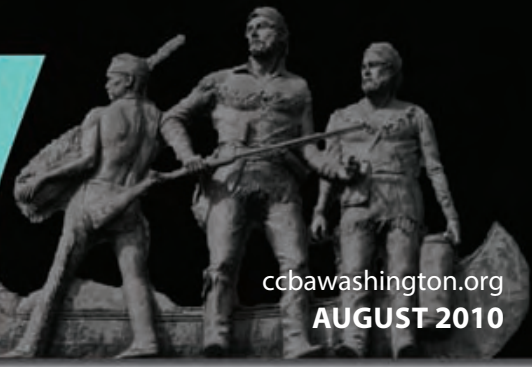


HEARSAY



ccbawashington.org
AUGUST 2010

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION

Candidates for Clark County Prosecutor Speak Out

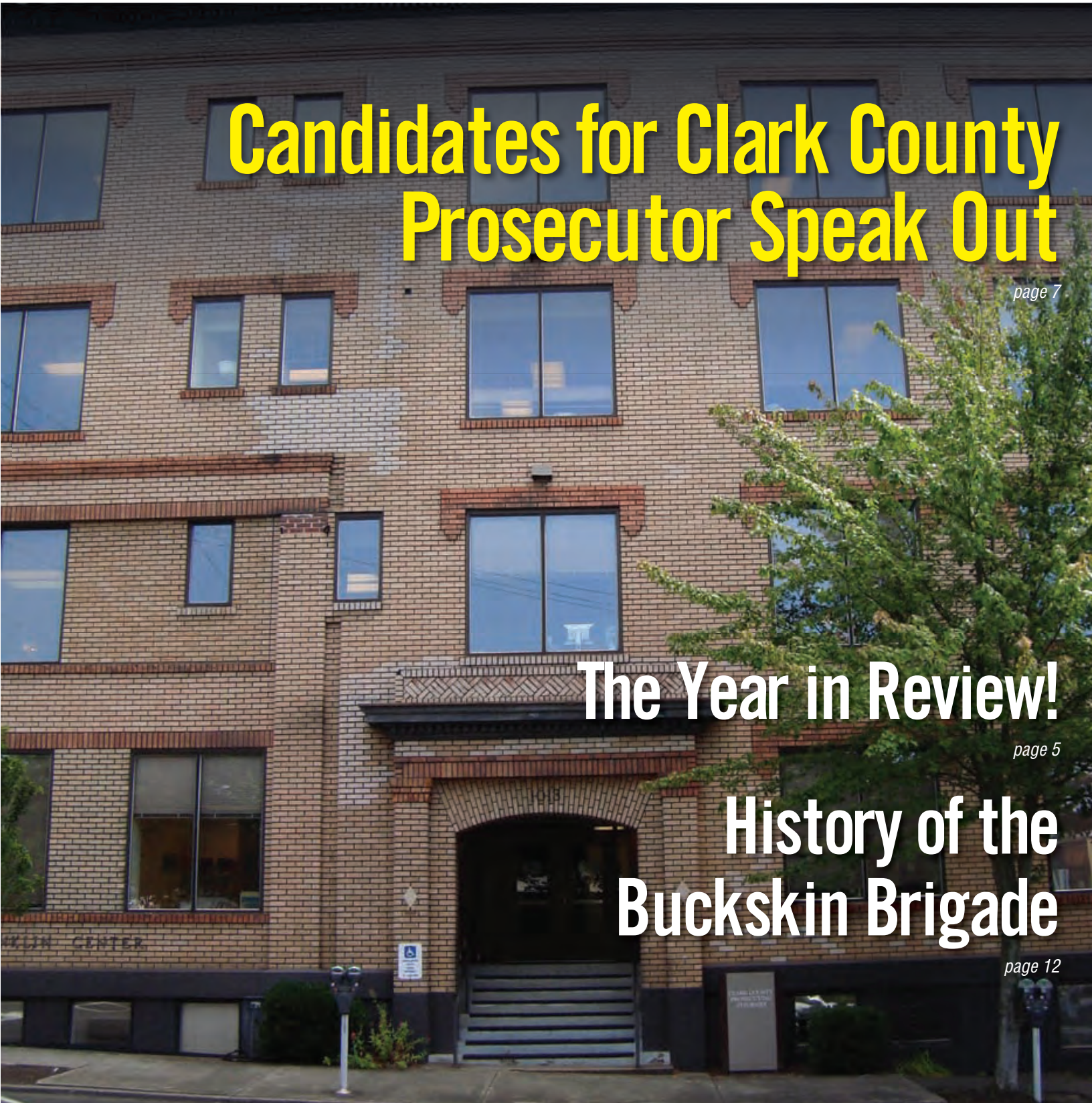
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HEARSAY is published 12 times per year and is edited by: **JEFF GOUGH, Creative Director • GOUGH CREATIVE GROUP • 360-818-4GCG • director@goughcreative.com**

An annual subscription is included with annual membership dues. Members may purchase additional subscriptions for \$50.00 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.

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PRESIDENT'S MESSAGE

Extreme Business Development

Looking for New Clients in China, and Other News...



DAVID W. RIDENOUR

CCBA President

Over the last few months, some nice Nigerian men have been sending e-mails to me offering wonderful opportunities to represent big Chinese companies with their legal problems in Washington. Here's one:

Dear Sir,

This is an official request for legal representation on behalf of Quanzhou Haitian Textile Co., Ltd. We are a textile company with principal business in garment manufacturing and trading.

We are presently incapacitated due to international legal boundaries to exert pressure on our delinquent customers and we request for your services accordingly. We got your contact information from the Online Lawyers Directory as a result of our search for a reliable firm or individual to provide legal services as requested.

After a careful review of your profile as well as your qualification and experience, we are of the opinion that you are capable and qualified to provide the legal services as requested.

On behalf of Quanzhou Haitian Textile Co., Ltd, Please accept my sincerest appreciation in advance for your willingness to render your services as we look forward to your prompt response to our request.

Thank you,
Quanzhou Haitian Textile Co., Ltd.

First of all, I am overwhelmed with pride that these businessmen have recognized my qualifications and experience to represent their Chinese textile company in Washington for all its litigation needs. I had never even heard of the Online Lawyers Directory.

Second, I was bragging about my good fortune to a friend who told me that other attorneys have been receiving the same email! That settled it. I was not going to leave to chance whether these companies hire me or some competitor. I decided to immediately fly to this far-away country with a briefcase full of engagement letters to lock in all of the potential clients there for myself.

So by the time you receive this edition of Hearsay, I should already be gone for at least a month-long trip to the People's Republic of China. The search for new clients will begin in the Southeast City of Nanning, (Guangxi Province). From there, I'll travel in whatever direction looks good, avoiding only the border near North Korea which I understand may not be the best vacation spot in the world.

I know what you're thinking: "David, you can barely even speak English. How are you going to talk to Chinese people?" But communication will be no problem. I now fluently speak several Chinese phrases that have been carefully selected to see me through the most common situations I will encounter:

中餐厅在哪里 – *Zhong canting zai nali* – "Where is Chinese Restaurant?" (Now that I think about it, every restaurant will be a Chinese restaurant...);
厕所在哪里 – *ce suo zai nali* – "Where is bathroom?" (I'm afraid these two phrases will frequently go together...); and,
请付大聘 – *qing fu da pin* – "Please pay big retainer."



Though the trip is primarily for business, (honest, IRS), I hope to reserve at least one day to take in the sights and culture of this fascinating country. Seriously, I plan to go for a little boat ride with this adorable gentleman.

I will also visit this Buddhist Monastery in Nanning. I'm slowly stealing up the courage to sit in Zazen (meditation) with the monks there. Zen is still very new to me, and my style of meditation is probably different than what they are used to... unless they are used to lots of wiggling and involuntary noises...

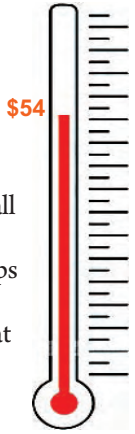


The Committee for Respectable Rubber Stamps — Part III

The donations are still coming in! We're short of our goal by just \$21.00! For those who don't know, we're trying to put together enough money to purchase five normally sized rubber stamps at the Courthouse for Superior Court Judge Rich Melnick. Just a few more donations, and we'll be able to present a check at the annual meeting to Court Clerk Sherry Parker!

Thanks for the recent generous contributions by:

- Brian Gerst**, \$1.00
- Margaret Phelan**, \$10.00 (wow! A new record!)
- Meredith McKell Graff**, \$1.00
- Heidi Atwood**, \$1.00
- Eugene M. Graff**, \$1.00 (consider this a challenge to all government attorneys!)
- Jennifer Kampsula**, \$2.00 (another Portland firm steps up! Kell, Alterman & Runstein!)
- Fiona McCool**, \$1.00 (Fiona is the little white dog that goes to work with Meredith every day!)



Annual Meeting Coming Up!


You will be electing a new Board of Directors at the annual meeting on September 13. I am scheduled to fly back to the United States in time to attend the annual meeting, but I can't make any guarantees. Sometimes itineraries mysteriously change...

If I don't make it, carry on soldiers! Thank you all for being so supportive and fun during this last year. I owe one more Message to this publication, so if I find myself near an internet café, I will try to send a report from China. I can guarantee one thing - you have a great slate of officers to see you through well into the future. 再见 -- David

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The Year In Review

HEARSAY STAFF

August is the final month of the Clark County Bar Association's fiscal year. That means that once again, the newsletter will be mailed to all attorneys practicing in Clark County, Washington - CCBA members and non-members alike. As we look back on some of the events of the past year, we hope that more of you will join the 450 CCBA members who take advantage of the many social and educational opportunities available with membership. Your application form is included with this complimentary issue.

