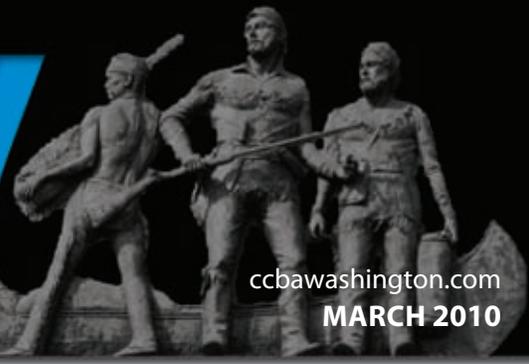


# HEARSAY



ccbawashington.com  
MARCH 2010

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION

## Barristers Rock the Ball!

*page 4*



Opening on District  
Court Bench

*page 9*

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### ON THE COVER

Local attorneys, judges and guests revel at the annual CCBA Barrister's Ball on February 27, 2010 at the Red Lion Columbia River.

HEARSAY is published 12 times per year and is edited by: **JEFF GOUGH, Creative Director • GOUGH CREATIVE GROUP • 360-818-4GCG • [director@goughcreative.com](mailto:director@goughcreative.com)**

An annual subscription is included with annual membership dues. Members may purchase additional subscriptions for \$40.00 each. Letters, news items, upcoming events and announcements are welcome. Articles by members are accepted. Submissions should be presented in Microsoft Word and may be edited for length, clarity and style. Submissions by members are published at the editor's discretion and space available. Views expressed in articles represent the authors' opinions, not necessarily the CCBA's. The publication does not purport to offer legal advice.

CCBA OFFICE HOURS: Monday through Friday, 8:00 a.m. to 5:00 p.m.

# Babies and Rabies



**DAVID W. RIDENOUR**

*CCBA President*

I was talking to my Mom a couple weeks ago, and she shared a story from my early childhood that I had forgotten. As she told me the story, the memories came flooding back. I was bitten by a small dog when I was very young. There was some concern about whether the dog was diseased, so they trapped the animal for testing. My parents explained to me that the dog had to be tested for rabies to see if it was sick, because it could have made me sick with the bite. They explained that if the dog had rabies, it would have to be killed.

Little children don't know what rabies are... It was just a word that I had probably never heard before. But I understood immediately that this was something serious if they were going to kill the dog over it. Rabies must be something that is so dangerous and that makes you so sick, all they can do is immediately kill anything that has it.

Over the next few days, my little brain was processing all of this information. I was so concerned, I finally mustered the courage to ask my Mom the question that had been on my mind: "If they find out the dog does have rabies, will I have to be killed, too?"

Very mortified, that's what she was. She felt awful that her child had been worrying all that time that his own parents might have to put him down. I was indeed concerned, but I also trusted my parents completely, and if they had to have me put down, it would be because that was the right thing to do under the circumstances. Still, I wasn't sure I was looking forward to the idea...

Even after all of these years, I remember my state of mind when I asked that question. I guess one lesson to take from the experience is the reminder that we have to be very careful with the things we say to each other. Our words can do so much harm, even when we don't want to hurt somebody. And when we DO intend to hurt somebody – watch out. We hear and use cruel language so commonly in everyday conversation that we often fail to even recognize it, even though the words can be far more destructive than mere 'sticks and stones'.

You already know how important the use of language is in our profession. We rely on language to express our ideas, which are



often being conveyed in the context of our role as advocate and adversary. That's the job, even though the larger reality is we are all just working in the same service industry to make a living and provide for our families and households. I guess it's a good idea to remember once in awhile that it's okay to be kind to one-another, gracious and compassionate, professional and respectful, and careful about how we treat each other.

Obviously I'm pleased that I wasn't put down at the age of four. The reminder of that story has encouraged me to work on being more careful in all of my conversations. I know that I can be more respectful to my friends and colleagues in this community. And I apologize for all of the times that I have ever been anything but courteous and direct with any of you in the past.

Under new management: Big changes are happening with the newsletter! I sort of fell into the job of Editor for the first six issues of Hearsay, (with a LOT of help from the members of our newsletter committee). But it's time for a break as I focus on more important things that should have been my priority a long time ago. So we've decided to let members of the committee take turns as Editor in Chief, starting with this very issue. I want to thank Diane Wheeler and David Gregerson for volunteering to put the March issue together. They are more work to organize and lay out than most people realize.

Just a note here at the end to thank the many people who pulled together to work on the Barrister's Ball. There are a lot of familiar names in the list of members who devote so much of their valuable time to help make these events a success. I want to recognize Diane Wheeler, Crystal Lambert, Jean McCoy, Mila Boyd, Chris Boyd, Elena Quintana, Don Jacobs and his band, and all of the members and local businesses who donated to the silent auction. For everybody that attended the function, THANK YOU!

