



FROM JUVENILE DEFENDANT TO SUPERIOR COURT JUDGE

HOW MY PERSONAL EXPERIENCES SHAPE MY SERVICE TO OUR BAR AND COMMUNITY

by Judge David Keenan

The one thing I remember very clearly was someone shouting my last name. I was perhaps 12 or 13 years old — the records have since been destroyed, and it's a memory I've tried to forget. But I remember hearing my name being shouted. Shouted, because I was one of several young boys standing outside the King County juvenile courtroom that day. I can't recall the racial makeup at the time, but I know today that there are many more black and brown children than there are white ones like me, far out of proportion to the community.

They called my name. My mother raised her hand. Someone handed her something to sign. We didn't know what we were signing, but the only thing we cared about was that it meant I wouldn't do any time in juvie. It was my first formal involvement with the juvenile justice system. And for better or worse, over the next 30-plus years, it wouldn't be my last. That journey has taken me inside and outside the system and now working to help change the system. And like many attorneys, my deeply personal experiences shape much of my service today.

FROM DEFENDANT TO ADVOCATE

For the last couple of years, I've been making monthly appearances at King County Juvenile Court. It's the same courthouse I first appeared in as a defendant more than 30 years ago. Only today I go there for monthly meetings of the Board of Directors of the Community Leaders Roundtable of Seattle. The Roundtable runs the 180 Program, which works to keep young people — especially youth of color — out of the juvenile justice system. One Saturday a month, eligible youth complete a workshop held at Seattle University School of Law, where they work with leaders from their community to try to bring about a 180-degree turn in their lives. The program was started by King County Prosecutor Dan Satterberg and leaders in the legal community, trying to find a way to address disproportionality

in our juvenile justice system. I joined the Roundtable board and the board of TeamChild, because I recognize the value of second — and third, fourth, and fifth — chances for youth who struggle in our system with the effects of things like racial bias and poverty.

I always arrive early to the juvenile courthouse for our Roundtable board meetings. I walk into the first floor where the courtrooms are. I find a chair, sit down, and remind myself how scared I was at my first visit. I go through that exercise every single time to make sure that I never forget how terrified even the most seemingly hardened children are when they cycle through the system. I go



David Keenan with his daughter Maggie

through that exercise to remind myself that we can do better. And we are doing better. I'm grateful to Satterberg and the many attorneys and judges who have recognized the opportunity we have right now to make tremendous strides when it comes to juvenile justice and who are actively working for change.

CHANNELING THE PERSONAL INTO THE PROFESSIONAL

While my scrapes with the juvenile court didn't start until the early 1980s, by then I had a well-developed fear of the justice system. Much of that fear can

be traced back to when I was with a family member who was pulled over in King County for having expired license tabs. It's a familiar tale among low-income members of our community: If you don't have money for license tabs, you surely don't have money to pay the ticket for driving without them. While today it is rare for police in Western Washington to haul someone to jail solely for unpaid legal financial obligations, it wasn't in the 1970s. We were taken to the police station in tears and made to wait until a relative could come and write a check for our release. I was maybe 8 years old at the time.

Nearly 40 years after watching a family member be arrested primarily for being poor, I was elected board president at Northwest Justice Project (NJP), Washington's largest provider of civil legal aid to low-income people, in January 2016. Our tremendous NJP attorneys and staff help address these types of stories every single day — seemingly small civil legal problems, like a traffic ticket, that spiral out of control because of poverty. I joined the NJP board and the Washington Supreme Court Civil Legal Needs Study Update Committee because I know from personal experience how easy it is to criminalize being poor.

RECOGNIZING MY PRIVILEGE

Today my family and I continue to have a complicated relationship with our legal system. Despite having been a defendant in juvenile court and dropping out of high school and earning my GED, in a strange twist I eventually spent nearly 15 years as a federal law enforcement agent, making arrests in some of the very neighborhoods where I'd found myself in handcuffs as a young man. It was my law enforcement career that convinced me I needed to go to law school, where I could figure out how to take my personal experience with poverty and the justice system, along with my experience in law enforcement, and channel all of that into working for justice for

our community. In 2014, I was appointed by Seattle Mayor Ed Murray to the Community Police Commission, where I do just that — take all I've learned about justice from personal and professional experience, and help be the community's voice in reforming police accountability.

I earned my law degree at night while working in law enforcement during the day, and the tension between spending my days investigating crimes and making arrests and my nights studying the Constitution continues to shape my views on access to justice. Along the way, I've come across members of my family in our jails and our system and I remind myself how fortunate I am that people intervened in my life to get me off that path.

I had many challenges growing up, but I also had the tremendous unearned advantage of being a white male, which meant that I got second chances that young people of color did not. So today I draw upon those personal challenges as a young man, my professional and leadership experience as an adult, and the recognition of my own privilege, to work to improve access to justice for our community. To this day, people continue to take chances on me, investing in me, mentoring me, and believing in me. I don't know that I deserve those chances, but I'm grateful to my peers and mentors who've shared their own journeys with me, helping me turn my experiences into something positive.



BACK IN COURT — AS A JUDGE

On November 8, I won election to the King County Superior Court. I won my election almost 30 years to the day from the last time I was in trouble with the law in King County. I'm coming back to King County Superior Court as a judge, not a defendant. My daughter Maggie was at my side as the election results came in, and while I hope she never experiences the challenges I faced at her age, I encourage her to think about ways she can help our community.

When my friends in the legal community ask for advice on where and how to serve our profession and our community, I suggest that they start with an especially painful or challenging time in their life and think about what would have made that experience less painful or challenging; what would have helped and why. In many cases, there is an organization, a board, a committee, or a pro bono opportunity that addresses challenges each of us has had. I think that's a good start. I made a number of mistakes and had some challenges as a young man and each of those mistakes and challenges informs my work today. We are not the sum of our mistakes or challenges, but I believe that each of us can channel them into service. **NWL**



David Keenan has a civil litigation practice at Orrick, Herrington & Sutcliffe in Seattle. In January, he will begin his first term as a King County Superior Court judge. David has served as board president at both Northwest Justice Project and the Federal Bar Association for the Western District of Washington, board member of the Community Leaders Roundtable of Seattle and Team-Child, a member of the Seattle Community Police Commission, and as a member of the WSBA Character and Fitness Board. He can be reached at dkeenan@orrick.com.



WSBA Reintroduces the Professionalism In Practice: PIP Award

Every day we meet individuals who exemplify professionalism. Their acts of civil and professional conduct serve as models for the rest of us to follow.

WSBA encourages you to recognize members of the legal community who adhere to high standards of behavior that advance professionalism. Bring recognition to a deserving individual by nominating him or her today for a WSBA **PIP Award**.

Nominations, which are always being accepted, may be made by members of the legal community or the public.



Find the short nomination form as well as a link to the WSBA Creed of Professionalism at www.wsba.org/professionalism. You can also learn more about other professionalism efforts.

Make your nomination today and award those who deserve recognition for their professionalism. All winners will be featured in *NWL* **Lawyer**.