"Hearsay"

As Past President Mila Boyd ended her term last September, she introduced a whole new look for the CCBA in the form of its revamped and modernized monthly newsletter. Over the year, Hearsay has provided an entertaining and informative look into the practice of law in and around Vancouver.

Feature articles have included a look at our military veteran members, judges and attorneys that ride motorcycles, and the fascinating and sometimes crazy things that our members did for employment before they became lawyers. Other issues have included travelogues by various members, from Phil Foster's bike trip across the United States, to Suzan Clark's stay in isolated Myanmar, to an Icelandic trip that took a wrong turn and ended up in Cancun, (Jean McCoy, Jessica Dimitrov and Katherine Holland).

Hearsay also includes regular articles and updates from the Family Law Section, the Superior Court Bench/Bar Committee, the Superior Court Clerk's Office, the Law Library and many other valuable sources.

The Judge Harris Retirement Dinner and Roast

Nearly 300 people attended the Retirement Dinner and Roast for Judge Robert Harris on Friday, November 20, 2009. Guest speakers included Washington Supreme Court Chief Justice Gerry Alexander and our own Superior Court Judge John Nichols as emcee.

The multi-media event included both real and lampoon photo histories of Judge Harris' life, as well as a completely fake 'exit interview' video that poked fun at the Judge's age and future plans. The event was the largest and most entertaining event that CCBA members could recall over the last fifteen years.



Retiring Superior Court Judge Robert Harris was justifiably a little nervous before the ribald roast activities began.

Annual Golf Tournament

Forty six CCBA members competed in the annual golf tournament last September at The Cedars on Salmon Creek golf course. Participants in the scramble compete for glory and prizes, including the coveted winner's jackets for the A-flight victors.

The dark horse team of Tim Dack, J.D. Nellor, Matthew Philbrook and Mark Carter won the 2009 tournament with a score of 58, leading to demands for mandatory drug testing at future tournaments. The tournament was followed by a wonderful dinner and awards ceremony.



Players at the 2009 CCBA Golf Tournament prepare to race their golf carts for the shotgun start.



Chuck Buckley prepares to put for Eagle as teammate Tim Talkington attempts to read the break.

Barristers' Ball

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 on items ranging from live frogs to a ski package. The auction raised \$4,414.00 for SHARE, a local organization which provides resources to the hungry and the homeless.

A formal dinner was followed by the annual awards ceremony. The Ken Weber Community Service Award was given to Judge James Swanger. The Donald Simpson Professionalism Award was given to Jim Senescu. Volunteer of the Year honors were given to Randy Stewart and Sidney Dolquist.

The annual favorite Alan Harvey blooper award went ironically to John Fairgrieve, the previous year's recipient of the Professionalism Award. Unfortunately, John followed that professional recognition by inadvertently starting a fire in the middle of a jury trial in Judge Harris' courtroom. The evening closed with live music and dancing.

YLS Softball Game

The 2009 battle between the Young Lawyers and the Senior Lawyers was the scene of chaos and destruction for the seniors – primarily in the areas of hamstrings and tendons. After mounting a valiant comeback, the senior team finally succumbed to the graceful and effortless pounding dished out by the young lawyers.



Base coach Jeff Barrar approves of Greg Gonzalez' power slide to avoid an out for the Senior Lawyers Team at the 2009 Softball Game.

The fun rivalry and family barbecue were enjoyed by all. This year's contest will take place on September 11, 2010, at the Nautilus Global Headquarters.

Hood to Coast Run

The CCBA Young Lawyers Section sponsored the running team of "Law & Odor" for a second year in the Hood to Coast race held August 28 and 29, 2009. Each team member ran three legs totaling about 17 miles in the 197 mile relay from Mt. Hood to Seaside, Oregon. Law & Odor was cruising through the race until it was unceremoniously passed by Judge Scott Collier's Team "No Name".

Summer BBQ

Last summer over 300 free hamburgers and hotdogs were consumed by hungry lawyers and staff at the annual Summer Barbecue. The event will happen again at noon on August 13, 2010, at the Public Service Center Plaza. Once again, Judge Rich Melnick has volunteered to be the grill master.

Your CCBA Has Been Busy!

Over the last year, the Clark County Bar Association has also sponsored low cost CLEs for every topic imaginable, hosted ceremonies to swear in newly licensed attorneys, provided lawyer referral and modest means services, and conducted general meetings where our members enjoyed good food, fellowship and interesting speakers.

The CCBA plans to grow and make the coming year more exciting, fun and educational than ever! But we need your participation to make this Association a success. Please send in your membership form today!

Westlaw Training

Sponsored by the Clark County Law Library

Monday, September 20, 2010

**Clark County Public Services Building, Room 679
1.5 WSBA CLE credits per session (3.0 possible)**

Presenter:

Denny O'Connor from West

12:00 – 1:30 for Session 1 – introductory Westlaw

1:45 – 3:15 for Session 2 – intermediate Westlaw

Details: You may sign up for either or both sessions. Cost is \$20 for one session, or \$40 for both. Attorneys, paralegals, or others are welcome to attend. Seats are limited. Only those who register and are notified their payment has been accepted are guaranteed admission. Registration at the door is on a space-available basis.

**Registration: Maria at 397-2268
(PO Box 5000, Vancouver WA 98666)**

Who is Best Qualified to be Clark County's Next Prosecuting Attorney?

The Candidates Offer Their Opinions



BRADLEY ANDERSEN
Hearsay Special Correspondent

Art Curtis, who has served as Clark County's Prosecuting Attorney since 1981, retires at the end of this year. That means that for the first time in 30 years, Clark County will be electing a new prosecutor. Three lawyers, Brent Boger, Tony Golik and George Kolin, have all filed for the position. Hearsay invited the candidates to sound off on a variety of important issues. We presented the following questions to each of the candidates, and allowed them to provide written responses. They were limited to 100 words in response to each question.



BRENT BOGER

1. How do you view the Prosecuting Attorney's role in County Government, and what qualities do you possess that make you the best candidate to fulfill that role?

The Prosecuting Attorney is involved in everything the county does including: prosecuting cases, litigating multi-million dollar lawsuits, appeals, advising officials, and environmental protection.

My 25-year legal career includes experience in all Prosecuting Attorney responsibilities - plus public and private sector management experience necessary for a 100+ employee office.

Because I am coming from outside of the office and have had such broad experience, I will have the ability to provide a big picture perspective to consider the public interest rather than just the special interests of the players in the criminal justice system.

2. What changes would you make to the Prosecuting Attorney Office's current operations/policies, and how would you go about making those changes?

The changes I propose come in five general areas. I will:

1. Work to find efficiencies in how we handle criminal cases. This requires better coordination, and possible consolidation, of services.

2. Establish a Prosecutor's Council made up of representatives of the criminal justice system, county government, legal community, and the public at large.

3. Assign a deputy prosecutor to work on public integrity issues to deal with misuse of public funds and to ensure compliance with open government laws.

4. Find the resources to prosecute more identity theft and white collar crimes.

5. Work on legislative initiatives in Olympia such as stopping the release of homeless sex offenders.

3. What do you see to be the greatest challenges facing the next Prosecuting Attorney, and how do you plan to address them?

Like many public agencies, the Prosecuting Attorney's Office had to deal with budget cuts in 2008 and 2009. Fortunately, the public impact of those cuts was mitigated by a 28% decline in felony case filings since 2005 and a modest decrease in some types of crime. The best way to deal with financial challenges is to consolidate and better coordinate services among Federal, State, County, and City providers. My background in government finance, economics and my good relationships with the County Commissioners of both parties and city officials makes me the candidate best equipped to deal with these budgetary challenges.

Characterize the type of relationship you would seek to establish and maintain with the following:

- a. Law enforcement agencies (i.e. state patrol, Sheriff's office, city police, fish and game, federal agencies, etc.)
- b. The Superior and District Courts;

- c. County commissioners and other elected officials;
- d. Criminal defense bar and other private attorneys;
- e. Victims of crimes, and crime victim advocate groups;
- f. Social service agencies and treatment providers; and
- g. The press.

This is a good list to work from for the Prosecutor’s Council I intend to form after I am elected. This Council will also include representatives of the general public because I think the public interest is sacrificed when the views of the players in criminal justice system and the Prosecutor’s Office itself are only considered. One of the concerns I have heard is that sometimes the office is not approachable. If someone has a legitimate concern about how a case is being handled, I will want to hear about it and will take people’s calls. Accountability starts with me.

4. What lawyer, politician or other leader do you most admire and/or would like to emulate as the elected Prosecuting Attorney?

The late King County Prosecuting Attorney, Norm Maleng. Like me, his legal experience was primarily civil. But he pushed criminal initiatives like giving Washington determinate sentencing, toughening Washington’s car theft laws, and cracking down on drug offenders with longer sentences—yet he also supported alternative sentencing that emphasized treatment rather than punishment. He showed wisdom I hope to have when he agreed to not seek the death penalty against Gary Ridgeway in exchange for information from him so that the victim’s families could have closure. It was a privilege to know Norm in the last six years of his life.