And finally, I should point out that I was forced to write this column before the Ball even took place, so hopefully it came off without a hitch and everybody had a great time! If instead the night turned into a disaster, I guess we'll all read about it in Mila Boyd's article in this month's issue! See you next month – David

# Barristers Ball 2010!

## The Ball Brings Recognition to Members, and Fosters Generosity for Charity



**MILA BOYD**

*Hearsay Special Correspondent*

Dressed in gowns and formal wear, over a hundred members, family, staff, and friends attended the annual Barristers Ball on Saturday, February 27, 2010, at the Red Lion On the River in Portland. The soiree started with the successful silent auction, with bids on 74 donated auction items from our members, local businesses, and other community members. The auction included an assortment of items from restaurant certificates, art-work, ski package, creative gift baskets, to pet frogs.

With the silent auction and raffle funds, the Clark County Bar event raised \$4,414.00 for charity. This year's charity organization was SHARE, a local organization which provides resources to the hungry and the homeless.

The awards ceremony followed, with CCBA president, David Ridenour entertaining guests with his introductions. The Volunteer Lawyers Program presented two Volunteer of the Year awards, one to Randy Stewart for his assistance in the Bankruptcy area, and one to attorney Sidney Dahlquist, an attorney at the Scott Horenstein Law firm, for her commitment to volunteer services. The Ken Weber Community Service Award was

given to Judge James Swanger, and presented by Scott Horenstein. The Donald Simpson Professionalism Award was given to James Senescu, and presented by his golfing coach/buddy, Judge John Nichols.

In addition, those who have over 40 years of service, and those who have over 50 years of service were honored. Those who have over 40 years of service include: Hon. Frederick J. Stoker, Hon.



Ronald C. Wilkinson, Hon. James D. Ladley, Hon. Thomas Lee Lodge, Michael Guthrie Langsdorf, James T. Marston, Hugh James Potter, Brian H. Wolfe, William Franklin Nelson, Dennis Raymond Duggan, James R. Miller, Gilbert H. Kleweno, Dean Pontius, Daniel Gabe Marsh, Robert Keith Leick, Terrance D. Hannan, Darrell Eugene Lee, and Jeffrey Michael Witteman.

Those with over 50 years include: Hon. Milton Richard Cox, Hon. Robert Lee Harris, Hon. John N. Skimas, Robert McMaster Schaefer, James Russell Gregg, William H. Dunn Jr., Duane Lansverk.

Also recognized with an award of appreciation were Linda Frischmeyer and the Landerholm Law Firm for Linda's many hours of legal work and research provided to the CCBA.

Certainly, the Alan Harvey blooper award was not forgotten. This year's blooper award went to last year's Donald Simpson award recipient, prosecutor John Fairgrieve. Judge Robert Har-

ris presented this award and told the story that deserved this award. John Fairgrieve propped a piece of paper on a projector in Judge Harris' courtroom during a trial, catching the paper on fire. As Tony Golik from the prosecutor's office accepted this award on behalf of John Fairgrieve, he adamantly announced that he was not John Fairgrieve. However, he reminded the guests of the prosecutor's notariety for physically abusing the jury (the original blooper by Alan Harvey that brought this award into being), and now for attempting to start the courthouse on fire.

For the third year in a row, the ball closed with the band, the Slicers (with drummer Don Jacobs) jamming on stage.

The CCBA would like to thank our guests, organizers, and donors for their commitment and generosity for this important event. Until next year . . .



## Our thanks to the following donors of auction items at the Barrister's Ball

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## The BIG CHECK Comes to Clark County



**JEAN McCOY**

*Hearsay Special Correspondent*

Don't let anyone tell you that Clark County lawyers don't like hanging out together. Just two days after the very successful Barrister's Ball, a great crowd again gathered for the March 1, 2010 General Meeting at the Red Lion Inn at the Quay. We enjoyed an Italian Buffet and watched CCBA President David Ridenour heft around a "big check" representing the proceeds from the silent auction portion of the Barrister's Ball. After lunch, David Ridenour presented the check to Diane McWithey, Executive Director of Share, a nonprofit serving the hungry and homeless in Clark County, and Peter Fels, CCBA Member and Board Member for Share. As it turns out, the donation amount for Share is the largest CCBA members have donated in our history of the Barrister's Ball. Share provides numerous outreach opportunities, from providing daily meals, housing through shelters it operates, and programs for school children who do not have enough food to eat. It is a very worthy cause, and we will be hearing more about Share's programs in future editions of Hearsay.

The program then took a more serious turn as we had the pleasure of listening to national speaker David B. Markowitz regarding Deposition Techniques. Mr. Markowitz shares his speaking talent regularly with both the Oregon and Washington Bar Association CLE programs, and gave us a 2-hour snapshot of his tips and tricks for conducting and defending effective depositions. The most interesting portion of his materials revolved around discussing the type of questions we use in depositions. Most attorneys, Markowitz shared, do not even think about the manner in which they ask their questions, they just do what they have always done since the beginning of their career. Markowitz challenged our members to review how they ask questions: Do we primarily use leading questions, or open ended questions? Sometimes the type of question we use depends on the type of deposition we are taking; do we want to prove a point and create admissions, or do we want the entire universe of information this witness has?

