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Profile / David Soukup

Mi CASA Es Su CASA

By Joanna Plichta and Susan McIntosh

One Seattle judge's sleepless nights worrying about lack of proper representation for children in court inspired one of the most successful child advocacy programs in history. Judge David Soukup's nightly ponderings led to the inception of the Court Appointed Special Advocate (CASA) program, which specially trains volunteers to provide a voice for children in dependency and custody cases. Today, CASA is a national organization that has 50,000 community volunteers who advocate for children's rights across 49 states.

In 1976, Judge Soukup set up an informal brownbag lunch to see if anyone was interested in helping him with his CASA idea. He was expecting five to 10 potential volunteers to show up. He walked into a room of approximately 60. It hit Judge Soukup that his small idea was huge. It was the catalyst for change he was looking for and, finally, a non-attorney voice would be responsible for conveying the wishes of the child — expressing an opinion to the judge as to the child's best interests and assuring access to social services for family members.

"It was a wonderful surprise to see how many folks were interested in the program," said Judge Soukup. "The moment I walked into that room and the discussion got going, the momentum never really stopped." Suddenly, the CASA movement was born.

Locally, the CASA program consists of a diverse range of community volunteers who are trained to act as independent neutrals on behalf of children in dependency and family law cases in King County. Often times, pro bono lawyers will represent the CASAs in dependency cases.¹ CASAs are crucial to assuring that the children's stories are told correctly to the judge.

"The CASA's voice becomes the children's key means of communicating with the court," said Judge Soukup. "And that information is crucial to help a judge make the best decision possible."

In 2007, a court-appointed special advocate represented the 2-millionth child in court. “The program is working as it should,” he said. Through CASA, powerless children are no longer also the voiceless in society.

David Soukup grew up in suburban Chicago. As a child, he spent his days helping his father at the family-owned retail hardware store. As a young adult, he was drafted into the army. He spent two years at Fort Lewis, where, while serving his country, he became enamored with Washington.

After the army, a sales job in the hardware store awaited him. “Fortunately, my brothers have hardware in their blood and took over that business. I was off the hook,” he chuckled.

Giving up the potential of someday becoming the king of hardware, Judge Soukup thought about his future. He recalled all the inspirational people in his life and almost immediately his brother’s father-in-law came to mind.

“He was a really great Chicago trial lawyer,” said Judge Soukup. Inspired, Soukup applied to and attended the University of Chicago Law School. Upon graduating, he remembered how much he loved the Pacific Northwest while stationed at Fort Lewis. Without hesitation, he flew out to Washington, checked into a hotel and applied for the bar exam. Because only state residents can sit for the Washington exam, on his application Judge Soukup declared himself a “permanent resident of Washington based on one day’s residency at the City Center Motel.” His bold assertion worked — he passed the bar and was admitted to practice in Washington in 1961.

Judge Soukup started his career at Cartano, Botzer & Chapman, but ultimately left to join the King County Prosecuting Attorney’s Office after Charles “Chuck” Carroll offered him a position as a deputy prosecutor. It was the perfect opportunity to become that great trial lawyer he had dreamed of becoming before law school. For 3½ years, Judge Soukup tried and appealed complex and interesting criminal cases before transitioning into solo practice.



In 1967, Mayor Dorm Braman appointed the young lawyer to the Seattle Municipal Court. While on the bench, Judge Soukup thought a lot about the children and adults who appeared before him.

"I realized that it would be more convenient for some citizens to have the option of attending court at night, since leaving work in the middle of the day can be burdensome," he said. And so, he single-handedly created night court. For the first session, Judge Soukup had two cases. To this day, it still makes him laugh to recall that both parties were no-shows.

After two years, Gov. Dan Evans appointed Judge Soukup to the King County Superior Court bench. Given his strong background and excellent reputation in the community, it was no wonder Governor Evans fast-tracked Judge Soukup to Superior Court. At the time, he was just 35 years old.

Hugh Spitzer, a partner in Foster Pepper, PLLC, recalls the first full-length trial he ever conducted in front of Judge Soukup. It was a week-long, non-jury trial involving a Boeing worker with cerebral palsy. Spitzer represented the worker, whose case was backed by the machinists' union.

