

Name: Stewart Matthews
Court: Collin County Court at Law #3

1. What current or past judge do you most want to inspire your approach to judicial excellence, and why?

It is my understanding it is unethical for a judicial candidate to endorse another judicial candidate, so my comments are not to be construed in that manner.

I greatly admire Judge Oldner. He has a temperament which should be an example to all Judges, and he has a knowledge of the law most attorneys and Judges would find enviable. I have never been in his court in which he was not prepared – having read the motions before him – and willing to allow all sides to speak their minds before rendering a decision, applying both the law and common sense. I have yet to hear anyone say, win or lose, they did not have a fair and impartial Judge with Judge Oldner.

2. What has been the greatest accomplishment in your legal career? In your personal life?

In my legal career I am fortunate to be able to help families at their greatest time of need - usually after the loss or severe injury of a loved one. I have had several financially successful cases, but it is not the money that always measures an accomplishment. It is knowing I did all I could to help. Thus, while difficult to pick one case out from the others, I would have to chose a case where a child was hurt by a bicycle manufactured in China – unbeknownst to the little girl or her mother, the bicycle had been incorrectly manufactured to where the chain was going to fall off on her first ride. Sure enough, in the first few minutes of her first ride, the chain dislodged causing her to lose control and be thrown face first into a brick wall. The impact splintered, fractured and dislodged most of the front teeth in her mouth. She was required undergo surgery and then required to wear embarrassing false teeth throughout her childhood. When I tried to make the company in China own up to their responsibility, they ignored us. When I sued them, they ignored the lawsuit. When I was finally able to force them to court, they played dumb to the rules of law. This case took over two years of perseverance and determination to force the Chinese company's hand and get them to pay for this little girl's injuries. It is this type of drive and dedication which has made my practice successful, caused my law firm to receive referrals from other attorneys nationwide, and allowed me to have the experience of practicing not only throughout Collin County but in multiple States. It is this exact type of drive and dedication I will also apply to being a Judge.

In my personal life there is no question it is my family. I have a very close family, which has taught me that love and caring for one another knows no boundaries, and can go beyond bloodlines. This lesson from my parents allowed me to undertake the role of being a father to two boys which were left behind after my good friend of several years passed away. The promise to care for the boys came in an off the hand

conversation, which I am certain many have had, where he said, 'If anything ever happens to me, will you take care of my boys – be there for them?' Without hesitation or true concern he would die, I said yes. A year later he did die. His boys were five and seven. I did not falter from my promise, and for the last seven years those boys have been a part of my life and my family. I often have people tell me how wonderful it is I am so involved, but the blessing is not that I am a part of the boys' lives, it is that they are a part of mine. Out of a terrible tragedy came the most meaningful part of my life. I wish their father was here, but I will do what I can to step into his shoes and be there for them for the rest of their lives.

3. What, if anything, would you change to improve the procedures and efficiency of the court you are seeking?

We need to utilize technology more. Through the internet and other webcast capabilities, we can have multiple hearings in less time without the costly need for prisoners to be transferred to the courthouse. This will not only save money, but time as well since the attorneys can avoid jumping from one courtroom to the next. They can be at the jail appearing with more than one client in less time.

There is also no reason this application should not be applied to the civil cases as well. This court is too often seen as only a criminal court, but it simply is not. This court hears civil cases too, and anyone involved in a civil case - a business or individual - can describe the turmoil and expense in being in a case which is pushed to the back of the line because there is 'not enough time' to handle both the criminal and civil cases. Collin County deserves a judge which can understand and fully respects the needs of the civil docket. I am the only candidate which has experience in operating a business outside of the legal arena, and I understand the issues a working individual or business has when involved in a lawsuit. I will make certain civil cases are not so easily pushed to the back of the line. This can be achieved by allowing special settings to be utilized more often which allows the civil trials to take place promptly, increasing the use of technology for civil cases as well as criminal cases, and even using existing technology as simple as a phone to have more phone conferences for less complicated hearings so civil attorneys aren't left waiting in the courtroom and their clients left paying the attorney to wait.

4. Do you feel that ALL citizens have equal and adequate access to justice in our county? How would you improve that access?

When discussing the criminal docket, yes I do. There are strict guidelines and statutes in place to assure a person has a prompt and fair trial in a criminal matter. Collin County does a good job of adhering to those needs.

When discussing civil cases in the county courts at law, no I do not feel there is adequate access to justice. This is one of the reasons I chose to run for the bench. Too often this court is seen as a criminal court, and that is a disservice to the services this court offers. Potential Judges who have mainly a background in criminal law are often uncomfortable with the more complex civil cases. A Judge with this limited experience is too willing to

push a civil case to the back of the line, which denies those people fair access to the justice system. Additionally, when a Judge does not have true experience in complex civil litigation, the law in civil cases may be incorrectly applied, which again is unfair to those in civil cases.