If the point of our deposition is to discover all the information this witness knows, open ended questions are the most effective tool to use. However asking open ended questions takes more effort, better listening skills, and more patience. To illustrate his point, Markowitz split members into groups of two. Each attorney was



David Ridenour (left) and Peter Fels (right) present "The Big Check".



David Ridenour thanks David Markowitz for crossing the river for the CCBA.

to think of some major event, either in their lives, in the world, or at some point in history. The most experienced attorney of the two had one minute to ask “yes” and “no” leading questions in order to determine what event the other attorney had chosen. Other than Jim Mullins, who vigorously questioned Ken Hoffman until he determined the Chilean earthquake was the “event”, the rest of us had difficulty obtaining enough information from our partner in one minute to answer the question. The less experienced attorney then had a turn and could ask open questions to elicit information regarding the chosen event, but he or she only

had 30 seconds to do the same thing. It was an interesting exercise to realize how much more information could be gained in a shorter period of time depending on the type of question used.

Mr. Markowitz was very well received and offered to come back to teach the second portion of his materials, relating to use of depositions at trial. Watch for announcement of that course, and for the date of the next General Meeting. In the meantime, remember to ask the “Big Question” first in depositions, it will speed up the process!

# 2010 Mock Trial Competition Results

## JUDGE ROBERT LEWIS

I want to thank each of you for your great support of the mock trial program. Without the dedicated members of the bar's committee, our volunteers (and the food!) this tournament would not be possible. Although it may not have seemed like it over the last week, I am extremely grateful to all of you.

### The 2010 results:

#### Division One

- |                            |                  |
|----------------------------|------------------|
| (1) Ft. Vancouver (Team 1) | 6-0 (17 ballots) |
| (2) Camas (Team 1)         | 5-1 (14 ballots) |
| (3) Camas (Team 3)         | 4-2 (12 ballots) |
| (4) Ridgefield (Team 2)    | 2-4 (8 ballots)  |
| (4) Stevenson (Team 1)     | 0-6 (0 ballots)  |

#### Best Witness (Division 1)

Flynn Crawford, Ft. Vancouver (Team 1)  
 Honorable Mention - Graeme Dyehouse, Camas (Team 1)

#### Best Attorney (Division 1)

Stockton Pendergast, Ft. Vancouver (Team 1)  
 Honorable Mention - Emma Spurlock, Camas (Team 3)

#### Division Two

- |                         |                  |
|-------------------------|------------------|
| (1) Ridgefield (Team 1) | 4-2 (13 ballots) |
| (2) Hudson's Bay        | 3-3 (10 ballots) |
| (3) Camas (Team 2)      | 3-3 (8 ballots)  |

- |                            |                 |
|----------------------------|-----------------|
| (4) Ft. Vancouver (Team 2) | 2-4 (5 ballots) |
| (5) Stevenson (Team 2)     | 1-5 (3 ballots) |

#### Best Witness (Division Two)

Ryan Thompson, Ridgefield (Team 1)

#### Best Attorney (Division Two) - (3-way tie)

Hannah Dinan - Hudson's Bay  
 Theo Bickel - Ridgefield (Team 1)  
 Holly Vogel - Ridgefield (Team 1)

#### Best Witness (Tournament)

Ryan Thompson, Ridgefield (Team 1)

#### Best Attorney (Tournament)

Stockton Pendergast, Ft. Vancouver (Team 1)

The top two teams from each division are expected to be offered invitations to the state tournament in Olympia, Washington, March 26-28, 2010. Our representatives will be Ft. Vancouver (Team 1), Camas (Team 1), Ridgefield (Team 1) and Hudson's Bay.

Thanks again!

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# Clark County to Appoint District Court Judge

**BRADLEY ANDERSEN**

*Schwabe, Williamson & Wyatt*

With Judge Richard Melnick's recent ascent to the Clark County Superior Court bench, the District Court finds itself a judge short. But unlike the process for appointing a superior court judge by the Governor's Office, the Clark County Board of Commissioners is harnessed with the task of filling the vacancy. This will be Clark County Administrator Bill Barron's fourth time of going through this process in 11 years. The Commissioners last appointment was Judge James Swanger in 2006, which followed shortly after they appointed Judge John Hagensen. Because of the District Court's large and active caseload, and the County's budget dilemma, Barron says the Commissioners hope to have a new judge appointed by the end of March.

Anyone interested in the position can pick up the application packet on the 6th floor of the Clark County Public Service Building at 1300 Franklin Street. The packet is mainly comprised of 24 questions, which is about half of the questions posed by the Governor's Office for superior court judges. The deadline for submitting the applications is 5:00 p.m. on March 1, 2010.

As part of the process, the Commissioners have appointed a screening committee of Barron, retired superior court judges James Ladley and John Skimas, and local lawyer Jean McCoy. This panel will interview all of the candidates and then, depending upon the circumstances, submit between 3 and 5 names to the County Commissioners. The Commissioners will then personally interview the finalists before making their final appointment. The Commissioners have also requested bar polls from the Clark County Bar Association and the Washington Women's Lawyers Association.

