and ease of access to the freeway simplified our lives. Once each of our sons made their way through high school, they each attended college locally – continuing to make Spokane their homes, as well. One of them took up my profession and attended law school at Gonzaga and is now practicing law at the County Defender's office – the other headed westside where his wife and her family live – but he delights in bringing them back for regular visits with a dash down the beautiful red wagon a must. We are regular visitors downtown from routine dinner and a movie at AMC to staycations at the Davenport and the Grand. Our granddaughter has celebrated every family birthday celebration at Sushi.com for the past 12 years – in other words, her whole wonderful life so far. We love stopping in at Aunties to pick up a good read and a drop into Uncles for games and dice. Downtown shopping is one of my delights – as an athlete I should own stock in Athleta and my fancy side appreciates the variety both Sephora and Nordstrom provide – hard to resist those shoes! The Broadway series also continues to draw us to the INB, with an occasional comedy show at the Comedy Club. During working hours, Method juice and Cochinito bring me together with friends and family.

How often do you visit downtown Spokane?

I visit downtown Spokane easily 3-4 days a week.

What's your favorite restaurant or small business in downtown Spokane—or somewhere you spend a lot of time?

My husband and I enjoy many of the restaurants downtown – Sushi.com is a go to many times, beyond for my granddaughter's family birthday celebrations but Gander & Rye for a treat or PF Changs for lunch, or Mizuna and Mango Tree bring us in for variety. Favorite browsing haunts are both Boo Radley's and Atticus with Boots to enjoy with my friends who appreciate the vegan options – with a drop into Kizuri that always provides so many temptations and delights.

What is the role of the municipal court judge?

Until you have been in the job, it would seem it is represented by overseeing cases in court and rendering decisions with integrity and respect to the rule of law treating each individual from the victims to the accused, the attorneys, the probation officers, law enforcement personnel with dignity, fairness and impartiality – with neutrality, untainted by any special interest or influence. In practice, the role of a Municipal Court judge can also be far more expansive – which is the experience I have carved out for myself. This Municipal Court stood up as the first independent third branch of government for the City of Spokane in January 2009. Within the first days in our respective new roles as judges, I was elected as Presiding Judge of the City of Spokane's Municipal Court – a role I was reelected to from 2009-2014 and then from 2019-2021. Within three weeks of taking the bench, my colleagues and I were sent to mandatory training at Judicial College – a requirement of all judges at all levels within the first year of taking the bench. At Judicial College it was impressed upon us the importance of being involved statewide representing the judicial branch in varying capacities from working collaboratively with the state legislature, providing guidance as to the effects their decisions have and the impact on the judiciary and the people we serve, to committee work in an ever-present desire to improve our abilities to best serve our communities. Within six months of returning from Judicial College I was elected by the District and Municipal Court Judges' Association - consisting of approximately 240 judges - to become one of the judges representing for Municipal Court on the Board of Governors to the Association – a four-year term. During this tenure I also volunteered to become a member of the Education Committee – responsible for organizing the annual mandatory statewide education training for District and Municipal Court judges, from arranging lecturers to securing facilities. I also became a member of the Therapeutic Courts Committee and the Diversity Committee. I also participated in the Risk, Needs, Responsivity committee, the Judicial Needs committee, have been counselor and Chair to the Judicial Assistance Service Provider (judges helping judges), Community Court Mentor and Peer Sites reviewer. I was requested and accepted, twice, to be Dean at Judicial College, hereto assisting in organizing the annual college for new judges. I was solicited to become a member of the Pretrial Task Force, chaired by Supreme Court Justice Mary Yu - designed to take a detailed examination of tools and alternatives to provide the legislature and the judiciary with some guidance regarding strength based, validated practices to improve outcomes for the people coming into the criminal legal system. I was also solicited and became a Co-Chair of the Domestic Violence Task Force Chaired by Supreme Court Justice Sheryl Gordon McCloud, which was requested by the legislature to examine the current system and develop a better approach to the problems involving domestic violence. Each of these task forces involved the creation of a report with suggestions provided to the legislature. Available on my website. After my four-year tenure on the Board of Governor's elapsed, I was voted onto the Board of Judicial Administration – a governing body designed to speak with one voice on behalf of the statewide judicial branch – headed by the Chief Justice of the Washington Supreme Court. I was voted onto the Budget and Finance committee – a position I held for the next 8 years, working with the judiciary and the legislative branch to make certain of consistent stable funding to support the needs of the judiciary statewide and the Administrative Office of the Courts. Locally, I was a part of a team that helped teach at the Crisis Intervention Training at the Law Enforcement Academy. I was a member of, then, Mayor Condon's Urban Task Force designed to assist in maintaining a welcoming and safe environment in downtown Spokane – a collaboration that involved law enforcement, business owners, service providers and many others. I was also a member of the Spokane County Campus Security Committee – another collaboration involving law enforcement, judges, risk management, counsel from both defense and prosecution to ensure safe and secure courthouse facilities. My experience as a Municipal Court judge is unique among my