It is crucial a Judge knows complex civil law for this bench. Keep in mind, this court only hears misdemeanor criminal cases, but it has the ability to hear all types of complex civil cases. I am the only candidate who has extensive experience in complex civil litigation, and it is this experience which will improve the understanding and knowledge of the law applied in civil cases. Add to this that I am the only candidate with experience in running a business outside the legal arena, then it is obvious I am the candidate which adds an understanding and common sense only known to those who have had such business experiences.

My experience in both the private business world and in law provides a unique perspective which can only improve the average Collin County citizen's access to justice in this court.

5. Collin County tracks indigent defense dollars ordered by each judge. What effect would that reporting have on your decisions to order that the county pay for a defendant's defense?

None. I have a strict fiscally conservative core, and I will balance that with need to apply the law as it is written, which includes the requirement to help those who are unable to afford a defense attorney on their own. However, I am grateful and appreciate that such oversight is done so that we can all know how our tax dollars are being spent.

6. What do you perceive as the greatest obstacles to justice in Collin County?

The fact civil cases are so readily pushed to the back of the line. This hurts businesses involved in the cases financially, through increased attorney's fees and the potential for a negative mark on their businesses. This may in turn also hurt their ability to obtain credit to keep their business going. This same delay in justice in civil cases is problematic for individuals also, who too often take off work to only their case has been delayed, again.

7. Incarceration is the most expensive criminal sanction available. How would that fact affect your sentencing decisions?

This court only handles misdemeanor cases. Thus, this court can be a stop-gap for individuals to get their act together. Utilizing rehabilitation programs has been found successful in reducing recidivism, and the cost is less than incarceration, especially if you pass the cost for these courses onto the criminal. However, these programs should not be seen as a 'get out of jail free' card. They should be used when there is the opportunity to get the person help and get out of the system early, which will in turn reduce costs to the county. On the other hand, if a person refuses to utilize such programs or is a danger to

himself/others, he should be incarcerated for an appropriate length of time to protect society and himself.

8. Without commenting on a specific case or type of cases, should Collin County explore more or different types of alternative sentencing? What do you think works? What would you like to try?

I believe I answered this question in my response to number seven above. To be more specific as to what type of programs – drug rehabilitation, alcohol rehabilitation, anger management course, individual counseling, etc. I am the only candidate which has worked as a counselor in both inpatient and outpatient settings, specifically with people undergoing behavior problems. I assessed and judged people's ability to respond to such programs, which makes me uniquely qualified to explore these types of sentencing alternatives.

9. Recently a Dallas judge made the news when he replaced a white juror with a minority one in a capital trial where the jury was all white and the defendant was not. Do you believe it is important for a minority defendant to have a jury that contains minority members?

It would be improper to indicate how I would rule on certain matters. Suffice to say, there are safeguards to ensure a person has a jury of his/her peers. If an attorney believes a jury panel has been selected based solely on a persons' race, color, sex, religion or national origin, they can raise the issue with the Court, and the concerns can be addressed on a case by case basis. On a personal note, as an attorney I have yet to pick or dismiss a juror because of their minority status. When involved in a jury trial, I want jurors which are going to give my client a fair opportunity to prevail. I have yet to think I lost or won a case because I didn't have a jury with the right minority status.

10. When a judge's sense of justice appears to be at variance to the strict application of the law, what approach should an ethical judge take to resolve the conflict?

I have pledged I will apply the law fairly and impartially as it was written. It is not an ethical Judge's place to be an activist. If the law is thought to be 'bad' law, the attorneys for the parties in the case can take the ruling to a higher court, or the citizens can take the law to the legislature to change.

11. Do you believe that our system of partisan election of trial judges should be continued? How can it be improved?

Yes it should be continued. It is important the voters have a fair understanding of who they are electing. The process for learning about an individual is short enough, and when based on partisanship, the voters have at least a basic understanding of where the candidate stands on certain core issues. The process may not be perfect, but it has produced some wonderful Judges in Collin County. I do not see a need for any changes at this time.

12. Tell the voters one thing about yourself that isn't on any website, nor discussed at any forum.

While I have had a successful business before law school and now I have developed a successful law practice, I was initially going to be a psychiatrist. I worked as a counselor right out of college, and one of my duties as a counselor was to attend a campout for those patients who earned the privilege. This campout was held on my family's ranch – the same ranch where I learned to drive a truck, wreck a truck, bail hay, work cattle, shoot a gun and simply listen to the sounds God put in nature on a summer's night.

On these campouts I took the patients (all teenagers since it was a teen program) on a hayride. This was to inform them of the history of the ranch, but it was also to scare heck out of them so they wouldn't try to run away. My stories were numerous and succeeded in keeping everyone close to the campfire at night. However, I would end each hayride with a story about a field created by a tornado – a true story. A tornado touched down and removed almost every tree on part of our property. My grandfather cleared the brush, put up a fence and we had a field. We could have let the field go back to being a wild forest. In time the trees and brush would grow back, but instead we took the opportunity given to us to make a new field. I used the tornado field to point out how God gives each of us gifts and also a free will to use those gifts or ignore them. It is up to us. I strongly believe this, and have tried to utilize all of the gifts God has given me.