Presiding District Court Judge John Hagenson says he is pleased that the Commissioners are committed to acting quickly to replace Judge Melnick. "We are a busy court and losing Judge Melnick means that the rest of the judges and commissioners have had to pitch in to cover the cases." Judge Hagenson also hopes to fill the position with someone who "can hit the ground running" and who "has significant legal experience, in particular, experience in District Court." Barron added that the County is trying to make the process as "efficient and effective" as possible.

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# DOUBLE HEARSAY

## What CCBA Members Are Doing About Town

### RAISA JUDICATA

Guest Gossip Columnist

It may be too soon to think about warm summer breezes and the smell of barbecuing hamburgers, but new Department 5 Judge Rich Melnick won't relinquish his spatula just because he has entered the big leagues. Be looking for the date and join us in the Community Service Building Commons for the annual CCBA barbeque this summer.

Speaking of our newest Judge, this Fall will bring some interesting races for voters. The first, of course, being between possible contenders for Judge Melnick's Department 5 position (Judge Harris had the temerity to retire a year before the elections!) The other being for Art Curtis' position as Clark County Prosecuting Attorney. Currently the candidates are Chief Civil Deputy Prosecuting Attorney Curt Wyrick, Deputy Prosecuting Attorney Tony Golik, Vancouver Assistant City Attorney Brett Boger and criminal defense attorney Jeff Sowder. The primary race for this position will be in August with the top two candidates put on the ballot in November.

March also brings interviewing of the candidates for the vacant District Court Judge position. The position is being filled by



appointment, with the Board of County Commissioners making the call. The deadline for candidates was March 1st, so watch your mail for the CCBA Preference Poll. The applicants are Kelli Osler, James Sellers, and Craig Kennedy. The Commissioners really want our input! Bill Barron, County Administrator, wants a replacement chosen before the end of the month. Retired Judges James Ladley and John Skimas will assist in the interview process.

Finally, a little leap frogging is going on downtown. First, Don Jacobs' building at 1405 Esther Street was purchased by the City of Vancouver Housing Authority and Don will be working on some significant remodeling and moving to Steve Thayer's building at 514 W. 9th Street. Steve is moving uptown and upscale to Main Place at 1111 Main Street.

Your esteemed colleague Raisa Judicata can't be everywhere. If you have a tidbit of news you would like the world to know, send a note to CCBA at [diane-ccba@qwestoffice.net](mailto:diane-ccba@qwestoffice.net). Raisa usually checks in the first Monday of every month. Remember, it is your ethical duty to support your member organization with juicy gossip and goings on.

## Upcoming CLE's The CLE Committee is making plans to offer the following CLE's during 2010:

- March 12:** Criminal Law Developments with Judge Robert Lewis, 11:30 to 1:30. (Lunch provided by CCBA!)
- March / April:** Electronic Home Confinement.
- April:** Clark County Practice Tips.
- May:** Bankruptcy.
- June:** Real Estate Law and Landlord Tenant Developments.
- July:** Criminal Law.
- September:** Civil Litigation.
- October:** Family Law – 2 Day CLE!
- November:** Employment Law.
- November:** Estate Planning and Impacts on Medicare/Medicaid.
- December:** Last Chance CLE.

We are also developing programs for a number of Brown Bag Lunch CLEs, with shorter presentations on topics that may include preserving issues for appeal, federal practice, admiralty, judgment collection, and ethics.

We would also like to hear from you if you have another topic that you feel would be of value to our members.

If you are interested in presenting on any of the topics listed, please contact Diane Wheeler at 360-695-5975.



# SUPERIOR COURT BENCH/BAR COMMITTEE MEETING MINUTES

February 9, 2010

The meeting began shortly after noon. Persons present were Judge John Nichols, Judge Robert Lewis, Kurt Rylander, Clark Fridley, Heather Beasley, Ann Christian, Greg Price, Jolene Sell, Mark Muenster, Ed Dunkerly, Dave Kurtz and John Fairgrieve.

## OLD BUSINESS:

1. Prosecuting Attorneys' obligation to provide evidence of the prior convictions of its witnesses to the defendant under CrR

4.7(a)(1)(vi): John Fairgrieve told the committee that the Prosecuting Attorney's office had been working on a draft policy but the issue was more complicated than it initially appeared. John explained that there was some question of whether under *US v. Price*, 566 F.3d 900 (2009) the PA simply needed to inquire of the police whether they had compiled criminal history information on witnesses and, if so, to disclose it to the defense or whether the PA had an obligation to independently compile the data and then disclose it. Additionally, John mentioned that the PA's office was discussing what procedure it should use, ranging from providing the defense with a summary of witnesses' criminal history to providing the defense with access to the actual NCIC and WACIC print outs for each witness. John mentioned the PA's office was concerned about the workload the former procedure would impose on the PA's office, and that the latter procedure could reveal protected identification information about witnesses such as social security and driver's license numbers.