"Judge Soukup was incredibly professional, respectful and nice to the lawyers and witnesses," he said. According to Spitzer, Judge Soukup ran "a firm but relaxed courtroom," and everyone always felt like they were "getting a fair shake." Ultimately, Judge Soukup ruled in favor of the plaintiff. Not only was his ruling upheld by the Washington Supreme Court in *Holland v. Boeing*, but it also established the principle of reasonable accommodation for disabled workers in Washington.

Judge Soukup's tenure as a respected, highly regarded Superior Court judge was successful as much as it was entrepreneurial. In addition to being credited for creating the CASA program, he also was instrumental in remodeling the criminal case-flow system to streamline omnibus hearings and assure compliance with the speedy trial rule. He also was one of the masterminds behind providing a case management solution in family law cases.

After retiring from the bench in 1983, Judge Soukup returned to private practice where for 13 years he practiced personal injury, medical malpractice and insurance coverage law. One of his most memorable cases involved a sympathetic client who owned a fish-packing plant in Kodiak, Alaska. An arctic storm washed out the plant, virtually destroying it, leaving \$200,000 worth of property damage and another \$200,000 in business loss.

For reasons unknown to Judge Soukup, the client's son told the insurance company that the condition of the plant pre-existed the storm. The insurance company accepted the son's report and failed to investigate or pay the claim. The client was devastated, but not for very long. With Judge Soukup's help and legal advocacy, the client was able to recover \$4 million in a U.S. District Court trial before Judge John Coughenour.

In 1996, Judge Soukup might have retired again, except that his entrepreneurial spirit got the better of him. He founded Soukup Arbitration where he currently practices. When he is not arbitrating and mediating cases or serving as a CASA, Judge Soukup spends time with his grandchildren, whom he takes sailing on his 36-foot boat.

CASA was Judge Soukup's most brilliant vision. He received the Washington Bar Association's Award of Merit for his work on the program, which came as both a shock and honor to the retired judge. "It is remarkable that the WSBA would bestow their highest honor for a program that is dedicated to helping needy kids. That is just remarkable," he said.

But was it? The amazing nature of Judge Soukup's work is shared by everyone who has had the honor to meet him and learn about his story. Rep. Jim McDermott (a psychiatrist by profession) paid tribute to Judge Soukup at the 30th anniversary celebration of the CASA movement last year. In the Congressional Record, he addressed honoring "one of Seattle's finest start-ups, one that is valued throughout the country today." McDermott said, "Judge Soukup's innovative vision has grown to become a strong and respected national program of advocacy for children."

Having appeared to testify as an expert witness in Judge Soukup's courtroom on occasion, McDermott describes him as "both a thorough and caring jurist." He said that Judge Soukup "founded the CASA movement because he wanted someone in his courtroom whose only job was to provide a voice for the children."

And so it has been that 2 million children have had that voice because of Judge Soukup; one judge, who tossed and turned at night thinking about how to advance children's rights and had the foresight and courage to start and build one of the strongest advocacy programs in the nation.

Thirty years after creating the CASA program, Judge Soukup still spends a third of his time volunteering as a CASA in dependency cases. One of his most memorable CASA cases involved a 3-year-old boy with a sad and complicated family history. At one of the last court hearings in the case, a social worker brought the child to court. Immediately, the boy ran to Judge Soukup, grabbed his hand in excitement and introduced Judge Soukup to the caseworker: "This is my best friend," he said, staring up at the judge with a big smile.

It is no wonder, then, that Judge Soukup sleeps more easily nowadays. His nights are no longer filled with worry and frustration. He rests his head knowing that his CASA program has affected the lives of millions of children for the better and can sleep with a sense of accomplishment, satisfaction and — finally — peace.

1 This program is to be distinguished from the Family Law CASA of King County program, an independent nonprofit that trains and represents CASAs in family law cases where the parties dispute custody. According to Judge Soukup, both attorney and CASA volunteers are invaluable to both programs.

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