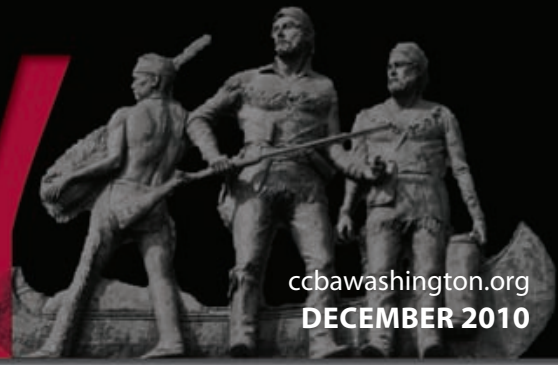


HEARSAY



ccbawashington.org
DECEMBER 2010

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION



*Happy
Holidays!*

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HEARSAY is published 12 times per year and is design 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.

THE CLARK COUNTY BAR ASSOCIATION 2011 Directory

The Clark County Bar Association will be sending out the new directory to all current members in January.

We intend to have several pages of advertisements in the directory this year. If you are interested in advertising in the directory, please contact Diane Wheeler at the Bar Association office.

Advertisements will be sold on a first come first serve basis. All advertisements must be pre-paid to go into the directory. Advertisements must be in Word format. The deadline will be December 10, 2010.

Rates for advertising in the directory:

Full Back Cover	\$300 reserved
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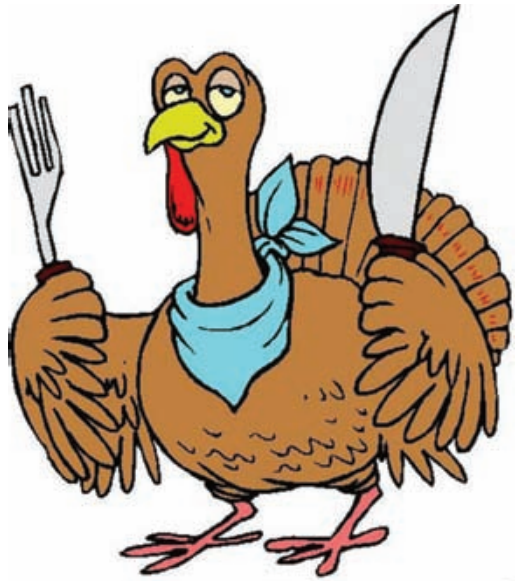
CCBA Conference Room available to rent

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

Call Diane Wheeler at 695-5975 to schedule

PRESIDENT'S MESSAGE

Thanksgiving



KURT RYLANDER
CCBA President

Another Thanksgiving has passed. Since a relative of mine came to this Country on the Mayflower, setting pilgrim foot upon Plymouth Rock, I feel it only appropriate in this newsletter to give thanks for the land of laws, principles and rights that we have the privilege to live in.

The thanks we all should give was brought home very starkly to me this past October when I served as a panelist on a Business Round Table with a delegation from Russia interested in learning what government can do to foster small business growth. Of course the easy answer was quickly raised, "Government should get out of the way." But a more important point brought up was that government through a system of laws and courts can help small businesses and entrepreneurs by providing for the protection of property rights.

In the U.S., because of the respect and protection for property rights, when a person by the sweat of their brow, or the coins in their pocket, builds up a business, there is recourse should an interfering third party, private or public, try to take all that has been built up. This largely does not exist in Russia.

So too, an independent judiciary that respects those rights. The Russian lawyers in the delegation curiously inquired

whether courts in the U.S. rule with a heavy bias in favor of the government where the government is a party. They stated that Russian courts exhibit significant bias in favor of government parties. I informed them that U.S. courts hold no such bias and that we enjoy an independent judiciary, trial by our peers, and rights of appeal and review.

Moreover, we operate largely free of the destructive force presented by a corruption based regulatory system. If you want to form a company, you simply go online and file. If you want a business license, you just apply, again, usually online. Nobody holds their hand out for graft in order to execute these simple rights. Our independent constabularies and prosecutors even seek out, arrest, and prosecute such corrupt officials.

I could go on and on with all the ways in which we should give thanks for the land of law and order that we live within, but I think no one says it quite so succinctly and elegantly as John Locke:

"The end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings capable of law, where there is no law, there is no freedom."