Ann Christian stated that there were two issues discussed when this topic originally was raised: the PA's affirmative legal obligation under CrR 4.7 and Brady and, as a practical matter, whether the PA's office should run criminal histories – for their own purposes or for defense purposes. Mark Muenster suggested that the PA's office could delete social security numbers and other identifying information from the NCIC and WACIC forms prior to review by defense counsel. The issue was then continued to the March meeting.

2. Housing Justice Project. Judge Nichols stated that the project has already begun, and that the goal is to have all unlawful detainer actions handled by a single judge each week, in particular the assigned civil judge. He stated that this usually amounts to about 15-20 matters per week. He stated that the program is up and running, and that the parties involved in it are working to streamline and improve the process.

3. Superior Court Department 5: It was reported that Judge Melnick was assuming most of Dept. 5's existing caseload and that he would be stepping into the existing judge's rotation rather than

simply handling a series of dockets for a period of time.

4. Unpaid Superior Court Judicial Clerkships: Judge Nichols mentioned that he had received one application for a position since the last meeting, and that the bench would be interested in receiving additional applications by interested attorneys.

5. Closure of Portions of Criminal Trials: Judge Nichols stated that he had discussed the issue with the other superior court judges. He stated that the consensus of opinion was that voir dire, including individual voir dire, needed to be conducted in court on the record. He further stated that side bar conferences should generally be avoided, and when conducted should principally deal with procedural matters. Concerning jury questions, he stated that generally all parties should be present, but a criminal defendant could waive his or her presence if such waiver was done on the record. Finally, he stated that the best practice with jury instructions was to address them in open court on the record, and that barring that any final decisions about jury instructions and exceptions need to be part of the record.

Ann Christian stated that there had been discussion within the criminal defense bar about the issue and that they agreed with the court's positions concerning voir dire and jury instructions. However, she stated that the criminal defense bar generally likes side bar conferences and that there was concern about the possibility of improper inferences by juries and possible prejudice to criminal defendants that may occur if juries are repeatedly removed from the courtroom to allow the court to address matters outside their presence. She also mentioned that the net result of a decrease in the use of side bar conferences may be the filing of more pre-trial motions in limine.

6. Conversion of Legal Financial Obligations (LFOs) to Work Crew in Criminal Cases: Judge Nichols stated that he discussed the issue with the other judges and with Baine Wilson. He stated that both the judges and Ms. Wilson were opposed the idea because of the cost of such a program, the lack of resources to supervise it, and the decreasing availability of work crew slots in general.

7. Mock Trial Competition: Judge Lewis reported that the mock trial competition is set for Wednesday and Thursday, February 24 and 25. He stated that there will be three rounds per day starting at 12:30, 2:45 and 5:00. Attorneys are still needed to act as raters or to assist in other ways. The point of contact is Jennifer Snider at [Jens@reedandjohnson.com](mailto:Jens@reedandjohnson.com).

8. Checking Out Files from the Clerk's Office: It was announced that the clerk's office has ended its practice of checking out files to attorneys. The rationale given was that doing so placed a significant workload on the clerk's office and that no other county in the state is doing so.

### NEW BUSINESS:

1. Proposed Local Superior Court Rule Concerning Review of Bail: Ann Christian stated that the following proposed rule was discussed at the last criminal defense bar meeting:

#### LCrR 3.2.1 Bail Setting and Bail Review.

At a Defendant's 1st appearance on a criminal charge, in those cases where the court determines that bail should be required, the Court shall proceed to set a reasonable bail, taking into account the factors set forth in CrR 3.2(c).

At the time set for arraignment, the Court hearing the matter may review the bail previously set, in the event that new information is made known to the court, or in the event that material circumstances have changed since the original bail setting. Thereafter, bail may be reconsidered only by proper written motion before the assigned judge, with timely notice to the Prosecuting Attorney, and only upon granting of permission by the assigned judge to hear such matter.

Mark Muenster then passed out a two page document titled Defense Bar Suggestions for Improvements for First Appearance Docket for Superior Court. The document listed six specific suggestions to improve the procedures used to conduct the first appearance docket in superior court and concluded by stating that it appeared that the proposed rule is in conflict with certain criminal rules for the superior court promulgated by the Washington Supreme Court.

Mark discussed the document and suggested that conditions of release be signed at the time bail is set to avoid the waste of time created by a defendant having to return to court a second time for the setting of conditions. A broad discussion followed.

Ann Christian stated that a general question that arose during the last defense bar meeting was why bail was required in so many cases in Clark County. Ed Dunkerly stated that it seemed like the approach was that the presumption was that bail would be set.

Judge Nichols stated that the reason for the proposed rule was to address the practice of some criminal defendants who make multiple requests for reduction in bail in front of multiple judges without any change in their circumstances since their bail was originally set. He went on to state that the same rule should apply to the Prosecuting Attorney's Office, and that an increase in the amount of bail should not be considered without a change in circumstances and adequate notice to defense counsel. Judge Lewis stated that the practice of asking for bail to be reviewed repeatedly without any change in the underlying circumstances wastes the time of both the court and the attorneys involved, time that could be spent by the defendant's attorney working on his or her case.

