

MODIFICATION REQUEST COVER SHEET

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| Name of Filer | Michael R. Scott |
| Reporting Period | <input checked="" type="checkbox"/> Annual report – calendar years 2016, 2017, and 2018 <input type="checkbox"/> Candidate/Appointee |
| Type of Request | <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal with No Change – <u>original granted on April 28, 2016</u> <input checked="" type="checkbox"/> Full Commission Approval – <u>April 28, 2016</u> <input type="checkbox"/> Renewal with Change |
| Office Held/Sought & Term | City Council Member, City of Bainbridge Island Term: January 2015 – March 2018 Judge, King County Superior Court Term Expires: December 2022 |
| Application Rule(s) | <input type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(b) <input type="checkbox"/> Personal Residence: WAC 390-28-100(d) <input checked="" type="checkbox"/> Attorney: WAC 390-28-100(1)(e)(i) <input checked="" type="checkbox"/> Judge / Judicial Candidate: WAC 390-28-100(1)(e)(ii) <input type="checkbox"/> Spousal: WAC 390-28-100(1)(e)(iv) <input type="checkbox"/> Other: WAC 390-28-100(1)(a)(c) |
| Explanation of Rule(s) | <p>Lawyers and law firms (when applicant is an incumbent or candidate and acts alone or as part of a governing body, board, or commission). An applicant may be allowed to satisfy the reporting requirements of RCW 42.17A.710 (1)(g)(ii) and WAC 390-24-020 by disclosing reportable clients from whom compensation has been paid in excess of the reporting threshold as follows:</p> <p>(A) The names of the business clients for whom the applicant has done legal work; (B) Other clients of the law firm whose interests are significantly affected by the applicant's actions as an elected or appointed official or whose actions will be affected by the applicant's action should the applicant be elected whose identities become known to the applicant through any means; (C) The names of the clients of the law firm who are listed in Martindale Hubbell, the firm's resume, web site, or similar promotional materials; and (D) Governmental clients that have done business with the law firm.</p> <p>An applicant may also be required to disclose all business customers from whom compensation in excess of the reporting threshold has been received whose identities are publicized or referenced in documents open for public inspection at the courts, in administrative hearings, at proceedings conducted by public agencies, or are a matter of public knowledge in other similar public forums. Alternatively, the commission may require an applicant to report only those publicly identifiable customers of which the applicant is aware.</p> <p>Judges and former law firms. An applicant may be allowed to satisfy the reporting requirements of RCW 42.17A.710 (1)(g)(ii) and WAC 390-24-020 by disclosing any required information of which the applicant is aware, when the applicant certifies he or she is no longer able to access or has been denied access to the former law firm's client information.</p> |

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| | <p>The commission may apply (e)(i) of this subsection when the applicant is a nonincumbent judicial candidate who practiced law during the reporting period and who seeks a modification regarding reportable business clients of the law firm.</p> |
| <p>Supporting Documents (attached)</p> | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Current F-1 (filed April 2, 2019) <input checked="" type="checkbox"/> Amended F-1 for Calendar Year 2017 (filed April 3, 2018) <input checked="" type="checkbox"/> F-1 for Calendar Year 2017 (filed March 13, 2018) <input checked="" type="checkbox"/> F-1 for Calendar Year 2016 (filed February 2, 2017) <input checked="" type="checkbox"/> Modification Application <input checked="" type="checkbox"/> Prior order (if renewal) – April 28, 2016 <input checked="" type="checkbox"/> F-1 for Calendar Year 2015 (filed April 1, 2016) |
| <p>Reason(s) for Modification (as stated by filer)</p> | <ul style="list-style-type: none"> • Judge Scott is requesting a renewal of a reporting modification that would exempt him from disclosing the business customers that paid \$12,000 or more during calendar years 2016, 2017, and 2018 to Hillis, Clark, Martin & Peterson, P.S., a law firm. • Judge Scott is a former attorney with Hillis, Clark, Martin & Peterson serving on its Executive Committee. He stated in previous requests that his duties involve setting general policy and the firm’s annual budget, but that he did not participate in day-to-day management decisions. He stated that his ownership interest in the firm was less than 10%. • Judge Scott stated that Hillis, Clark, Martin & Peterson had approximately 45 attorneys, with over 900 clients each year and that he does not have access to Hillis, Clark, Martin & Peterson’s client list. • Judge Scott stated that he resigned and retired from Hillis, Clark, Martin & Peterson prior to assuming the office of King County Superior Court Judge in April of 2018. |
| <p>Other Issues</p> | <p>Judge Scott has provided a list of his clients, clients who are identified in court files or other public sources, and the firm’s governmental clients. He has confirmed that Hillis, Clark, Martin & Peterson did not work for the City of Bainbridge Island, and received no payments from the City of Bainbridge Island during calendar years 2016, 2017, and 2018.</p> <p>Judge Scott stated he would have agreed to recuse himself if a matter came before him involving a conflict of interest between Hillis, Clark, Martin & Peterson and his duties as a City Council Member of the City of Bainbridge Island.</p> |