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Charles Buckley Receives WSBA Local Hero Award

HEARSAY STAFF

The Washington State Bar Association (WSBA) awarded Vancouver attorney Charles H. Buckley Jr. with its Local Hero Award. The Local Hero Award is presented by the WSBA Board of Governors as it travels around the state to those who have made noteworthy contributions to their communities. The WSBA Board of Governors met in Vancouver, Washington, on October 29. WSBA President Steven G. Toole presented the award at a luncheon on Friday, October 29, at the Hilton Hotel in Vancouver, Washington, attended by members of the Board of Governors and many members of the local bench and bar.

Charles Buckley received his undergraduate degree from Long Beach State after completing military service on the GI Bill; a decorated Marine, he served two tours in Vietnam with the 11th Engineer Battalion. He received his law degree from Pepperdine University School of Law while working full-time as a probation officer at Orange County Juvenile Probation Department. In 1979, Buckley moved to Clark County and opened a private practice, which focuses on criminal law, real estate, probate, and personal injury.

Buckley's service to the WSBA includes his work with the Pro Bono and Legal Aid Committee, as well as the Character and Fitness Board.

Buckley is dedicated to helping his community through the practice of law. He has been a volunteer at the Clark County Volunteer Lawyer Program for more than 20 years, and a board member since 1998; has served as a volunteer attorney at the Vancouver Veterans Administration Hospital's monthly veterans clinic since 2004; and was a founder of the Clark County Homeless Court, where he has volunteered since 2005. He has also served as a member of the Housing Justice Committee on the Project for Eviction Assistance, and as a committee member for the Drug Court Planning Grant and the Veterans Court.

Previously, Buckley was honored with the Clark County Bar Association Ken Weber Award, given to an individual who represents the ideal of professionalism. In 2006, he received the Man of the Year Award from Clark County's Council for the Homeless.

"Chuck has always been willing to devote a substantial amount of time to helping those amongst us who are less fortunate," said WSBA Third District Governor Loren Etengoff. "He is a great role model for newer and established attorneys as to what one person can do to make a difference in the lives of some of the most needy of our citizens, i.e., the homeless, and those who have sacrificed so much for our country, i.e., veterans. The WSBA is proud to have Chuck as a member of our organization."

From WSBA President Steve Toole:

"The Board of Governors of the Washington State Bar Association has eight meetings a year. The annual meeting is in Seattle and for the other seven, we travel around the State. This year our first meeting is here in Vancouver and we are thrilled to be here. When we travel from city to city, we always schedule a luncheon or reception with the local Bar and as part of that, we award our Local Hero Award. Before this year I have always thought of this presentation as the highlight of the Board meeting. Now, that I am president and am the one to do the presenting, it is very exciting. Indeed, it is my great honor and privilege to be able to present this award today. The award is given to a local Bar member who has made noteworthy contributions to your community. Today's recipient, Chuck Buckley, is well deserving of this award.

I don't want to be so presumptuous to think that you all have read my first President's Corner column in the October edition of the WSBA Bar News, but for those of you who did, you will know that I talked about givers and takers and service with soul. In the world of "giverdom", Chuck Buckley is the essence of a Giver. In fact giving to him is part of his being, his soul. It is who he is. He is such a giver that I find myself being split between feeling grossly inadequate to supremely inspired."

Clark County Swears in New Attorneys



ELENA QUINTANA

Hearsay Special Correspondent

Dozens of family members, guests and officials filled Judge Roger Bennett's courtroom on November 18, when four new licensees took their Oath of Attorney administered by Judge Scott Collier. During the event, the new licensees were asked if they wished to make any comments. David Osborn thanked his wife for helping him through law school. Andrew Lawhon thanked his wife, parents and Terry Vetter, who also attended the ceremony. Christie Martin thanked a group of people in the audience, and Brent Berselli, who was on his own at the ceremony, thanked himself.