5. What is the most compelling fact that most lawyers in Clark County don’t know about you?

I have practiced in courtrooms from San Diego to Seattle and have handled appellate cases in state and federal courts in Washington, Oregon, and California, including the U.S. Supreme Court and the Ninth Circuit Court of Appeals. I have worked both for and against government. I will not approach my job with the assumption that the government is always right. My independence of thought, my exposure to how things are done elsewhere and to views of people not involved in government or the legal community, make me best qualified to approach the job in the interests of the entire community.

6. When you hang it up as the Prosecuting Attorney, how do you want to be remembered most?

I hope to be remembered for being approachable and remembered for taking a fresh look and a big picture view of how the office impacts the entire public. That I considered not just the views of those in the office, the criminal justice community, county management, or special interests who deal with county government. That I always acted in what I believed to be the public interest. I hope to be remembered as the Prosecutor for the People!

Thank you for giving me the opportunity to tell the Clark County Bar Association members about me. I would appreciate your support!




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GEORGE A. KOLIN

1. How do you view the Prosecuting Attorney's role in County Government, and what qualities do you possess that make you the best candidate to fulfill that role?

That role of the Office is to provide the maximum services for

each taxpayer's dollar received in providing legal guidance to the County Commissioners and prosecuting criminal defendants.

I am the only candidate speaking of cutting salaries in times of troubled budgetary times, in order to hire a full staff of deputy prosecutors to provide the services which the Office exists to provide.

I also am the only candidate who can bring experience from the defense side: I defended criminal defendants during my private practice, and I saw the pitfalls and where they lay. Part of criminal prosecution is to rehabilitate those who can still be rehabilitated. Part of criminal prosecution is to see to it that facts be scrutinized vigorously early on to assure that only the guilty are brought to justice. Mr. Spencer, Mr. Northrop, Mr. Davis, Mr. Sorrels, and many others are examples of the corrections that the Office needs. The Office needs more humility.

2. What changes would you make to the Prosecuting Attorney Office's current operations/policies, and how would you go about making those changes?

As discussed above, I would bring humility to the Office: Pride of seeking the truth rather than seeking a conviction. *State v. Sorrels* is a prime example of out-of-control prosecutorial pride and arrogance: Mr. Sorrels was obviously innocent, yet the Office stuck it to him: For the 8 years that he served in prison, his so-called "victim" was raped and molested daily by the individual whom Mr. Sorrels tried to implicate. It was blind arrogant prosecutorial pride which led to this miscarriage of Justice.

State v. Boyman is another example of this prosecutorial arrogance: Dr. Boyman was charged with intimidating Judge Rulli. Judge Rulli's daughter works as a deputy prosecutor in the Office: With 40 prosecutors, not one caught this conflict of interest? That is a grave ethical breach. How many other times has this happened, and what policies are in place to assure that they don't happen again?

One policy that I would get rid of is not prosecuting perjury arising from dissolution cases: this breeds tolerance for perjury.

I would also implement a volunteers program: Any licensed attorney who wants to get hands-on experience in the courtroom or in negotiating cases, could then get that experience. Rule 9 interns would be allowed the same opportunities. Citizens cleared by background checks could assist in analysis of white-collar crimes, as needed.

The Public would be given access to provide feedback, suggestions and opinions.

3. What do you see to be the greatest challenges facing the next Prosecuting Attorney, and how do you plan to address them?

The greatest challenge is the bottom line: come up with a full staff of deputy prosecutors, despite the budget cuts: this would necessarily bring "pubic service" back into the Office.

4. Characterize the type of relationship you would seek to establish and maintain with the following:

a. Law enforcement agencies (i.e state patrol, Sheriff's office, city police, fish and game, federal agencies, etc.)

An open door policy: Get advice and guidance any time it is needed. In *State v. Russell*, a 1995 case, the defendant threatened to hunt down and kill a deputy and their family. The reception from the Office was luke-warm, as if the Office wanted nothing to do to assist the deputy in analysis of the situation. The defendant got away with the intimidation!

b. The Superior and District Courts;

Open door policy.

c. County commissioners and other elected officials;

Open door policy.

d. Criminal defense bar and other private attorneys;

Open door policy.

e. Victims of crimes, and crime victim advocate groups;

Open door policy with an emphasis on involving this group in the process and assuring that restitution is vigorously pursued.

f. Social service agencies and treatment providers;

Open door policy.

g. The press.

Open door policy.

5. What changes would you like made to either the criminal or civil laws?

Emphasis on protecting the individual's Constitutional Rights.

6. What lawyer, politician or other leader do you most admire and/or would like to emulate as the elected Prosecuting Attorney?

John Slattery from the Union County South Dakota State's Attorney's Office in Elk Point, South Dakota: He was very practical and humble while I was an intern under his watch.

7. What is the most compelling fact that most lawyers in Clark County don't know about you?

As far as the Office goes, as an elected Prosecutor I would serve at the same rate as a new-hire would, with the balance of the salary used to hire a contract worker or workers to assist in Office operations.



TONY GOLIK

1. How do you view the Prosecuting Attorney's role in County Government, and what qualities do you possess that make you the best candidate to fulfill that role?

Fair and effective administration of justice is the primary function of the Prosecuting Attorney.

As a veteran Major Crimes Prosecutor, I have the experience needed to lead the office into the future. I have earned the confidence of my fellow Deputy Prosecutors, the full support of local law enforcement, and the support of our criminal defense bar. This broad support is crucial to being an effective leader in our justice system. I believe my leadership style, hard work, dedication and experience will allow me to succeed as the next Clark County Prosecutor.

2. What changes would you make to the Prosecuting Attorney Office's current operations/policies, and how would you go about making those changes?

The Clark County Prosecuting Attorney's office is made up of dedicated professional Deputy Prosecutors and staff. These individuals work hard for our community.

I am highly supportive of our Children's Justice Center and our Domestic Violence Prosecution Center. I believe in specialization and agency cooperation to better seek justice. Following these successful models, I want to create an Elder Abuse Prosecution team. I believe we must seek agency cooperation to effectively prosecute offenders who physically and financially abuse elder members of our community.

3. What do you see to be the greatest challenges facing the next Prosecuting Attorney, and how do you plan to address them?

Working on an increasingly tight budget is the number one challenge facing the office. The best way to provide the highest level of service is to inspire and lead by example. Motivating the office so that every attorney and staff member gives it their all, takes a leader who works right alongside the troops.

My pledge to continue to prosecute cases sets me apart from my opponents. Putting tax dollars to work, literally, is important in

8. When you hang it up as the Prosecuting Attorney, how do you want to be remembered most?

A Public Servant above all else.

these tough economic times. To be the most effective leader; the elected Prosecutor needs to remain in the action. I will do that.

4. Characterize the type of relationship you would seek to establish and maintain with the following:

a. Law enforcement agencies (i.e state patrol, Sheriff's office, city police, fish and game, federal agencies, etc.)

As a veteran Deputy Prosecutor, I have developed strong relationships with members of every law enforcement agency. This is made clear by the overwhelming support I have received from law enforcement in this race. The Prosecutor's office works closely with law enforcement in their efforts to keep violent criminals off our streets. Law enforcement agencies understand the importance of a skilled professional Prosecutor. If elected, I will seek to maintain the full support of law enforcement agencies as well as the defense bar, judges, and all interested parties. It is a tough balance, but I have proven it is possible.

b. The Superior and District Courts;

I would seek to maintain open communication with each of our judges and court commissioners. I believe obtaining feedback from the bench is an important function of the Prosecuting Attorney. Professionalism and respect for the bench are mandatory for all who enter a courtroom. Having personally appeared extensively in our Superior and District courts, I believe I have a distinct advantage over my opponents. Nothing can substitute for experience in the courtroom.

c. County commissioners and other elected officials;

Our county commissioners and other elected officials rely on our civil division for sound and unbiased legal advice. We have very capable attorneys in our civil department who have a good track record in giving sound advice to our commissioners and other county departments. If elected, I will keep lines of communication open with our commissioners and other elected officials. They will be able to rely on that same level of professional unbiased advice from the excellent attorneys who are in the civil division of the Prosecutor's Office.

d. Criminal defense bar and other private attorneys;

The criminal defense bar knows my work well. They know I do not allow emotions to interfere with my decisions, even in the most heated of debates. I respect the position of other attorneys and understand their intentions to do the best job they can for

their client. I am known to be a tough Prosecutor who is willing to go to trial when warranted but also as a skilled negotiator who is reasonable and fair. These relationships are important and I am proud to be supported by so many good defense attorneys and civil attorneys.

e. Victims of crimes, and crime victim advocate groups;

I have worked extensively in my career with crime victims and surviving family members. I believe this experience is vitally important in a Prosecutor. Our elected Prosecutor must have this frame of reference to effectively lead Deputy Prosecutors.

Victim advocates are crucial members of the criminal justice system. I have great respect for the work they do. I would strive to maintain the excellent relationships I have with victim advocates and I look forward to entering into new cooperative prosecution teams with the assistance of victim advocate groups.

f. Social service agencies and treatment providers;

Our criminal justice system is made up of many parties and there are many ways to ensure that the needs of the community are met. Alternative treatment options and social services meet the needs of the community and reduce the weight on the criminal justice system. These types of programs have proven to be cost effective. Individuals can become better members of our society after treatment and skilled help are provided. I am the only candidate who truly understands the financial and societal implications of these alternative treatment options and can ensure that the best options are supported.

g. The press.