peers and professional colleagues. I established a Veterans' Enhanced Treatment Court in 2012 and a Community Court in 2013 – both of which are still going strong and resulting in participants that have recaptured their lives and become better citizens. I have consistently carried a full case load sitting every day on court sessions held in the morning and afternoon – while still attending the myriad of administrative duties required of a judge such as evaluating violations of conditions by defendant's, attending internal judges meetings to keep pace of the ever-changing landscape that is our system and giving back to the local legal community. I have consistently volunteered since 1998 at Gonzaga Law school sitting as judge on mock trial cases and evaluating students' performance at Client Counseling Competitions. I have also taught at Lewis and Clark and North Central high school classes on the constitution and guiding through mock trials – a program developed by the state to give students exposure to the legal profession called Judges in Schools. I was invited in 2023 by the Center for Justice Innovation working with the East/West Connection and USAid to bring the concepts of individualized justice and a fair and independent judiciary to the former Soviet Republic now known as the Kyrgyz Republic. I, along with an attorney well versed in these concepts, presented to their Supreme Court, the University and various other judges throughout the republic. We visited various cities and towns in an effort to enlighten them on procedural due process and an individualized approach to addressing a diverse number of issues faced by a relatively small population living in conditions varied from developed to undeveloped rural towns. Our work and that of the East/West and USAid connections was to assist in their continued developing principals of Democracy. Our emphasis included problem solving and reaches beyond just the use of jail as well as the importance of the Rule of Law and an independent judiciary uninfluenced by special interests and corruption. Not all Municipal Court judges have the same experience, but the above is an example of the work I have been undertaking for the past 16 years.

What are the most pressing issues related to the municipal court?

An appropriate budget. Without an adequate budget, the essential core work of this court which receives approximately 80,000 filings total in a year from parking tickets, red-light camera infractions, school zone speeding infractions, business code violations, impound hearings – all of which average between 60,000 to 70,000 filings - through criminal law violations which average annually between 10,000 to 14,000 filings - cannot be adequately undertaken. Personnel drive the engine of the court – any of the alternative approaches through our therapeutic courts, except for our Enhanced probation program, are not supported by the City's allocation of budget to the court, so the importance of an adequate budget is to ensure personnel are in place to do the work of the court. The court's budget is 98% personnel driven, from the cashiers that take the daily payments, to the clerks that process the documents, to the clerks that assist the judges in court to the judicial officers required to adjudicate the cases and sit on trials.

What principles will you use to guide your decisions on the bench?

Having been a judge for 16 years and a lawyer for 21 years before that, the principles I use have developed over time. The standards that are the backbone of my decision making continue to be adherence to the rule of law, upholding the constitution of the United States and that of the State of Washington, as well as the laws established by the City of Spokane. I will always stand with a system that emphasizes the necessity of an independent judiciary uninfluenced by special interest groups, with integrity and respect towards each individual regardless of income level, race, ethnicity, gender orientation, religion or other affiliations and that which upholds public safety. My decision making is undertaken to mete out a resolution that holds a person accountable for their actions in an earnest

desire to move them towards a more healthful and stable existence resulting in them not returning back to the criminal legal system.