After the oath, several speakers addressed the gathering, including Judge Roger Bennett, who presided over the ceremony. Judge Bennett noted that Clark County is a friendly community where the Judges are easy to work with and added that being a lawyer is the best job in the world. Judge Collier reminded the new attorneys that our judges are very approachable. CCBA President Kurt Rylander spoke to the group about the many benefits of CCBA membership and reminded them that membership in the local bar association is the best way to get to know the community. Crystal Lambert then spoke on the benefits of joining the Young Lawyers Section. The ceremony was followed by a reception hosted by the CCBA in the Attorney's Workroom on the 3rd floor of the Courthouse.



Upcoming CLE Schedule

Date	Area of Law	Topic	Speakers * committee chair
December 13, 2010 9:00 – 3:30	Last Chance CLE	Preserving Issues for Appeal Ethics – Social Media Ethics – Procrastination: Evidence Federal Practice Child Abuse Reporting	Judge R. Melnick Dayna Underhill Judge J. Nichols Judge R. Lewis Don Willner Josephine Townsend
January 28, 2011 2.5 credits .5 Ethics	Internet Law	Emerging Legal Issues in Internet Use	* Richard McLeod
February	Criminal/Civil	OR Practices and Procedures	*Jane Clark
March	Family Law	Ethical Issues in Family Law	*Suzan Clark
April (2 day CLE)	Guardian Ad Litem		* Diane Wheeler Josephine Townsend
May	TBD		
June (2-3) hours	Civil	Discovery	*Jane Clark

NEGOTIATION STRATEGIES: First in a three-part series



JANE CLARK

Hearsay Special Correspondent

Jane Clark is a partner with the Vancouver law firm of Baumgartner Nelson and Price and exclusively represents plaintiffs in Medical Malpractice, Personal Injury and Wrongful Death cases. She is a member of the United States Arbitration and Mediation Panel and is licensed to practice law in Washington, Oregon, England and Wales. During her 20 years of practice she has gained experience practicing in multiple jurisdictions, and has represented both plaintiffs and defendants as well as serving as a mediator and arbitrator. This experience has given her a wide ranging perspective and experience with negotiation strategies and techniques.

PART 1 - Timing of Negotiations

There is no right or wrong time to negotiate. Much will depend on the nature, strengths and weaknesses of the case, the attitudes of the parties and or/insurance adjusters and the preferences and personalities of the attorneys. One thing is sure however - there will never be a settlement without at least some disclosure and exchange of information. Cases can potentially settle at any time in the litigation or pre litigation process. The advantages and disadvantages of settling at different points in the life of a case are set out below.

Pre litigation settlements

Cases will only likely settle pre litigation where the plaintiff has a strong case on liability, can demonstrate this and the defendant is motivated to avoid a lawsuit. Oftentimes plaintiff's counsel will send a Demand Letter before filing a lawsuit offering the defense an opportunity to evaluate the case and make an offer. In order to evaluate the case, the defense will need information about the plaintiff's case and usually details of the supporting evidence. One disincentive to early settlement is that often, plaintiff's counsel will not have all this evidential information without formal discovery in the case. However, if it appears relatively straightforward in terms of liability e.g. a rear end collision with a police report available, and plaintiff can provide documentation e.g. through medical and employment records of the injuries sustained, the economic loss claims and the current status re both, it should not be too difficult to prepare a formal and detailed demand letter. In clear cut cases of liability, car accident cases are one of the more likely types of cases where pre suit settlement is possible and this often does occur. Oftentimes however, pre suit offers are so low, it is necessary to file the case to pressurize the defense into increasing the offer. Many times these cases will proceed to a trial on damages only, unless information has come to light during discovery that causes either or both parties to change their view of the case.

If however you have a strong case there are clearly advantages to settling pre litigation - the most significant of which is the saving in time and money of having to litigate and possibly try the case. In cases where the expenses will be significant, e.g. medical malpractice cases or other complex cases involving costly experts and requiring more extensive discovery, the cost of litigating can be substantial.

With saving in cost and time being the primary advantage of early settlement, what are the disadvantages? Often in a case, discovery is needed to fully evaluate the strengths and weaknesses and only limited information may be available before litigation - in particular the testimony of opposing witnesses. Sometimes the plaintiff feels strongly that he or she wants their day in court - and this desire may change only after they have been through deposition with a fast approaching trial date and a sense of the risk of loss. Without knowledge of the opposition's case, the attorneys will likely have a one sided and maybe unrealistic view of the case, making it more difficult to settle due to unrealistic expectations.