Deputy Prosecutors have a duty to be as transparent and forthcoming as we can with the press while still maintaining operational integrity in investigations, and protecting the right of the accused to a fair trial. I know this to be a difficult balance,

but I have proven that it is attainable. As the elected Prosecutor, there will likely come a day when a story is written with which I do not agree or that does not speak well of the office. In this instance, I will respect our independent press, maintain open communication, and move forward.

5. What lawyer, politician or other leader do you most admire and/or would like to emulate as the elected Prosecuting Attorney?

This question calls to mind great leaders throughout history: George Washington, Thomas Jefferson, John Adams; men of valor who inspire us all.

I would like to give an example of a leader who may never make the history books but has changed many lives: One of my mentors, Spokane County Chief Criminal Deputy Prosecutor, Jack Driscoll. Jack is a compassionate, fair, hard working and unassuming man who leads by example. As the elected Prosecuting Attorney I will do my best to lead as I would like to be led, with respect and fairness, diligence and focus each and every day.

6. What is the most compelling fact that most lawyers in Clark County don't know about you?

Before I became a lawyer, I was a fly fishing guide. When I was in undergraduate study at Portland State, I seriously considered becoming a full time fishing guide. However, the call to become a Prosecutor was loud and clear, and I set off to law school. With a career I can be proud of, I know I made the right decision. The river is there whenever I need it and one of my favorite things will always be the sound of water lapping against the bottom of my drift boat.

7. When you hang it up as the Prosecuting Attorney, how do you want to be remembered most?

I want to be remembered as a Prosecutor who was tough, fair and compassionate who led by example.

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Memories in Bronze

The Story of “The Buckskin Brigade”



DAVID W. RIDENOUR
CCBA President



A bronze sculpture of three rugged men with their canoe stands above the front entrance to the Clark County Courthouse. The same image has served as the cover logo for this newsletter since it became “Hearsay” in August of 2009. The CCBA Board of Directors thought it looked good on the cover and seemed to capture our County’s history as an early trading center.

Many visitors to the building seem to pay little attention to the sculpture. Those who do notice the artwork may wonder if those are the faces of Lewis and Clark or some other well known historical figures. Actually, the history of the sculpture dates back to at least 1941, when it first graced the Courthouse’s entrance in a different form. And the identity of the people depicted in the sculpture is a great little story about a very talented artist and his longtime friend.

Portland resident Joe Smith received a phone call in 1989 from his friend Bill Bane, a Newberg, Oregon artist. Bill had recently been commissioned to create a bronze sculpture of three fur trappers and explorers from the Hudson’s Bay Company for Washington’s Centennial Celebration, and asked Joe if he would like to be involved with the project.

The commission came from the Buckskin Brigade Committee that was working to replace the historic sculpture that had been crafted as part of the Clark County Courthouse from 1941 to 1978. The original piece had been cast in concrete as part of the wall over the east entrance to the courthouse. The design was the work of noted Vancouver architect Day W. Hilborn. The original concrete cast was created by sculptor Vic Schneider. The piece represented Clark County’s first piece of public art.

Over the years, the concrete relief deteriorated. The piece was removed in 1978 by workers repainting the courthouse. As painters attempted to clean the concrete images with pressure hoses, the remainder of the piece was destroyed.

In 1988, volunteers in the Buckskin Brigade Committee led by then County Commissioner Ken Teter decided to replace the original tableau with a bronze sculpture. The Committee wanted a sculpture that would be nearly identical to the original, but designed to last almost forever. The piece would again display two buckskin-clad fur trappers and explorers with an Indian and a Hudson’s Bay Company canoe similar to those used to conquer the Northwest wilderness. The men were to be looking toward the Columbia River which had brought them to this land. The piece was intended to symbolize the role played by frontier settlers and Native Americans in the development of Clark County as a center of government and business.



The original concrete cast of the Buckskin Brigade before the Courthouse was repainted in 1978.



Sculptor Bill Bane worked for roughly 1,400 hours shaping more than 400 pounds of clay to prepare for the bronze pour.

After gathering donations from local businesses and individuals, the search began for an artist. In 1988, a jury of local artists selected Bill Bane to create the new sculpture. One of the items on Bill's 'to-do' list was to find suitable models for the three men in the brigade.

So the reason that Bill Bane called Joe Smith that day in 1989 was to ask if he would like to pose for one of the characters in the sculpture. Joe agreed in an instant, but offered some creative input of his own. "If we're going to do this, we have to do it right", Joe told his friend. Joe's request was that he face north as much as possible, rather than directly toward the Columbia River flowing south of the courthouse. Bill immediately understood the request, and said "done".

You see, Joe Smith worked all his life as a pastor. He graduated from Pacific Lutheran Theological Seminary in Berkley, California, in the early 1960's. He worked for 30 years as Pastor for the St. James Church in Portland until he retired. But before his long tenure with St. James in Portland, from 1962 to 1965, Joe was a Pastor at the St. Paul Lutheran Church at 13th and Franklin in Vancouver – just one block north of the Courthouse, on the other side of the street.



Joe Smith recreates his pose for the fur trapper on the right side of the sculpture.

Joe's bronze image would be erected within a stone's throw of the Church where he had worked some 25 years earlier. By having his image face more toward the St. Paul Lutheran Church, he reasoned, he could keep an eye on the Church and make sure that his flock was safe. Bill Bane agreed, tilting Joe's face as much as possible toward the Church while honoring the original design. Bill also made Joe's image the northernmost image, closest to the Church.

The other characters of the Brigade are sculptor Bill Bane himself, (middle), and Oyate Sunkawa-kan, a Native American and

Shaman for the Sioux Nation, (who also happened to be an employee at the Banes family stock brokerage business in Portland).



The bronze sculpture as it appeared following the pour. The piece is 12 feet wide and 80 inches tall.

Bill worked primarily from photos, but Joe recalls that he posed twice for the sculptor – live sittings of about 15-20 minutes each. He also remembers that Bill paid him for posing "by the hour, with a good cup of coffee".

Joe attended the dedication ceremony with Bill in September of 1990. The first time Joe saw the completed sculpture in its final setting, he was awed by the work and exclaimed "Oh, my God!"

During the year following the dedication ceremony, Joe was diagnosed with facial cancer which required radical surgery to eliminate. Upon learning of his friend's struggle, sculptor Bill Bane began creating an amazing gift for his friend – a duplicate cast of Joe's head and torso from the Courthouse project design. The sculpture took another year to complete. The 150 pound replica has adorned Joe's Ocean Park cabin ever since.

Joe says that his likeness on both statues is very good – "even the beard was real".



Reverend Joe Smith at his home in 2010.

In 2002, Joe's cancer returned, this time spreading to his lungs. But Joe has a vitality that recalls the strength and fortitude of the explorers for whom he had posed. Another surgery, more battle, and Joe is still here.

Reverend Joe Smith is again fighting for his health in his home overlooking downtown Portland. But his spirit is alive and vibrant, and his eyes sparkled as he retold the story of the fateful connections that led to the creation of his image that will adorn the Clark County Courthouse for decades to come.

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WSBA Solo & Small Firm CLE Returns to Vancouver



Nearly 200 attorneys from Washington and Oregon arrive at the Vancouver Hilton Ballroom for the 2010 Solo and Small Firm Conference.

HEARSAY STAFF

Clark County again served as host county for the 2010 WSBA Solo and Small Firm Conference and CLE, held at the Vancouver Hilton on July 15-17. Roughly 200 lawyers from throughout Washington and Oregon attended the conference, enjoying not only the educational opportunities, but the receptions, meals, entertainment and music that enhanced the event.

CCBA President David Ridenour welcomed the attendees to Vancouver, sharing insights into some of the more interesting dining opportunities nearby. WSBA President Salvador Mungia delivered the Keynote speech opening the conference.

Several local attorneys and judges served as faculty for the conference, including CCBA members David Gregerson - landlord tenant and boundary disputes, Dru Horenstein - family law update, Phil Janney - trust drafting issues, Superior Court Judges John Nichols and Rich Melnick - 'Jewels from the Judiciary', Stan Horak - bankruptcy practice, and Mark Muenster - criminal law practice tips.

The general consensus of those attending the event was that it "rocked", in the words of one pleased guest.

REQUEST FOR PROPOSAL

The City of Vancouver is issuing a Request for Proposal to provide Public Defense Legal Services. The packet of information for this contract can be obtained at www.ci.vancouver.wa.us/procurement/projects.htm or call (360) 619-1030.



Responses are due to the City by 3 p.m. Wednesday, Sept. 8, 2010

LOCATION LOCATION LOCATION

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CCBA Special Meeting Minutes



JOLENE SELL
CCBA Vice-President

A special Clark County Bar Association meeting was held on July 8, 2010, to provide further information to members regarding the termination of the CCBA-organized health insurance plan - specifically, what options are available to those members who had been participants in the plan - and to formally approve a budget for fiscal year 2009-2010.

CCBA President David Ridenour opened the meeting by providing some background on the CCBA health insurance benefit throughout the past years, as well as the more recent developments leading to the Board's decision to terminate the insurance benefit.

Representatives from the Willis Group, Kaiser Permanente, and Northwest Employee Benefits, Inc. (who manages the Multnomah

Bar Association's health insurance plans) were present to describe replacement options available to current CCBA members.

Treasurer Kurt Rylander then reviewed the proposed budget for the current year, which is projected to result in a net loss to the Association of over \$20,000. A significant factor in this loss was attributed to CLE revenues only being about half of what they have been in the past. A decrease in membership (thus, income from dues) was also noted. This budget was unanimously approved by the members present.

The next regularly-scheduled membership meeting will be the Annual Meeting, to be held on September 13, 2010.