Kurt Rylander and Ann Christian both referred to a 2006 study that they indicated showed that no or very few criminal defendants charged with felony offenses are released on their own recognizance.

There was some discussion of whether attorneys other than the assigned defense attorney could address bail issues before the court, with some attorneys present supporting such a procedure and others opposing it.

Judge Lewis mentioned that if a particular deputy prosecuting attorney (DPA) handling a case has a matter brought into court for an increase in bail, that DPA needs to be present in court to present the basis for the increase. The matter should not be handled by the DPA handling the docket who may be unaware for the basis for the request to increase bail.

Finally David Kurtz requested that copies of probable cause statements be made available to defense counsel at first appearance. He stated that he had spoken to a DPA who told him that this could not be done due to the current work load on the PA's office docket unit. Ann Christian stated she would address the issue with the PA's office.

5. Next Bench Bar committee meeting: The committee will meet next on Tuesday, March 9, 2010 at noon in Judge Nichols' jury room.

Respectfully submitted,

John Fairgrieve

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# Family Law Section Meeting



**ELIZABETH CHRISTY**  
*Family Law Section President*

The Family Law Section had another large turnout for their February meeting!

Heavy hitters, Stanley Horak and Don Thacker, spoke to the group on the topic, "I Lost My Job, the House is Underwater, and I Want a Divorce!" and fielded a great deal of complicated questions from our members.

The next meeting will be Thursday, March 11, 2010. Commissioner Sonya Langsdorf, Deputy Prosecutor Tony Golik, and Sergeant K.C. Kasberg from the Clark County Sheriff's Office will speak to the group on the topic "Domestic Violence Order of Protection: When the Victim Strikes Back."

Because the Family Law Section has grown significantly, we need more space and better acoustics for our monthly meetings. Therefore, I am excited to announce that all future meetings will be held at our brand new location, Hula Boy! Hula Boy is located at 1109 Washington Street in downtown Vancouver.

The Family Law Section now has a blog; keep checking for updates and reminders!  
<http://ccbafamilylawsection.blogspot.com/>



Don Thacker and Stanley Horak during their presentation at the February Family Law Section meeting held at Tommy O's.

## Inns of Court - February 17, 2010

**KRISTEN PARCHER**  
*Inns of Court Chapter Secretary*

Judge Lewis' group presented The Trial of Socrates. After the beautiful opening (all in Latin) by master orator Doug Foley, Judge Lewis himself stood trial as Socrates, prosecuted by Meletus, played by Don Jacobs, and defended by his students and followers, Kevin McClure as Plato and guest actor Judge Nichols as Xenophon. Socrates' teachings were battled out by Bill Dunn as "Better Argument" and Jack Green as "Worse Argument." Clearly convinced that Socrates was not in fact guilty of the capital crimes of corrupting youth and impiety, the jurors altered history by voting their white pebbles for life, not the

black pebbles calling for the death of Socrates. If you missed Judge Lewis' version of a toga party never fear, come March 24th for what is sure to be an equally entertaining and educational presentation by Judge Johnson and Judge Ladley's group. Meetings are held at the old Red Cross building at Fort Vancouver, 605 Barnes Street, from 5:00 - 6:30, dinner provided. Please contact Kristen Parcher at [kristen@greenandritchie.com](mailto:kristen@greenandritchie.com) or Scott Horenstein at [scott@scotthorensteinlaw.com](mailto:scott@scotthorensteinlaw.com) for membership information.

## GETTING TO KNOW: LOA MA'O

"Getting to Know" is a monthly feature designed to better acquaint the membership with our local attorneys, judges and other people of interest to the Clark County bench and bar. This month's subject is Maiu'ualeapai Lealoa Ma'o AKA Loa Ma'o, from the Clark County Clerk's office.



### **What do you do at the Courthouse?**

I am a Court Assistant II in the Superior Court Clerk's Office.

### **How long have worked there?**

Two years and two months

### **What is your favorite part of being a front counter clerk?**

The contentment I feel when someone says to me "Thank you for all your help."

### **What is the worst part of being a front counter clerk?**

I think that the worst part of being a front counter Clerk is the boredom one feels after all the mail is opened and processed; the line is gone and there are no more screaming kids in the lobby.

### **What advice would you give to local attorneys about dealing with the Clerk's Office?**

The most cost efficient decision this fiscal year would be to purchase a Liberty license from the Clerk's office.

### **What are your aspirations for the future?**

A few of my aspirations for the future are to be one of the best litigators in this county; having my own practice and becoming a successful lawyer.

### **What are your plans to achieve that goal?**

Law School or Law Clerk program

### **When did you decide that you wanted to be an attorney?**

After winning my very first mock criminal trial in high school.

### **Do you know what area of practice you would like to work in?**

Any field under the Civil case type umbrella. I am especially interested in corporate law, real estate law and contracts.