Another disincentive to settle is a fear of "showing your hand" to your opponent. Oftentimes to obtain a settlement, the defense will need information. Oftentimes the information you have may not be discoverable in litigation before trial e.g. the opinion of a supportive expert. Some attorney worry that if they reveal key information about their case too early, their opponent will use it against them and they will lose the element of surprise. This is particularly so in states such as OR where there is generally not disclosure of experts. If however you are litigating in Washington, federal courts or a state where there is disclosure of experts, you will have to assess whether tactically it is to your client's advantage or disadvantage or reveal information such as expert opinions too early in the case.

In a clear cut case on liability and damages, early settlement should at least be considered. Whether you achieve a settlement

at this stage will depend on the nature and value of the case and the personalities of the parties and attorneys involved. Often you will work with the same opposing attorneys and oftentimes the same insurance adjusters on multiple cases. If you are viewed by your opponent as being reasonable and fair with integrity, and if your credibility is maintained, the likelihood of early settlements will increase.

Settlement during the course of the case

Of course, settlement can occur at any point during the progression of a case. Oftentimes, as discussed above, the parties simply need information that can be obtained from the discovery process to allow them to evaluate the strengths, weaknesses and potential value of the case. Litigation can be a costly business and you should bear this in mind when you develop your discovery and settlement strategies. It can be tempting to take the deposition of everybody even remotely involved in the case and hire multiple experts to testify. This is entirely appropriate and reasonable if the case justifies but. You should always bear in mind the potential value of the case when considering what costs should be incurred and be strategic about the timing of discovery. Are you positioning a case for trial or settlement? How you proceed with discovery and even the questions you ask during the discovery process may be influenced by this decision. For example, if you know the case is unlikely to settle, you may want to save those “killer” cross examination questions for trial and not alert or rehearse the witness during the deposition process.

After a case has been filed, give early thought to what discovery is required to give both parties the information they need to at least consider settlement. Identify the key witnesses that need to be deposed and the key documents that need to be obtained and reviewed through discovery to allow that evaluation to occur. After that “key discovery stage” has been concluded, evaluate the case and explore the possibility of a settlement. If attempts are made at settlement and fail, you know that you are in “trial mode” and can prepare the rest of the case accordingly.

When to consider making a demand or offer

Consider doing so when your case is at its strongest and before the weaknesses in your case become apparent during the discovery process. If you have a particularly good witness or a document that strongly supports your case, following disclosure of that document or deposition of that witness may be a good time to consider trying to engage in settlement negotiations. Similarly if you know you have a witness about to be deposed who will harm your case consider trying to settle before that deposition takes place.

Settlement negotiations will often start after the parties have completed the discovery stage of the case and before trial preparation starts. If you have not already considered settlement or started negotiations by this point in the case, you should consider doing so before you spend the hours needed to prepare for trial.

Settlement before or during trial

Some cases are settled on the door of the courtroom or even during trial. There are many reasons for this. Oftentimes discovery is not completed until shortly before trial and parties therefore do not have the information they need prior to this to engage in meaningful negotiations. In other cases, attorneys for the parties are not fully engaged and realistically evaluating the strengths and weaknesses of the case until they start to prepare it for trial. In other cases, the procedures of the insurer may delay settlement until close to the trial date.

Of course settlement can and often does occur during trial as counsel continue to assess the strengths and weaknesses of each side of the case as the trial progresses. Cases even settle while the jury is out - a time when parties and their attorneys become anxious and may second guess their earlier evaluation of the case. Even after a verdict and pending appeal cases may settle. Better the certainty of a settlement than the uncertainty and possibility of an adverse ruling on appeal and possible retrial.

Stay tuned for Parts 2 and 3 in January and February's editions of HEARSAY

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SUPERIOR COURT BENCH/BAR COMMITTEE MEETING MINUTES

NOVEMBER 9, 2010



JOHN FAIRGRIEVE
CCBA Vice President

The meeting began shortly after noon. Persons present were Judge John Nichols, Ann Christian, Kurt Rylander, Clark Fridley, Jolene Sell, Clay Spencer, Emily Sheldrick and John Fairgrieve.