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Before They Were Lawyers



DAVID GREGERSON
Hearsay Special Correspondent

In part 2 of our series, more CCBA lawyers and judges share the surprising stories of what they did before they began to practice law.



JEFF MILLER
GIS Analyst and Park Ranger, (pre law school).



DAN STAHNKE
I have had quite the journey to the law.

During my Junior High School years, I delivered the PI newspaper (door to door) at 5 a.m. in Seattle, Washington.

During my High School years, I worked as a janitor (early morning shift before school) at the Dairy Queen in White Center, Washington. I also worked the summers at my Grandparents' farm/ranch near Upton/Sundance, Wyoming.

During college, I worked during the summers with a Boeing contractor, a Seattle residential home builder and construction company in Gillette, Wyoming.

Also during college I met and married my wife (married 32 years this year). After my senior year, we moved to Vancouver and I began working at the Portland Memorial Mausoleum. We built a wing onto the mausoleum with several hundred crypts. Because I was the youngest employee, I was the designated "crypt crawler" who broke down the collapsible frames after the concrete was poured and cured. When the structure was complete and the marble fronts were mounted, we transferred the deceased's caskets from temporary crypts to their permanent location.

When the mausoleum work was complete, I became an employee of a construction company that was building the 4th plain, Mill Plain and Evergreen overpasses on I-5. As a laborer on this job, one of the most miserable jobs I had was when I was required to crawl into the towers supporting the bridges while the concrete was being poured in and vibrate the wet concrete to avoid rock pockets. I can still feel and smell the wet concrete falling on me while I climbed the rebar and vibrated the concrete.

In 1981 I applied for and was hired by Sheriff Kaneko as a custody officer for Clark County. I began my career with the Sheriff

Dept at the city jail working the swing and graveyard shifts. The city jail was used as the booking/housing facility for intoxicated or combative inmates.

In 1984 I was appointed as a transport officer when the new jail was opened.

In 1989 I enrolled at Lewis and Clark's Northwestern School of Law in Portland Oregon and attended the evening program for the next four years. I would work at the Sheriff's Office during the day and jump on the freeway to Portland for evening classes and then return home by 10:30 pm. My wife was working the graveyard shift at Chevron distribution center in Portland and we would wave at each other in the driveway as I was coming home and she was leaving for work. The wave would again come in the morning when she was coming home and I was going to work.

After graduating from law school and passing the bar, I ended my career with Clark County Sheriff's office and began practicing law with Don English and Jeff Barrar. We merged our firm with Casey Marshall, Dennis Lane and Derek Vanderwood in 2000. I was appointed Court Commissioner in January 2007.

I have been blessed with many opportunities to work in various industries during my life and have many fun stories to tell.



JIM SWANGER

After graduating from Hudson's Bay High School in 1972, I worked at the "new St. Joe's" Hospital (SWWMC) while I attended Clark College at night. I worked in Linen (picked up/delivered laundry to the various floors) and Housekeeping (janitorial).

The following spring, I worked for the Vancouver School District as a janitor. I attended Clark College during the day and worked 8 hours each night as a janitor. Each summer I worked on the floor crew, cleaning carpets and waxing floors.

In 1973-76, I was assigned to a "Toilet Run." For 180 days each year, I traveled to three schools doing nothing but cleaning the restrooms in each school. The first year, I cleaned 120 toilets daily; the second year I caught a break and only had to clean 76 toilets daily. Taking into account the other restrooms I cleaned over the years with the district, and averaging two flushes per toilet cleaned, I'm in excess of 100,000 flushes for the VSD.

I continued to work for the school district each summer when I returned from college. During my first year of Law School at Willamette, I returned to Vancouver each Friday afternoon to work as a substitute janitor for the school district. On Saturday and Sunday nights, I was a security guard for King Security.



LAURA MANCUSO

Disneyland recruited at my college (University of Oregon) and I was accepted to work there for the summer after my freshman year. I worked part-time through all four years of college, including a job at Student Affairs and Student Services and later a job shelving books at the U of O law school library.

After college, I worked as a hotel front desk clerk at downtown Portland Marriott and in Reno. I spent three years working in Human Resources – as an Employment Screener at the Fitzgerald's in Reno (where the arch is at), then Benefits Specialist for TVI in Bellevue (which owns Value Village stores) and finally as an HR Specialist for Keytronic in Spokane when I was accepted into Gonzaga.



EDWIN POYFAIR

I was an employee of Safeway. A human relations supervisor.



JEAN WALLER

After undergraduate school, I worked as a counselor for a year in a Chicano Specialty Treatment mental health center. Then I worked as a bank officer and mortgage broker for about ten years before going to law school.



KARIN DEDONA

My first job after high school was as a Meat Wrapper, for a grocery store in upstate New York. Later, I worked at a Veterinary Technician in Santa Cruz, California.

I was a Radiology Tech when I moved to Vancouver from California. I got a job at the old Vancouver Memorial Hospital doing special procedures including encephalograms; an archaic procedure whereby we injected air into the ventricles of the

brain and spun the patient around and upside down in a special chair, while taking x-rays of the head. To practice this procedure, I would take my then-husband to the hospital after hours and strap him in the chair.

When Memorial merged with the then St. Joseph Hospital to become Southwest Washington Medical Center, I was one of the two technicians appointed to run the first CT Scanner in Clark County. Throughout those years I also was Editor of the in-house publications, including an Employee Newsletter and a Physician's Newsletter.

I quit the CT job when I started Law School, but I was able to keep the Editor job throughout my first year, because of the flexible hours. During first year of law school I worked a graveyard shift in Radiology at Holiday Park Hospital. That lasted only two weeks, until a middle-of-the-night patient (brought in under the influence of something bad) attacked me and I quit.

My second year I worked as a Clerk in a large Portland law firm during the school year, and during the summer as an assistant for two Professors. For one Professor I did the research for a Law Review article on Chicken Law. It is truly amazing how many drug busts go down in the parking lots of fried chicken stands; and how many people hide their drugs under the chicken coop. As Professor Huffman later termed my work, it was a "fowl project". For the other Professor I put together CLEs, and in particular, a huge Environmental Law conference.

During my third year of law school I had a Clerkship under Judge Helen Frye in Federal District Court in Portland. I have been practicing 22 years and I still enjoy it. I can't say that every day is fun or rewarding, but on the whole it was a good choice for me. I started in a caregiver profession and that is where I find myself today. It's a good fit.



JOSEPHINE TOWNSEND

I was a New York State Trooper for 20 years.



JEAN MCCOY

I bussed tables at Izzy's Pizza and sold stationery at JK Gill in Jantzen Beach.

Save the date! **2010 CCBA Golf Tournament**
September 17, 2010 at Cedars On Salmon Creek Golf Course
Time: Shotgun Start at 1:00 p.m. • Dinner to Follow
Get your Teams Together • Entry Forms Next Month

For more information, contact Mark Carter at 694-8955 • Email: banko341@netscape.net.



Brad Andersen Honored With 'Key Award'

HEARSAY STAFF



Bradley Andersen, of Schwabe, Williamson & Wyatt, was honored with the 'Key Award' at a ceremony on July 9, 2010.

The Washington Coalition for Open Government has honored CCBA member Brad Andersen of North Bonneville with the Key Award for his use of the state's open government laws to discover and expose shocking misdeeds in the Skamania County Auditor's Office, including what the County characterized as the "squandering" of \$87,380 in public funds.

Andersen was honored with co-recipient Gloria Howell of Stevenson at a special ceremony in Seattle on Friday, July 9th for their fearless actions in exposing wrongdoing inside the Skamania County Courthouse.

The efforts of Andersen and Howell using the State's Public Records Act not only led to the resignation of Skamania County Auditor John Michael Garvison, but also prompted an investigation by the office of Washington State Auditor Brian Sonntag, and a criminal investigation by the Skamania County Sheriff's Office.

"These are two very civic-minded people who have invested much of themselves in the service of others in the community they love," said Sam Pace, the Treasurer of the Washington Coalition for Open Government. "They sensed something was wrong, and then set to work using the Public Records Act in a

collaborative effort to shine a bright light on what was happening in the Skamania County Courthouse," said Pace.

It wasn't easy. When Andersen filed a Public Records Request with the County Auditor's Office, the Auditor's Office failed to disclose the requested documents as required by state law. Andersen then filed a lawsuit to force the disclosure of the documents. The County settled the lawsuit with the entry of a stipulated order that required the production of the requested documents and payment of a fine and attorneys' fees.

Brad's review of the documents prompted him to contact Skamania County Sheriff Dave Brown, and the offices of Washington State Auditor Brian Sonntag. On March 18th Sonntag's Office issued a formal audit report stating, "The former Skamania County Auditor violated state law and County Policy by engaging in conduct that resulted in questionable uses of public funds." The report also noted the Skamania County Commissioners' failure to aggressively monitor the previous Auditor's expenditures.

The Washington Coalition for Open Government represents individuals and organizations intent on preserving and protecting Washington's Open Government Laws - Open Records and Open Meetings. Its mission is to represent the public in matters where open government issues are raised, are threatened, or deserve broader exposure.

Brad Andersen is a former Skamania County Prosecutor who now works in Vancouver, Washington, as an attorney with the law firm of Schwabe, Williamson & Wyatt.

Annual Meeting Set for September 13

HEARSAY STAFF

All members of the Clark County Bar Association are invited to attend the CCBA Annual Meeting on Monday, September 13, 2010, at the Red Lion at the Quay. Registration and sign-in will take place from 11:45 to 12:00. The meeting will begin at noon and last until 1:30.