### **If you were not involved in a law-related career, what do you think you would be doing?**

I would probably be working with another Title Insurance Company or running my own restaurant

### **What is your passion outside of work?**

It's a tie between food, art and music.

### **What is your biggest regret?**

Not going to Law School as planned is probably my biggest regret.

### **Does anyone inspire or influence how you would run your future practice?**

Yes, there are too many firms to name and they have all equally inspired me. I respect the caliber and high level of professionalism within all of the firms here in Clark County.

### **What is the best piece of advice you have received along the way?**

"Be empathetic, put yourself in their shoes."

### **What was your favorite television show growing up?**

Perry Mason, Gilligan's Island and Columbo

### **Where did you grow up?**

American Samoa, Hawaii, California, Texas

### **Favorite food?**

I love all food but my absolute favorite is Japanese cuisine.

### **Favorite vacation spot?**

Most definitely Whidbey Island, WA.

### **Favorite memory as a child?**

At the tender age of 5, I would earn a dollar for every gray hair I tweezed out of my grandmother's totally gray covered head.

### **If you could change one thing about the local court system, what would you change?**

I would add more rules to the Local Court Rules.

Clark County  
**VOLUNTEER**  
 Lawyers Program

Susan Arney, *Executive Director*  
 Susan DePasquale, *Program Coordinator*  
 Administrative: 360-823-0423  
 E-mail: [susana@ccbavlp.com](mailto:susana@ccbavlp.com)

Statistics for January include 54 clients seen in advice clinics, 30 in Family Law, 12 in Family Law paperwork review clinic, 8 in the DV clinic, and 10 in General Law. We placed 7 cases with an attorney for direct representation.

Has someone called your office and they can't afford your fees and you would like to refer them to the Volunteer Lawyers Program? The first step is to have them call the CLEAR hotline. This is a toll-free phone number staffed by attorneys of Northwest Justice Project. Clients who call can talk to an attorney over the phone when they call. Clients who call our office are referred to CLEAR as it is generally two weeks before we can get them into an appointment and this allows them to get advice immediately. The CLEAR number is 1-888-201-1012. They are open Monday through Friday from 9:15 am to 12:30 pm. It is a very busy line. Please tell the client to hang up and redial over and over until they get through. When they get through they may be on hold for 30 minutes. They should stay there. They are in the que and someone will get to them. CLEAR will screen the client for eligibility and assess their legal issue. CLEAR will then refer them to the appropriate agency for further help.

Thanks, Susan

**MANY THANKS TO ALL THE ATTORNEYS AND PARALEGALS WHO STAFFED THE ADVICE CLINICS, HOMELESS CLINICS, PROVIDED REPRESENTATION, AND VOLUNTEERED IN THE HOMELESS COURT IN THE MONTH OF JANUARY**

*Shon Bogar, April Brinkman, Marisha Childs, Elizabeth Christy, Suzan Clark, Tessa Cohen, Ivan Culbertson, Sidney Dolquist, Stefanie Ellis, Martha Finn, Dee Grubbs, Lincoln Harvey, Ken Hoffman, John Holtman, Larry Holzman, Dru Horenstein, Evan Hull, Shelly Krebs, Crystal Lambert, Jeff Lindberg, Kristen Parcher, Brian Parker, Lisa Peterson, Nancy Retsinas, Jeff Riback, Suzanne Ruiz, Mark Sampath, Jill Sasser, Ryan Taroski, Diana Tehrani, Anna Waendelin, Helmut Wallenfels, Jean Waller, Ben Wolff*

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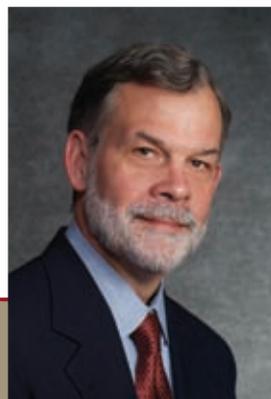


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# LAW LIBRARY NEWS



**MARIA SOSNOWSKI**  
Law Librarian

Tax season is upon us! Before you start thinking about all the ways paying taxes frustrates you, and how you might try to lower your net income or avoid your obligations, you may want to visit this website:

[http://www.irs.gov/pub/irs-utl/friv\\_tax.pdf](http://www.irs.gov/pub/irs-utl/friv_tax.pdf) The IRS has gathered some of the more common frivolous arguments all in one place for your reading pleasure.

And to save you money, we have the following items available for blind bids in the office:

**FOR SALE**  
**Through March 2010**

The law library is taking blind bids on the following items:

1. Washington Annotated Court Rules 2007-2008
2. Washington Criminal Practice in Courts of Limited Jurisdiction forms CD Rom
3. Most of a set of Washington Practice, with volumes generally one update behind what is current. You can bid on the entire set or specific topical subsets. See the Law Librarian for information about specific volumes.

Give your bid to the law librarian through the end of MARCH. Bids must indicate your name, phone number, amount, and item(s) on which you are bidding. Winners will be notified in early April. We reserve the right to withdraw an item from bidding.