OLD BUSINESS:

1. Appointment of Counsel in Criminal Cases: There was some brief discussion of the Supreme Court's decision to amend CrR 3.1, CrRLJ 3.1 and JuCR 9.2 to add the following subsection and requirement as follows: "Before appointing a lawyer for the indigent person or at the first appearance of the lawyer in the case, the court shall require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court." The new rules now have an effective date of September 1, 2011. It was mentioned that caseload standards will probably not be adopted until 2014 due in part to the financial impact such standards will have on local governments.

2. It was briefly discussed that Scott Weber was recently elected as Clark County Clerk and that he has announced that Baine Wilson will be his chief deputy. Delay in the scanning of documents for use in electronic court files was discussed and it was noted that due to the lack of resources this will probably remain a problem for the foreseeable future.

3. The Washington State Bar Association Board of Governors hosted a lunch and held meetings in Vancouver late last month. Chuck Buckley was given a Local Hero Award in recognition of his many hours of volunteer work to the bar and the community in general.

4. The committee generally discussed the problem of the increasing debt load new attorneys enter the practice with. Ann Christian noted that there was a federal program for some degree of law school loan forgiveness for lawyers serving as deputy prosecuting attorneys or as public defenders. Clay Spencer pointed out to the committee that the law clerk program offers a path to becoming a lawyer without having to attend law school.

NEW BUSINESS:

1. Appointment of counsel forms for indigent defendants in criminal cases: Clay Spencer stated that the current form does not have blank lines for the defendant's address, telephone num-

ber and other contact information. Ann Christian stated that she would follow up on this issue.

2. State v. Mankin and defense interviews of State's witnesses in criminal cases: Ann Christian raised the question of what impact State v. Mankin, COA No. 38977-1-II, a recent case addressing the issue of the recording of defense interviews of State's witnesses in criminal cases, would have on the approach of the Prosecuting Attorney's (PA) Office to this issue. John Fairgrieve stated that it was the PA Office's position to encourage that witnesses submit to recorded interviews and that it was common practice for the deputy prosecuting attorneys to record such interviews themselves. He stated that he did not believe that Mankin would have any major changes on how the PA's Office approached defense interviews.

Ann Christian also mentioned that she would like to discuss the development of a procedure for the making of and providing of transcripts of such interviews. John stated that the PA's Office would be interested discussing the creation of such a procedure. Ann noted that defense interviews are not required in Oregon, and that such interviews are often very helpful to both sides. Clay Spencer also stated that he believed that the interviews often lead to much faster resolutions of cases.

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

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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 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
December 8, 2010	Civil Litigation Basics & Practice Tips for Clark County	Don Jacobs	Jane Clark
January 12, 2011	Criminal Law in Clark County	Suzan Clark	Suzan Clark
February 9, 2011	Personal Injury	Jane Clark Mickey Thompson	Jane Clark
March 9, 2011	Flying Solo: Starting & Managing Your Law Practice		
April 13, 2011	Evidence: Criminal and Civil		Suzan Clark
May 11, 2011	Family		Suzan Clark
June 8, 2011	Consumer Protection		Scott Matthews
July 13, 2011	Ethics : Advising the Small Business		
August 10, 2011	Wills and Estates		

Each one of the series is on \$50 or you can purchase a discount card and attend 6 of the 12 events for \$250. We'll meet at the Quay at 3:00 and be done in time for happy hour. Materials will be provided free for download for those who register three days before the seminar, or for a modest fee at the door.

Call 695-5975 to register

For firms with new associates, this series is a great way to support your local bar association and provide new associates with an introduction to the community and a broad set of useful legal skills and information.



MOCK TRIAL

The Clark County District Mock Trial Tournament will be held at the courthouse on Wednesday, February 23, and Thursday, February 24, 2011.

CCBA Monthly Board of Directors' Meeting



ANDREW WHEELER
CCBA Secretary

The November 3rd Clark County Bar Association Broad Meeting saw the Board focused on upcoming CCBA events. The Board discussed the January 29th Barrister's Ball at the Quay. The Board is looking forward to gathering the Social Committee to begin Ball preparations and delegate tasks. Several CCBA Board members agreed to assist in the solicitation of donations for the Silent Auction. The Board additionally discussed the November 22nd Quarterly Meeting which will focus on Social Media.