The agenda is expected to include committee reports, followed by the Superior and District Court Reports. We will then hold an election of officers and trustees for the 2010-2011 fiscal year.

Meal choices are available, and consist of Mac-Pine Seared Mahi-Mahi, Grilled Flat Iron Steak, or a Stuffed Portabello Mushroom. The price for the lunch and meeting is \$25.00 per person.

Reservations can be made by calling Diane Wheeler at the CCBA Office, (695-5975). Payments can be made by check or by credit card over the phone. Please reserve your seat early so an accurate headcount can be given to the Quay. See you there!

CONTINUING LEGAL EDUCATION The "Nuts & Bolts" Series



JANE CLARK

CCBA Trustee

The CCBA is excited to be offering a new series of CLEs starting this fall aimed at newer attorneys or those wanting to brush up on basic skills and concepts or maybe venture into a new area of law. The "Nuts and Bolts" series will start in September with a presentation on a different area of law on the second Wednesday of each month. For a schedule of all topics to be presented see the schedule listed on the opposite page.

We also wanted to give members an opportunity for networking and socializing. Each presentation will therefore start at 3 p.m. at the Red Lion at the Quay to be followed by a happy hour social for those who want to stay or for anyone who wants to join the post CLE party.

The cost of each individual seminar is \$50. Each presentation will run 1.5 - 3 hours depending on the topic. For those interested in attending more than one presentation, the CCBA is offering a discounted rate of \$500 for all 12 seminars or \$250 for any 6 seminars.

This offer is open to all attorneys or support staff and there is no requirement to be a member of the CCBA to enjoy these discounts. Those purchasing 6 or 12 seminars will be issued a punch card which is fully transferable allowing attorneys to share the card, or larger firms to use the card allowing several members of the firm to attend the same seminar. Basically you buy the card and it can be used by anyone for any seminar.

Electronic Delivery of CLE Materials and Purchase of CLE Materials

For future CLEs, the CCBA will provide attendees signed up for CLEs with the CLE material via email prior to the presentation. This will allow members to have material to review ahead of the presentation and will also result in a significant saving in time and money to the CCBA allowing the funds to be used for benefit of members.

For those who do not wish to receive materials electronically, a hard copy can be provided with notice to Diane Wheeler at least 3 business days before the CLE. A small charge of \$5-\$10 will be payable for provision of hard copies, depending on the amount

of materials provided. The CLE committee is trying this as an experimental program and welcomes feedback from members before deciding whether to continue this procedure longer term.

If you are unable to attend any particular seminar, CLE materials will be made available for sale and will be delivered electronically. A list of available CLE materials will be listed on the CCBA website together with the price and can be purchased by contacting Diane Wheeler.

CLE Sponsorship

The Clark County Bar Association is offering members of the local legal and business communities the opportunity to sponsor CLE meetings. For \$150 CCBA will provide basic refreshments, venue, and setup for attendees. As sponsor, your name and, if you wish, a 1/2-page ad, will be included on all CCBA communications regarding the CLE, including flyers, emails, and postings at other local events. Emails will include a flyer advertising the event and including your ad if desired. The buffet table would prominently display an acknowledgement of your sponsorship and you would be welcome to put out your cards, additional flyers, literature, and so forth.

You may elect to sponsor a CLE which is planned by the CCBA or choose your own topic and recruit your own speakers. (Remember, CLE instructors receive triple the CLE hours that attendees get.) You may want to act as host and emcee, or leave this task to CCBA.

Of course CCBA would be glad to entertain suggestions for more elaborate functions. Hosting a CLE in your own facilities, if you have the space, would be a great way to introduce people to your practice and staff.

If you are interested in sponsoring any of the forthcoming CLEs or discussing the option and cost of sponsoring the full Nuts and Bolts series, please contact Diane Wheeler, executive director, at (360) 695-5975, diane@ccbawashington.org, or CLE committee chair, Jane Clark, at 360 694 4344, jclark@bnplaw.com.

CLARK COUNTY BAR ASSOCIATION CLE SERIES

Nuts & Bolts: What Every Practitioner Needs to Know

The Clark County Bar Association is delighted to announce that it will host a CLE series geared to the new members of the legal community titled **Nuts & Bolts: What Every Practitioner Needs to Know**.

The series, which is currently scheduled to begin in September 8, 2010, will vary from one to three hours every second Wednesday of the month. Each session will feature knowledgeable attorneys in a particular area of practice, and focus on the basic issues and procedures confronting an area of law. The current list of dates and topics are as follows:

Date	Topic	Speaker	Committee Member
September 8, 2010	Landlord/Tenant Basics	Phil Foster	Scott Matthews
October 13, 2010	Employment Law Tips and Traps	Emily Sheldrick	Jane Clark
November 10, 2010	Mediation		Scott Matthews
December 8, 2010	Civil Litigation Basics & Practice Tips for Clark County		Jane Clark
January 12, 2011	Criminal Law Basics	Suzan Clark	Suzan Clark
February 9, 2011	Personal Injury		Jane Clark
March 9, 2011	Networking & Building Your Practice		
April 13, 2011	Evidence		Suzan Clark
May 11, 2011	Family		Suzan Clark
June 8, 2011	Consumer Protection		Scott Matthews
July 13, 2011	Ethics Client & Office management conflicts		
August 10, 2011	Wills and Estates		

The Nuts & Bolts series will continue in 2011.

Sponsorship opportunities for firms and practitioners for each CLE of the series are available. Please contact Diane Wheeler for further information.

360.695.5975
diane@ccbawashington.org

What CCBA Members Are Doing About Town



RAISA JUDICATA

Guest Gossip Columnist

Judge Wulle had an interesting case several months ago that brought back some fond memories. Attorneys with their primary practice in Oregon know that those of us here in the ‘Couv, especially our fine judiciary, don’t like being dissed by our Oregonian brothers and sisters. One such counsel found out the meaning of the term “think before you speak” when he mentioned that his client/home builder, who was being sued for construction related matters, was not engaged in the type of building common to “ticky-tacky Levittown”.

Not to mention the fact that counsel was probably not born when Levittown, New York was founded in the 1950’s, but also he did not know that Judge Wulle was actually raised in Levittown, New York, and took some offense to his hometown being maligned. Judge Wulle edified counsel that the wood used to build the homes in Levittown actually came from the Pacific Northwest, the homes in Levittown were quality-built to house a respectable middle class, continue to hold their value, and the area maintains a strong neighborhood identity to this day. Oops. No mention of how the case turned from there.

.....

Have any of you participated in the underground tunnel tours in Portland called the “Shanghai Tunnels”? From 1850 to about 1941 the tunnels running under the City streets were home to many kidnappings of men and women sold into slavery on ships, and proprietors of alcoholic beverages hiding from Prohibition laws. Many crimes were committed in those tunnels. The group “Northwest Paranormal Investigations” has proclaimed the tunnels “the most haunted place in Oregon”. Some paranormal investigators apparently are investigating Vancouver nowwe have our own underground tunnels and ghosts....



Jack Green and Aaron Ritchie found their own underground tunnel in their new office space at 1601 Lincoln. The tunnel is found in the basement of the offices and opens up outside through a hidden door at the sidewalk. Since Jack and Aaron focus primarily on criminal defense cases, we wonder what they are using the tunnel for (spiriting material witnesses in and out

of the office)? To seal their own place in history it is rumored these guys will be selling tickets to their own version of the underground tunnel tours – but the tour will be pretty short as the tunnel is only 15 feet long... ..

And if you are looking for ghosts, we understand 902 Esther (the Lloyd Dubois House) could have its own haunt. Andrew Wheeler let slip that the offices of Wheeler, Montgomery, Sleight & Boyd were asked by a team of paranormal investigators to host a sleep-over. The investigators seem to think there have been prior claims of strange occurrences at the site, possibly paranormal. Andrew hasn't witnessed any haunting at THIS office. Due to privacy and ethical concerns (not to mention peace of mind), letting a team of strangers into your law offices in the middle of the night to provoke ghosts is not the best choice, so we may never know what strangeness lurks within. Do you have a good ghost story?

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-cba@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.



Superior Court Clerk's Alert



SHERRY PARKER
County Clerk

Are you in possession of original wills prepared for your clients? Are you concerned that they might not be readily available to the family when they are needed?

The Clerk's Office offers a will repository service. RCW 11.12.265 allows the filing of an original will with the court, under seal, before the death of the testator. The fee for this service is \$20.00 per will or codicil as set by RCW 36.18.016(28).

The will may be withdrawn by the testator upon showing of proper identification. Any other person, such as an attorney or Guardian, may withdraw the original will only with a court order after showing of good cause.

Upon request and presentation of a certified copy of the testator's death certificate, the Clerk's Office will unseal the file. If a probate file is opened at that time, the full filing fee must be charged per RCW 36.18.020(2)(f).

Looking for a way to avoid coming to the courthouse to look at a file? Here's the answer - no lines – no security search – no time limits!

The Clerk's Office offers subscriptions to our LibertyWeb system which allows access to images in public files from 1985 forward on a 24/7 basis. One subscription can be shared by as many as five attorneys or offices, but only one person at a time may access document images. If you are the attorney of record, we can arrange for you to view confidential documents also.

The cost for a subscription is \$1,500 for the first year, pro-rated from January 1st. The cost is \$500 per year for each following year. Contact our office for more details.