How would you approach having to make a judgement that you don't agree with yet is correct in the eyes of the law?

One of the reasons a judge wears a black robe is to demonstrate that they are representative of a system and not of their personal beliefs. Experienced as a trial lawyer and advocate in many various capacities from private practitioner, city attorney to public defense lawyer has provided me with a strong broad knowledge of the intricacies of the law stepping into the role as a judge. I have viewed many situations from multiple perspectives. On those occasions where there is a question raised on the legality of a process or statute on motion, which is when this question would address, I lean upon the cases and briefing required to be provided by both counsel for the City and counsel for defense. I rely on legal precedent, established decisions to weigh the challenge – my personal opinions having no bearing on the question or the process. I take my oath and my profession with the utmost respect of the privilege and honor to be a judge. I may not always get it right, but I do always try to follow the law which leads me to a decision I hope to be just and true.

What criteria would you use for deciding to impose sentences, including diversion or therapeutic options? How should cases with repeat offenders be handled?

The judicial oath every judge is sworn to uphold, requires that judges not prejudge cases before they arise before them. The criteria for sentences are sometimes set by the legislature, for example driving while under the influence charges. I follow the law without regard to race, sexual orientation, religion, or other affiliation unbiased in my approach, withholding judgment until a person is appropriately before me on sentencing. When the possibility of a therapeutic alternative arises, that decision is first made by the prosecutor who are the state declared gatekeepers under the Revised Code of Washington, section 2.30, et seq., not a judge. To bring to the discussion when possible alternative approaches have been explored by this court, for the past 16 years I have consistently educated myself in determining the best ways to lead people out of the criminal legal system, increasing public safety and enhancing the lives of the people who come before the court. Review of research undertaken by the highest acclaimed researchers from highly respected universities such as Dr. Jacqueline VanWormer, Dr. Zach Hamilton, Dr. Douglas Marlow and national think tanks such as the Center for Justice Innovation, All-Rise (formally known at the National Association of Drug Court Professionals), Justice for Veterans and the National Center for State Courts and the studies they have shared have influenced my approach on these topics. The only "goals" of these researchers is to determine what works and what does not work when people are charged with a crime and are to be sentenced, seek a diversion or are found guilty of a crime and are seeking an alternative. I introduced the use of evaluative tools to determine the risks and needs of the person who may be invited into these specialty courts, an evidence based approach established by Dr. Douglas Marlow who determined the people with the highest risks and the highest needs (likely the people referred to as "repeat offenders") most likely will reap the greatest benefits from a therapeutic court. Those noted as low risk/low need should have a quick resolution and removed from the system without conditions so as not to have a negative impact which could result in them returning back into the system. Not every person is able to work in a formal therapeutic court setting – drug court standards require strict adherence to testing regimens that people from more chaotic living circumstances would never be able to satisfy from day one. The Center for Justice Innovation introduced the concepts of Community Court or Problem-Solving courts which have allowances for those living in

marginalized circumstances while still applying services and treatment requirements. Also developed was a risk tool appropriate for the misdemeanor population, as other tools apply only to a felony population. Here in the City of Spokane Municipal court, we have implemented all levels of treatment courts from DUI Court to Veterans' Enhanced Treatment Court to Community Court – each with their own unique niche population – all of which using evaluative tools to determine what may be driving the behavior leading to criminal conduct, with goal of increasing public safety by stabilizing their lives. As to individuals deemed “repeat offenders” who do not avail themselves of the multiple alternative approaches available, will find themselves incarcerated for ever increasing amounts of time – but even then, evaluators are sent to the jail if it is suspected the person has a Substance Use Disorder or a Mental Health challenge that may be addressed by treatment -with the possibility of a transfer straight into in-patient treatment from jail. This dogged approach is undertaken with the reality that there are no life sentences in municipal court – the maximum available is 364 days and the jail grants a reduction for “good behavior” making the maximum somewhere around 220 days – meaning at some point a person will be released from jail and if efforts are not made to address the root cause of their behavior, they will undoubtedly return on a repetitive basis.