The Board was encouraged by reports from Trustee Jane Clark that recently CLE attendance had been strong. This information

along with healthy CCBA membership numbers were encouraging in light of the dire financial forecast for the greater Association. In an attempt to keep expenses low the Board sought out a second bid on the 2011 CCBA Directory. The Board discussed maintaining a similar format to previous Directories while potentially lowering printing costs.

The next Board of Director's meeting is scheduled for Wednesday, December 1st, 2010, at the CCBA offices, and is open to all members.

Family Law Section Meeting



ELIZABETH CHRISTY
Family Law Section President

The Family Law Section had another special meeting in November. We were privileged to have Catherine Smith and Valerie Villacin join us from King County to talk about family law appeals. The meeting was held on Veteran's Day but that didn't stop the majority of our members from attending and the presenters' input and strategy was well received by our members.

Our annual holiday meeting will be December 9, 2010 from 11:30 a.m. to 1:00 p.m. at Tommy O's. Santa (Commissioner Stahnke) and his elf will give an "award" to each member based on their talented "performances" throughout the year so be sure and RSVP for this meeting!

Our January 13, 2011 meeting will be on the topic of "Reality of Residential Lending and Credit Practice" to further a discussion the members had at our September 2010 meeting. Jeff Bannan of Vancouver Mortgage who is a twenty year plus local mortgage broker will explain this dynamic area while dispelling the myriad of myths circulating in our community.

The cost of the meeting will be \$13.00 for lunch and there is no CLE credit offered for this meeting.

Remember to visit the blog for updates and announcements: <http://ccbafamilylawsection.blogspot.com/>

Facebooking and Tweeting: A Social Media Presentation



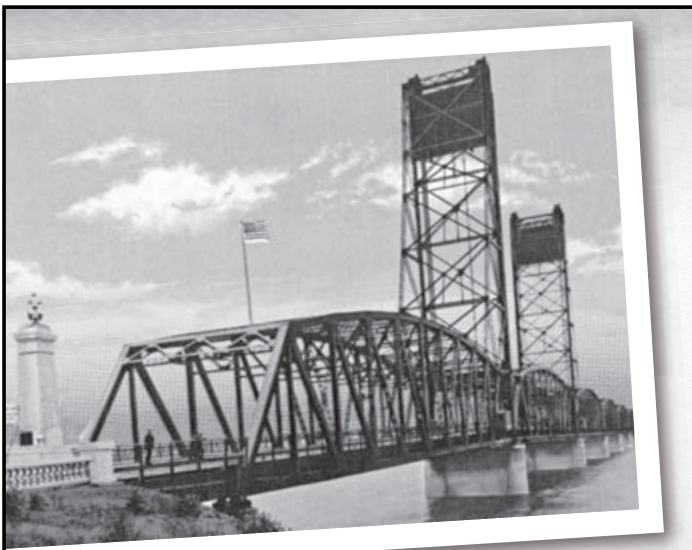
KURT RYLANDER
CCBA President

Gina Atwood, a manager of customer programs for Thanos Partners and a specialist in social media applications, presented to the Bar at the November 22, 2010 General Meeting.

She discussed the increasing, ubiquitous, and ultimately inevitable predominance of social media in the world of commerce. She explained and discussed standards of social media, including Facebook™, LinkedIn™, MySpace™, Twitter™, and others. With examples and tips from real world applications, she

allowed the Bar to see a world that many in the room were not yet experiencing, and explained how business opportunities were being created by social media, or conversely how opportunities were being lost by those not including social media in their contact relationship management tools and marketing plans.

The Bar had numerous questions from the specific to the theoretical, and left everyone pondering deeply the implications for their practice.



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What CCBA Members Are Doing About Town



RAISA JUDICATA
Guest Gossip Columnist

What is going on in your neck of the woods? Do you have friends or colleagues who are too shy to publicly celebrate a big event or a funny anecdote? Raisa Judicata wants to hear from you and has a new Gmail account to take your messages (all confidential, of course). E-mail her at RaisaJudicata@gmail.com with goings on and pictures (sorry, only G-rated). See yourself in print!

