

East Bay Stonewall Democratic Club Endorsement Questionnaire

Thank you for your interest in obtaining an endorsement from the East Bay Stonewall Democratic Club.

Per the Club's bylaws, to be eligible for endorsement, a candidate must be a registered Democrat. All candidates must also complete this candidate questionnaire to be considered for an endorsement. Endorsements are decided by the general membership, and candidates must receive at least 60% of votes cast to be endorsed.

The deadline for questionnaires is posted on the East Bay Stonewall website (<http://eastbaystonewalldemocrats.org/Elections>). Any candidate submitting a questionnaire that is received after the deadline will not appear on the endorsement ballot. To ensure a fair process, no grace period will be granted.

Please return your completed questionnaire via Google forms by clicking submit at the bottom of this form. All form submissions are final. If you have questions, please contact Ryan LaLonde, Interim EBSDC PAC chair via email at [REDACTED]

Email *

[REDACTED]

Email *

[REDACTED]

Name (First Last) *

Mark Fickes

Are you a registered Democrat *

Yes

No

Office you are seeking? (e.g. City Council, School Board, Supervisor, etc) *

Alameda County Superior Court Judge, Seat 12

Jurisdiction *

Alameda County

District *

N/A

Are you an East Bay Stonewall Democratic Club member in good standing? If you are unsure, *
email eastbaystonewalldems@gmail.com.

Yes

No

I self-identify as: (check all boxes that apply; note these identifiers will be used publicly during our endorsement process.) *

- Gay
- Lesbian
- Transgender
- Gender non-conforming
- Bisexual
- Queer
- Straight
- Other:

How have you participated in East Bay Stonewall Democratic Club activities, and/or supported the Club other ways? What other LGBTQ+ organizations are you affiliated with and in what capacity? What other Democratic clubs are you affiliated with? *

I have been a member of the East Bay Stonewall Democratic Club in the past and did some work with the Policy Committee on programming and by attending a past Pride Brunch. I have been a member of Bay Area Lawyers for Individual Freedom ("BALIF"), the nation's oldest and largest LGBTQ+ bar association since I started law school in 1992. I served on BALIF's Board of Directors for four years including two as co-char. I resigned when I was appointed to serve as an Alameda County Superior Court Commissioner. When in the BALIF Board, I served as the Annual Gala Co-chair in 2020 and 2021 (and helped raise more than \$150,000 for the LGBTQ+ community).

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Using specific examples, please identify the causes you have advocated for and the ways you have helped advance LGBTQ+ rights or otherwise helped foster a community of inclusivity for LGBTQ+ individuals and families. *

Because I am a Superior Court Commissioner, I am not permitted to advocate for social causes. However, much of my historical involvement in social causes relates to my role in the Jewish community. I was a member of the Board of Temple Beth Abraham, an Oakland synagogue, for eight years. I served as its president for three years. In fact, I was its first openly gay president. I spent a lot of energy making sure that our community was warm and welcoming to the LGBTQ+ community as well as to people of color. I organized my synagogue's involvement in SF Aids Walk for many years. During that time, we were among the larger donors from religious institutions. I also helped organize my synagogue's participation in the Walk Against Genocide, which raised money to support relief efforts in Darfur. I have also worked to advance the role of the LGBTQ+ individuals in the legal community through my past role as Board member of BALIF. BALIF's mission is to encourage greater LGBTQ+ representation in the legal community by advancing LGBT rights. It also filed amicus briefs in significant cases of interest to the LGBT community; provided mentorship to young LGBTQ+ attorneys' through resume workshops and other skill building and networking activities. Before my appointment as Superior Court Commissioner, I advocated for women and children victimized by domestic violence and sexual assault and I represented a LGBTQ+, Asian American woman who had experienced racial and anti-LGBTQ+ bias and harassment in the workplace.

Have you previously supported LGBTQ+ candidates for office? If yes, did that include financial support? *

Under the ethical canons applicable to Superior Court Commissioners, I am not able to answer this question.

Which LGBTQ+ organizations and elected officials have formally endorsed you for this race? *

I have been endorsed by LGBTQ+ Alameda County Superior Court Judges Peter Borkon, Tara Flanagan, Thomas Reardon, and Victoria Kolakowski. I have also been endorsed by Alameda County Superior Court Commissioner Bentrish Satarzadeh. As for elected LGBTQ+ officials, I have been endorsed by Victor Aguilar (San Leandro City Council), Andy Kelley (Berkeley Rend Board), and Terry Taplin (Berkeley City Council)

Please describe a policy/goal that is part of your formal platform that benefits the LGTBQ+ community? *

Superior Court Commissioners and Judges cannot affect changes in social policy or advocate for benefits to any one particular community. However, I do have the following priorities:

(A) The court is facing an unprecedented “brain drain” with the recent and anticipated retirements of judges sitting in civil trial departments. This challenge is compounded by understaffing at some courthouses. I would like to help address the backlog of cases given my unique perspective of having extensive civil and criminal litigation experience along with the experience of having presided over thousands of hearings as a Superior Court Commissioner. I will be able to hit the ground running to assist in reducing the backlog created in part by the Covid-19 pandemic and the large number of current and anticipated retirements. Further, if asked, I would welcome the opportunity to participate in looking at ways to attract more people to come and work for the Court.

(B) Last year, I served on the Court’s Community Outreach and Elimination of Bias Committee. Early in my career, a lawyer called me a “faggot” in a courtroom and no one reacted, except for me. While things have improved greatly for the LGBTQ+ community, I have seen bias, classism, racism, anti-Semitism, Islamophobia, ableism, mental health stigmatization, and other prejudices in courtrooms. Some of this is explicit and some is implicit. It is only through dialogue and training that we can improve, and so I hope to work with my colleagues to make each courtroom as free of bias as is humanly possible.

What makes you uniquely qualified for the office and how are you different or unique from the other candidates in your race? *

I believe that my experience, temperament and commitment to justice make me unique. While diversity in the courts in the areas of race, gender and sexual orientation is extremely important, the courts also need judges with diverse legal experience. Prior to being appointed as a Commissioner, I tried more than 50 cases to verdict in state and federal courts. I have tried criminal cases, civil rights cases, complex corporate fraud and insider trading cases, and whistleblower retaliation cases. Over my twenty-eight year career, I handled almost every type of case a judge is called upon to hear.

After a long career in public and private practice, I was honored to be appointed as an Alameda County Superior Court Commissioner. I am currently assigned to the Fremont Hall of Justice where I hear criminal infractions consisting of mostly Vehicle Code, Fish and Game code, and Health and Safety Code violations. I preside in a courtroom that hears hundreds of criminal and traffic infractions every week. Most who appear before me have no experience with the justice system and are not represented by attorneys. I am privileged to help guide them through an intimidating system by making sure everyone is treated with dignity and given due process. A few months ago, the Chief Justice of the California Supreme Court appointed me to a Judicial Council advisory committee tasked with improving the administration of justice in traffic court procedure, practice, and case management. More recently, the presiding judge of the court asked me to mentor our new temporary judges who will sit in traffic court. Temporary judges are not actually judges. They are attorneys who volunteer a few days a year to cover court calendars when a judge or commissioner is out.

Thirty-five Alameda County Superior Court Judges and Commissioners, including the retiring judge whose seat I am running to fill, have endorsed my candidacy. These are the reasons why I am uniquely qualified.

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Google Forms