**Enjoy Summer Sunshine and Happy Hour
with the St. Helens/Clark County Chapter
of the Washington Women Lawyers**

Date: Wednesday, August 4th
Time: 4:00pm
Location: Tip Top Tavern, Downtown on Main

Members and non-members alike are invited to join Washington Women Lawyers, St. Helens Chapter, for Happy Hour at Tip Top Tavern. Come and see some old friends, and perhaps make some new ones!

Family Law Section Enjoys Successful Year



ELIZABETH CHRISTY
Family Law Section President

As most of you know, the Clark County Bar Association has a Family Law Section (FLS). We have around 70 members and we meet monthly from September through June. The meetings occur every second Thursday of the month during the lunch hour and include a CLE presentation.

My name is Elizabeth Christy and I have been practicing family law in Clark County for two and half years. As well as being the outgoing President, I will remain as President for the upcoming 2010-2011 year. Our 2010-2011 Secretary is Robin Krane and our Treasurer is Laura Mancuso.

All Clark County Bar Association members are welcome to join the FLS although it mostly consists of attorneys who practice in areas of family law. The CCBA membership fee is \$135.00 and the FLS membership fee is \$25.00. The application forms for 2010-2011 are included with this newsletter.

Although the FLS typically breaks for the summer months, I called a meeting on July 15, 2010 so the members could discuss a proposal to the judiciary by the Clark County Association of Mediators (CCAM) proposing mandatory mediation for all family law matters. There are a lot of strong opinions about this topic on both sides. No decisions have been made about mandatory mediation yet but the FLS formed a steering committee to help fine tune the proposal in conjunction with the questions and concerns made by members of the FLS.

The 2009-2010 year was a lively one for the FLS. We have succeeded in attracting high numbers of attorneys to the meetings and many Commissioners and Judges attend as well. Our CLE presentations consisted of topics ranging from drug testing to bankruptcy to sex addiction. We have a new "Santa," Commissioner Stahnke, to host our annual holiday awards meeting; we

have a subcommittee working on creating an attorney work room at the Family Law Annex; and one of our members, Crystal Lambert, generously volunteered to recreate a Family Law Expert Book for our members.

I highly encourage attorneys practicing in any area of family law to consider joining the FLS. The meetings are social, informative, and a great way to build bonds with your colleagues.

Last year I created a blog for the FLS so that everyone could keep themselves apprised of upcoming meetings, events, and announcements. I encourage people to familiarize themselves with the blog so that they are not reliant on the mass emails I send out. Invariably, someone does not receive the mass email due to security blocking, a typo, etc. I will continue to update the FLS blog over the summer so keep checking in! Please email me if you would like something posted or feel free to post yourself.

<http://ccbafamilylawsection.blogspot.com/>



FLS members enjoying social time at one of their regular monthly meetings.



Judge Dan Stahnke as Santa Claus, describing another humorous gift for a family law lawyer at the annual FLS Christmas meeting last December.



Stan Horak and Don Thacker discuss family law issues relating to bankruptcy practice at the February FLS meeting.

CCBA Monthly Board of Directors' Meeting



ANDREW WHEELER
CCBA Secretary

The July 7th Clark County Bar Association Board Meeting focused on finalizing the proposed 2010-2011 CCBA Budget. In light of diminishing CLE funds, the Board discussed cost cutting measures including emphasizing the electronic "green" option for Hearsay and an increased emphasis on collections for advertising balances owing for the CCBA Directory and Hearsay.

The creation of a new CCBA Committee was proposed, discussed and approved by the Board. The Structural and

Compliance Oversight Committee will provide oversight in reviewing the practices and procedures of the CCBA organization and provide recommendations to the Board. Committee membership is open to all CCBA members and will appear as a Committee option in the August Membership Packet.

The next Board of Directors' meeting is scheduled for Wednesday, August 4th, 2010, at the CCBA offices, and is open to all members.

Benefits of CCBA Membership

**HEARSAY Monthly Newsletter
(and discounted advertising rates)**

**Free copy of the Membership
and Resource Directory**

**High-quality CLEs at discounted member
rates; saving you travel time and money
on your annual educational requirements**

**Access to the Southwest Washington
Lawyer Referral Service**

**Social and networking opportunities
throughout the year: quarterly membership
meetings, annual Golf Tournament,
Winter Social, and the Summer Barbeque**

**The opportunity to participate in
committees and sections pertinent
to your interests and practice**

Call 695-5975 to become a member!



GETTING TO KNOW: **GREG GONZALES**

"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 Gregory Michael Gonzales, a partner with WeberGunn, PLLC. Greg can best be described as a family man. He is proud of both his family at home (three sons, ages 22, 20, and 17) and his "work" family at WeberGunn. Greg hails from La Puente, California, but became a converted transplant after he graduated from Lewis and Clark Law School in 1981. He started practicing in Clark County in 1983, with an emphasis on personal injury law, and misdemeanor criminal and DUI/traffic defense. He became Battle Ground's Municipal Court judge in October of 2005 (after acting as a pro tem judge in District Court for the prior ten years). When asked the standard pesky questions, he replied:

Who or what inspired you to practice law?

I remember specifically the exact time. I was with my uncle, who was just getting back from Vietnam, in the Chinatown part of Los Angeles. He asked me what I wanted to do when I grew up, and I told him I wanted to be a pro baseball player. He said, "No, you want to be a lawyer." And it stuck.

What has been the biggest lesson of your legal career?

To be humble -- 100 percent with clients and in court; respect other lawyers; and always pay respect to judges and court clerks.

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

The advice came from my father: treat others how you want to be treated. I learned to be respectful of others from him.

What do you feel is your greatest accomplishment?

My three boys, undoubtedly. And being with my firm for so long--they're like a second family to me.

What advice would you give an attorney beginning a practice?

The same advice I received from Bill Baumgartner when I was a new attorney: you have to hustle your clients, but do it in a positive and helpful manner. Talk to people (especially in social settings), but don't talk down to them.

What do you feel is one of the greatest challenges in law today?

From a private practice perspective, the number of lawyers out there.

What would you be doing if you were not an attorney?

Teaching and coaching. (Greg currently teaches classes in Clark College's paralegal program.)

What activities do you enjoy in your spare time?

Running, and following my kids around in their various activities. (Greg runs five to six miles a day, six days a week.)

What is your favorite vacation spot?

The coast--I love walking and running on the beach.

What is your favorite food?

Mexican, of course--taquitos, in particular.

What was your favorite television show growing up?

"Leave it to Beaver."

What is your favorite childhood memory?

At a Dodgers game, Willie Davis threw me a baseball, along the right field foul line.

What music is on your I-pod?

60's music--Temptations, Beach Boys, Van Morrison, Elvis.

What is the best part of your job?

Meeting new people.

YOUNG LAWYERS *vs.* SENIOR LAWYERS

Softball Game & Family BBQ

CO-SPONSORED BY CLARK COUNTY YOUNG LAWYERS
AND THE CLARK COUNTY BAR ASSOCIATION

SEPTEMBER 11, 2010
1:00 p.m. to 3:00 p.m.

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IF YOU WOULD LIKE TO JOIN THE YOUNG LAWYERS TEAM,
PLEASE CONTACT CHRIS BOYD AT: cboyd@vancouverlaw.net

IF YOU WOULD LIKE TO JOIN THE SENIOR LAWYERS TEAM, PLEASE
CONTACT COMMISSIONER DAN STAHNKE AT: daniel.stahnke@clark.wa.gov



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I have 28 years of bankruptcy experience
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Clark County VOLUNTEER Lawyers Program

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

Statistics for June include 61 clients seen in advice clinics, 31 in Family Law, 20 in Family Law paperwork review clinic, 9 in the DV clinic, and 8 in General Law. We placed 8 cases with an attorney for direct representation. There were 142 hours of volunteer attorney time donated.

You have all received the 2009 Annual Report by now. I hope you read and enjoyed it. Please take time to look at the flyer that was inserted in it. The Volunteer Lawyers Program can't exist without you. We need your help more than ever this year.

We are again facing a 10% cut in our funding from the Legal Foundation of Washington. This will be the third year we have cut our budget. Due to the economy and interest rates, the Legal Foundation has seen revenues decline from over \$7 million a few years ago to \$2 million recently. This means less to distribute to the legal aid programs.

You can help. First, make a donation to Law Fund. This supplements the Legal Foundation and comes directly back to Clark County in our annual grant. One billable hour from each of you will make a big difference. Second, make sure your bank is paying the best interest rate on your trust account.