.....
Chuck Buckley was recently honored by the WSBA as its 2010 "Local Hero" at a luncheon held on October 29, 2010 at the Hilton. Chuck was nominated for his dedication to volunteer work and efforts at reaching the homeless population. He has worked with the Clark County Volunteer Lawyer Program since its inception and has held various governance positions with the CCBA, as well. Chuck has served as a volunteer attorney at the Vancouver Veterans Affairs Medical Center's monthly clinic since 2004 and founded Clark County's homeless therapeutic court. Chuck has a big heart and has been a big help to this community in his more than 30 years in practice!

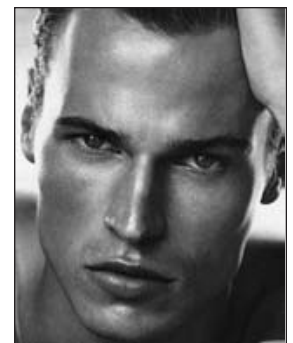


.....
What was Katherine Heigel doing at the Clark County courthouse? Judge Wulle recently had a criminal arraignment where a male in custody was led forward. His name was called, but he kept silent. When asked, he stated that he did not respond because that was not his name. When prompted, the man stated his name was Katherine Heigel (a well known television and film star). Judge Wulle was pretty certain he wasn't facing the Katherine Heigel, but it turns out this Katherine Heigel also enjoys fancy gowns!

.....
What is up with the recent election? At the time this article was due there were still some votes to count, but we appear to have a new Court Clerk. Scot Weber, a manufacturing engineering

technician who ran on the platform that he wished to abolish the position, prevailed over current Court Clerk, Sherry Parker, by over 1,500 votes (or about 1% of the votes cast). Should those of us who are frequent users of Court services be worried? Weber is quoted on his own website as saying "Since the Clerk's office involves little or no policy-making role, to the extent we have an elected clerk, someone who knows how to deal with manufacturing processes in the private sector is just as or more qualified to run the assembly-line like office as is a career bureaucrat." Weber said. "At least in the private sector we are more cost conscious and apply lean manufacturing techniques—it isn't much of a jump to apply lean filing techniques", he added. You decide.

.....
With budget agendas on everyone's mind, an ad hoc committee of the CCBA has been looking at some fundraising measures to raise money in the new year. They have unanimously voted to solicit your interest in a "Men of CCBA" 2011 calendar, to highlight our local assets. "We feel that we have a lot to give to the community, and that such a calendar will sell very well, especially to the elderly and those in nursing homes who don't get out much" one committee member stated. Local attorneys such as our own Vice President, John Fairgrieve, Chris Boyd, Grant Gehrman, Steve Turner, Dave Christel and Barry Brandenburg have been nominated. Judge Harris has donated a picture from his younger years and has agreed to allow us to devote the month of June to his youthful beauty. Nominations for candidates to appear in the calendar will be accepted through the end of the year at Raisajudicata@gmail.com!





GETTING TO KNOW: **BRUCE COLVEN**

"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 Bruce Colven of Caron, Colven, Robison & Shafton.

Where did you grow up and how did you end up in Vancouver?

My dad was a Marine, so we moved around a lot. We lived in California for a number of years, and then moved to the southern Oregon coast just before I started high school. I went to law school at Lewis and Clark, which is how I ended up in this area.

What or who inspired you to practice law?

Short Answer: Warren Zevon, "Lawyers, Guns and Money".
True Answer: Watergate hearings, Atticus Finch and William O. Douglas.

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

Being a client ... I mean, a teacher and coach.

Who inspired your practice style or courtroom demeanor?

Some people would say both are pretty uninspired, so I probably followed bad examples. I think you need to be true to yourself in your courtroom demeanor, while never forgetting you always have an audience. The foundation of any practice is honesty and doing what you say you're going to do.

What advice would you give an attorney beginning a practice?

Maintain your outside interests, get plenty of exercise, take your cases and clients seriously, but don't overestimate your own importance. Seek out help and advice from experienced lawyers; most in this area are willing to help.

What are the best and worst aspects of practicing in Clark County?

Even though the size of the local bar has grown, it still remains a collegial group. It's more difficult getting civil cases out.

Describe your dream client/case:

One who pays on time and thinks I'm great. You said it was a dream, right?

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

The difficulty in getting civil cases to trial as scheduled. Mandatory arbitration could help alleviate some congestion if we had higher arbitration limits.