Final Question: Is there any additional information you would like to share about your candidacy that you were unable to provide in the above responses?

I live, I work and I play in the City of Spokane. My family consisting of my husband, my son and his wife and my first granddaughter all live, work and play in the City of Spokane. My 98 year old mom, my sister and her husband all live and play here, too. I do not just get my paycheck and live out of town. I understand the decisions I make on the bench and my approach to my job has a ripple effect in to the community and it is important to me that effect is as positive as I am able to control. My experience as a municipal court judge is unique and nationally recognized - which brings positive recognition to the city of Spokane and I would like to continue those efforts.



CITY OF SPOKANE MUNICIPAL COURT JUDGE

Lynden Smithson

lyndenforjudge.com

Please list any professional licenses or other relevant professional experience.

I received my JD from Gonzaga Law School in 1998, I have practiced law in Spokane since then.

Before we dive in, tell us a little about yourself and what you love about downtown Spokane.

Working downtown I enjoy walking to lunch and taking walks along the Centennial trail on breaks.

How often do you visit downtown Spokane?

Every day during the work week.

What's your favorite restaurant or small business in downtown Spokane—or somewhere you spend a lot of time?

I enjoy walking from City Hall to High Nooners for lunch.

What is the role of the municipal court judge?

Municipal court judges hear all misdemeanor cases throughout the City of Spokane. They also preside over several therapeutic courts- Community Court, Veterans Court, DUI Court and DV Court. Municipal court judges should be leaders in transparency so that the community trusts the legal process. Municipal court judges should balance the rights of the accused against the safety of victims and the general public.

What are the most pressing issues related to the municipal court?

Community Court is a therapeutic court that handles all of the low level crimes charged in the downtown core. There are too many cases currently being heard in community court for it to be successful. Criminal defendants are granted far too much latitude by the community court and this leads to them suffering from addiction and homelessness. There needs to be more accountability for community court participants so they can successfully leave the criminal justice system with the tools to help them avoid addiction and recidivism.

What principles will you use to guide your decisions on the bench?

Fairness is the cornerstone to a good judge. Being willing to give the accused the opportunity to be heard and to present their evidence, whether by a lawyer or while representing themselves. A calm demeanor is also a benefit for judges dealing with criminal defendants and lawyers who may act out. The last quality a judge should have is the ability to make difficult decisions for the safety of the community and victims as well as for the defendant.

How would you approach having to make a judgement that you don't agree with yet is correct in the eyes of the law?

As a long-time prosecutor I was often called upon to make recommendations or take positions that may not have been my personal choice. Lawyers and judges are bound by the laws that are passed by the legislature. I would follow the laws as written and would not seek to undermine them or fail to follow those that I did not personally agree with. The understanding that a judge is to be fair and impartial is the core tenant that judges should operate under.

What criteria would you use for deciding to impose sentences, including diversion or therapeutic options? How should cases with repeat offenders be handled?

Municipal Court is a rehabilitative court versus a punitive court as Superior Court. All sentencing decisions should have a goal to rehabilitate the defendant and seek to keep the defendant from re-offending. Municipal court has a long list of resources at it's disposal to aid in reforming a defendant. Treatment for chemical dependency along with mental health help can be ordered. Alternatives to jail can be implemented, work crew, electronic home monitoring and community service are some jail alternatives that can be imposed. Diversion models in some therapeutic systems have shown to be effective as well.

Final Question: Is there any additional information you would like to share about your candidacy that you were unable to provide in the above responses?

I am the former Spokane City Attorney, in that position I was deeply involved in public safety as the supervisor of the City Prosecutor's Office. I worked closely with the Mayor, City Council and the Spokane Police Department to draft legislation and responses to the ongoing safety issues that plagued downtown. I have unique experience, as the City Attorney and as a long-time prosecutor, in addressing crime and the ongoing impact it is having on our constituents and businesses. I am in a position to bring needed change and leadership to Municipal Court and Community Court. The answer as a judge is engaging in compassionate accountability to improve the lives of the criminally charged as well as the general public.