**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 JUNE**

*Shon Bogar, April Brinkman, Gideon Caron, Elizabeth Christy,
Suzan Clark, Tessa Cohen, Bruce Colven, Ivan Culbertson,
Darrin DeFrance, Sidney Dolquist, Phillip Foster, Teresa Foster,
Lincoln Harvey, Scott Horenstein, Crystal Lambert, Scott Matthews,
Amy McCullough, Kristen Parcher, Brian Parker, Lisa Peterson,
Rick Potter, Bill Robison, Robert Russell, Mark Sampath, Jill Sasser,
Kate Shaw, Kathryn Smith, Steven Sowards, Chris Sundstrom,
Diane Sweet, Ryan Taroski, Bob Vukanovich, Anna Waendelin,
Jean Waller, Erin Wasley, Ben Wolff*

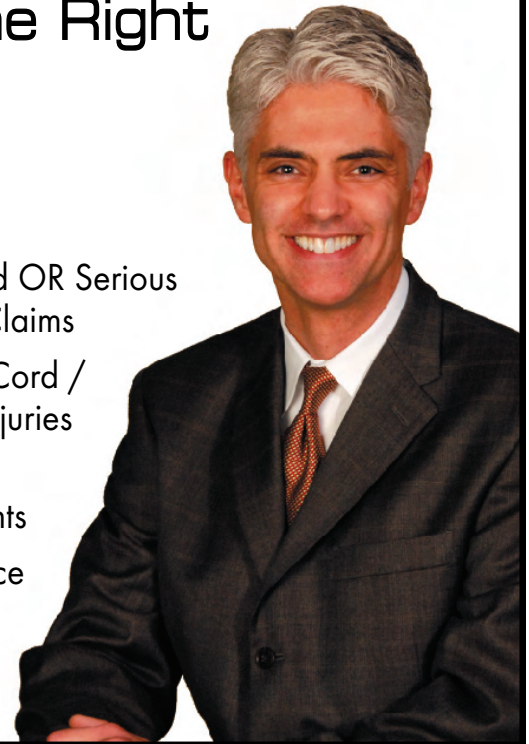
GOGREEN

Opt-in to receive digital PDF issues
of HEARSAY via e-mail to help reduce
waste and lower CCBA production costs.

CONTACT DIANE WHEELER TO BE
ADDED TO THE MAILING LIST!

Serious Injury Cases Done Right

- WA and OR Serious Injury Claims
- Spinal Cord / Brain Injuries
- Car Accidents
- Insurance Claims



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The Clark County Bar Association Presents a 3 credit CLE:

Mortgage Loan Modification Before, During, After and Instead of Bankruptcy

To be held Thursday, August 12, from 9:00 A.M. until 12:00 P.M.

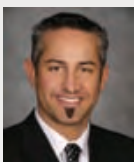
In the Public Service Center's 6th floor training room at 1300 Franklin

The cost will be \$ 105 for members and \$135 for non-members. Sandwiches and drinks provided.

If you would like to attend please contact the CCBA at (360) 695-5975



Robert C. Russell is an experienced Bankruptcy and Consumer Protection Attorney who has served families and businesses in the Vancouver, WA area for over 20 years. Rob's Northwest Loan Modification Center (www.NWLMC.com) assists homeowners and professionals with loan modification issues. Rob is a frequent speaker on the subjects of mortgage loan modification and real estate short sale negotiations.



William C. Black Jr. is the Business Development Director with the Law Office of Robert C. Russell, P.C.'s Northwest Loan Modification Center (NWLMC) and Northwest Short Sale Network (NWSSN). Bill is a Certified Mortgage Planner and Certified Distressed Property Expert, and a frequent speaker on the subjects of mortgage loan modification and real estate short sale negotiations.

Robert C. Russell, P.C. - Attorneys & Counselors at Law - www.robert-russell.com

Outline

- I. Loan Modifications – What They Are and Why They Have Become a Big Deal?**
 - a. What it is in general and Why they are topical today (Facts and figures)
 - b. Who are the players in the loan modification game -
 - Investor / Servicer / Homeowner / Insurer
 - c. Loan Mod Options – In general
 - d. Why they “Fail” after Apparent “Approval”
 - e. Fun and Games Played Mortgage Investors/Servicers
- II. Loan Modifications – Who Can Offer Loan Mod Services in WA?**
 - a. Non Attorneys – Licensing Required in Washington -
 - WA Loan Modification Law - Effective July 1, 2010
 - b. Attorneys
 - Direct provider of Loan Mod services
 - Lending your name to a non attorney loan mod provider
 - c. Oregon's law
- III. How to Do a Loan Mod**
 - a. HAMP / Non HAMP (or “in house’ modifications)
 - b. HAMP – 5-10 scenarios - Non HAMP – 3 scenarios
- IV. Foreclosure – What if a Loan Modification Does Not Result?**
 - a. Foreclosure timelines, Deficiency issues
- V. Bankruptcy – Permutation & Combinations – Considering ALL the options**
 - a. Loan Mod Instead of Bankruptcy
 - b. Loan Mod in Combination with bankruptcy –CRITICAL TIMING
- VI. Tax Implications – Loan Mod and Foreclosure**

LAW LIBRARY NEWS



MARIA SOSNOWSKI
Law Librarian

Did you know the law library just got a set on Constitutional Law, as well as Dobbs on Remedies? You would if you were signed up for our email list to be notified of new titles! If you would like to be added to the list, please send me an email at lawlibrary@clark.wa.gov.

We have the following items for sale through AUGUST 2010 - this is a good way to build your library at a bargain. The law library is taking blind bids on the following items:

1. Is it Admissible - Book plus CD Rom.
2. Washington Lawyers Practice Manual 2009 CD Rom.
3. Elder Law Forms Manual Forms on Disk CD.
4. 8 Ways to Avoid Probate - NOLO.
5. Chapter 13 Bankruptcy - NOLO.
6. Your Rights in the Workplace - NOLO.
7. Real Property Nutshell.

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

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

NEWS YOU CAN USE



DIANE WHEELER
CCBA Executive Director

Alan Engstrom has a new e-mail address
alan.engstrom@yahoo.com.

The new firm of **Johnson & Snider, P.C.** is now located at **203 Park Plaza Drive, Suite 200**, Vancouver, WA 98684; Telephone: (360) 718-2235; Fax: (360) 695-3135.

ATTORNEY BOOKKEEPING TIPS



EMANUELA SANDRI
Attorney Bookkeeping Services, Inc.

Timeslips - Printing Reports to the Printer

When you set Print to Printer, Timeslips generates the report and sends it to the default printer. You can determine the default printer in Timeslips by selecting File > Print Setup.

When you set Print to Printer, Timeslips generates the report and opens the Print dialog box. You can use this dialog box to determine which printer to use or adjust printer settings.

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ISLAND by Vasanth Sarathy

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UPCOMING EVENTS

MEETING

August 4, 2010

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

MEETING

August 4, 2010

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

MEETING

August 4, 2010

Washington Women Lawyers - Happy Hour, 4:00 p.m. at the Tip Top Tavern, downtown Vancouver on Main Street.

MEETING

August 10, 2010

CLE committee meeting, CCBA office 500 West 8th St., Ste 65. Meeting will begin at 12:15.

MEETING

August 10, 2010

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

MEETING

August 11, 2010

District Court Bench / Bar. Special Meeting; Carla Weaver from DOL to speak about RCW impacts. Judge Bennett's courtroom. 12:00 – 1:30 pm.

CLE

August 12, 2010

Mortgage Modification Loan CLE Public Service Center, 6th Floor, 1300 Franklin. 10 am - 12pm.

SOCIAL

August 13, 2010

CCBA Annual BBQ – Public Service Center Courtyard – Special guest chef Judge Richard Melnick. Noon.

MEETING

August 19, 2010

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

CLE

September 8, 2010

Nuts & Bolts CLE Series Landlord/Tenant Basics Red Lion at the Quay. 3:00 pm.

SOCIAL

September 11, 2010

Annual YLS Softball Game Nautilus Global Headquarters 16400 SE Nautilus Dr. 1 pm. - 3 pm.

MEETING

September 13, 2010

CCBA Annual Meeting and Election of Officers; Red Lion at the Quay – 100 Columbia at noon.

SOCIAL

September 17, 2010

CCBA Annual Golf Tournament Cedars On Salmon Creek Golf Course.

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.

To participate, members pay a small one-time annual fee. (The service is free to the public.) For more information, call Elena Quintana at 360-695-5975.

THE SWLRS REFERRED 308 CLIENTS IN THE MONTH OF MAY

Administrative Law	13
Bankruptcy	10
Business & Corporate	4
Consumer	29
Criminal	19
Debtor/Creditor	11
Family	61
General Litigation	77
Intellectual Property	2
Labor and Employment	15
Real Property	43
Taxation	1
Wills & Trusts	13
Worker's Compensation.....	10

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PRESIDENT
David Ridenour
(360) 906-1556
davidwr@copper.net



IMMEDIATE PAST PRESIDENT
Mila Boyd
(360) 695-1497
milaboyd.law@gmail.com



VLP REPRESENTATIVE
Charles Buckley
(360) 693-2421
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Jolene Sell
(360) 397-2265
jsell@wapa-sep.wa.gov



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John Fairgrieve
(360) 397-2261
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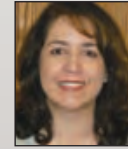
EXECUTIVE DIRECTOR
Diane J. Wheeler
(360) 695-5975
diane@ccbawashington.org



TREASURER
Kurt Rylander
(360) 750-9931
rylander@pacifier.com



TRUSTEE
Suzan Clark
(360) 735-9434
sclark4224@aol.com



MEMBER SERVICES
Elena Quintana
(360) 695-5975
elena-ccba@qwestoffice.net



SECRETARY
Andrew Wheeler
(360) 690-0064
awheeler@vancouverlaw.net



TRUSTEE
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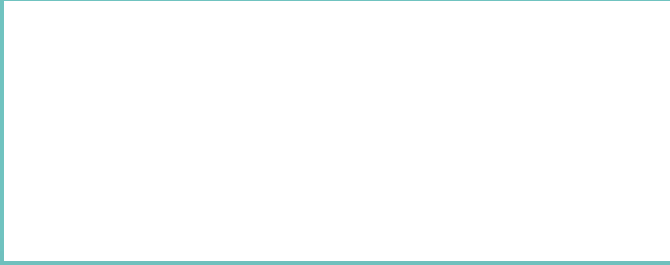


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