Thanks! Maria

Maria Sosnowski  
Clark County Law Library  
PO Box 5000  
Vancouver WA 98666  
360-397-2268

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# ATTORNEY BOOKKEEPING TIPS



**EMANUELA SANDRI**  
Attorney Bookkeeping Services, Inc.

Alerts are reminder messages about QuickBooks or your business that sometimes appear when QuickBooks is opened. To manage them, go to Company menu > Alerts Manager. To stop future alerts from appearing, mark as done (note: all alerts shown in the list can be marked as done).

**QUICKBOOKS KEYBOARD SHORTCUTS – DATES**

To change to:	Shortcut key letters can be upper or lower case:
Next day	+ (plus key)
Previous day	- (minus key)
Today	T
First day of the Week	W
Last day of the week	K
First day of the Month	M
Last day of the month	H
First day of the Year	Y
Last day of the year	R
Same date in last month	; (semi-colon key)
Same date in next month	' (apostrophe key)
Date calendar	Alt + Down Arrow

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# NEWS YOU CAN USE



**DIANE WHEELER**  
CCBA Executive Director

**Pamela Loh** has opened a law office, specializing in immigration and naturalization law, with the following contact information: 215 W. 4th Street, Suite 101, Vancouver, WA 98660, 360-852-9229 (phone), email: pam@lohlaw.com

**Josephine Townsend** has relocated her office effective March 15th, 2010 to 211 E. 11th Street, Suite 104, (The Carter Building), Vancouver, WA 98660. Phone and fax remain the same.

**Bonnie Marino-Blair** has a new Washington address. She is now located at 4400 NE 77th Avenue, Suite 275 Vancouver, WA 98663

**Associate Member Mitch Elrod** has relocated. Willis of Oregon, Inc. is now located at 222 SW Columbia Street, Suite 600 Portland, OR 97201. Telephone: (503) 224-4155 Direct: (971) 255-5360. E-mial: mitch.elrod@willis.com; Website: www.winningwithwillis.com

**Jason Joner** has relocated to LD Jellison, Inc. LD Jellison is at 9611 NE 117th Ave. Vancouver, WA 98662; Telephone: (360) 604-1936; Fax: (360) 604-8462; Website: www.ldjellison.com

**Brian J. Haaland** has opened Haaland Law Office at 406 W. 12th Street, Vancouver, WA 98660; Telephone: (360) 567-3075; Fax: (360) 859-4582; E-mail: brianhaaland@msn.com; Website: www.haalandlaw.com

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# UPCOMING EVENTS

MEETING

**March 9, 2010**

Superior Court Bench/Bar meeting;  
Judge Nichols Jury Deliberation Room –  
noon

MEETING

**March 10, 2010**

District Court Bench Bar meeting, Judge  
Zimmerman's Court Room

MEETING

**March 11, 2010**

Family Law Section meeting; Hula Boys –  
801 Washington Street at 11:30

CLE

**March 12, 2010**

Criminal Law CLE with Judge Robert  
Lewis - Public Service Center 6th floor  
Training Room 11:30 – 1:30

MEETING CLE

**March 16, 2010**

CLE committee meeting Clark County  
Bar Association 500 West 8th St., Ste 65.  
Meeting will begin at 12:15

MEETING

**March 18, 2010**

CCBA Web Site committee meeting;  
Nellor|Retsinas|Crawford at 1201 Main  
Street at noon

MEETING CLE

**March 24, 2010**

Inns of Court meeting; 605 Barnes Street,  
from 5:00 to 6:30

MEETING

**April 7, 2010**

CCBA Hearsay meeting; CCBA office,  
500 West 8th Street, Suite 65 at 11:30 am

MEETING

**April 7, 2010**

CCBA Board meeting; CCBA office, 500  
West 8th Street, Suite 65 at 12:00 pm

MEETING CLE

**May 3, 2010**

CCBA General Meeting, Red Lion at  
the Quay, 100 Columbia Street.  
Sign in 11:45 am.

## SW WASHINGTON LAWYER REFERRAL SERVICE



**ELENA QUINTANA**

*CCBA Member Services*

The CCBA's Lawyer Referral Service is a program designed to help the general public find attorneys appropriate for their needs, while at the same time providing a source of new client business exclusively to our members.

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### THE SWLRS REFERRED 233 CLIENTS IN THE MONTH OF JANUARY

Administrative Law .....	6
Bankruptcy .....	4
Business & Corporate .....	3
Consumer .....	14
Criminal .....	20
Debtor/Creditor .....	18
Family .....	40
General Litigation .....	52
Intellectual Property .....	1
Labor and Employment .....	21
Real Property.....	28
Taxation .....	1
Wills & Trusts .....	11
Workers' Compensation .....	13
International Law.....	1

## CCBA Conference Room Available to Rent

The CCBA's office conference room is available for meetings and depositions at reasonable rates.

Call Diane Wheeler at 695-5975 to schedule

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