What has been the biggest lesson of your legal career?

You're never as good as your last win, nor as bad as your last loss.

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

Depends on which way you're talking about. Mark Twain: "Don't let your schooling get in the way of your education." (useful while in college). Jack Kerouac: "Comparisons are odious" (useful when I wasn't). "There's no substitute for preparation" for the practice of law.

How do you balance work with the demands of having a family?

It's hard - an understanding spouse is invaluable. With kids, it gets even harder because you don't get do-overs on the times and events you miss. For most of us, this isn't an 8-5 job, so when my kids were young, I'd try to do work when they slept. Of course, that doesn't work when you fall asleep reading to them in bed at night ...

What activities do you enjoy in your spare time?

I like being active - running, bicycling and basketball have been staples for many years. I've been coaching youth basketball for the last six years. Music and travelling are essentials.

Do you have a desert island "Top 5" books or music albums?

The UFO Has Landed - Ry Cooder
El-Rayo X - David Lindley
Just Another Band from East LA - Los Lobos
Graceland - Paul Simon
Every Picture Tells a Story - Rod Stewart
(*Could I just bring an I-Pod?*)

How has the practice of law in Clark County changed since you started?

I see more names in the local bar directory that I don't recognize than those that I do.

Favorite vacation destination (or dream vacation destination)?

Destinations: Hanalei Bay on Kauai, Capetown, South Africa.
Dream destination: Seychelles Islands, or wherever Suzan Clark is going next.

Clark County
VOLUNTEER
 Lawyers Program

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

Statistics for October include 69 clients seen in advice clinics, 26 in Family Law, 12 in Family Law paperwork review clinic, 10 in the DV clinic, and 16 in Housing Justice Project clinic. We placed 11 cases with an attorney for direct representation. There were 298 hours of volunteer attorney time donated

It is December and another year has gone by. I have a special request of you this month. In addition to signing up for clinics next year, I would like to ask the family law attorneys to consider volunteering for the Domestic Violence clinic held twice a month on Monday evenings at the YWCA.

We have a number of new attorneys but we really need some experienced attorneys to be there to advise the new attorneys. The clinic is from 6:00 PM to about 9:00 PM on the second and fourth Monday evenings. You need to be sensitive to the needs of DV victims. If you could sign up for one evening every other month you would be really appreciated. Please contact me if you are interested.

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 OCTOBER

Matthew Blum, Shon Bogar, Bill Brendgard, Chuck Buckley, Suzan Clark, Tessa Cohen, Ed Dawson, Sidney Dolquist, David Feeney, Peter Fels, Gavin Flynn, Lori Gascon, Todd George, Dee Grubbs, Marlene Hansen, Lincoln Harvey, Stanley Horak, Evan Hull, Dustin Klinger, Scott Matthews, Erin McAleer, David Nordeen, Kristen Parcher, Brian Parker, Lisa Peterson, Bill Robison, Robert Russell, Mark Sampath, Jill Sasser, Mary Shea, Kathryn Smith, Eulalis Soto-Esquivel, Susan Stauffer, Randy Stewart, Diane Sweet, Ryan Taroski, John Vomacka, Bob Vukanovich, Anna Waendelin, Ben Wolff



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LAW LIBRARY NEWS



MARIA SOSNOWSKI
Law Librarian

FOR SALE Through DECEMBER 2010

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

1. Immigration Consequences of Criminal Activity
2. Courtroom Handbook on Washington Evidence 2008-2009
3. Civil Rights and Civil Liberties Litigation §1983

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

Maria Sosnowski
Clark County Law Library
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Vancouver, WA 98666
360-397-2268

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Help with New Health Care Tax Credits

A federal website provides information on tax credit for the employer's share of employee medical plans – www.healthcare.gov

The following health insurance reform tax credit calculator is an easy way to estimate the credit: www.nfib.com/creditcalculator

YOUNG LAWYERS SECTION HOLIDAY SOCIAL

Refreshments Co-sponsored by Arledge Law Office
and Lambert Law Office PLLC

When:

Wednesday, December 8, 2010
5:00p.m. to 7:00 p.m.

Where:

Lambert Law Office PLLC
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UPCOMING EVENTS

MEETING

December 8, 2010

District Court Bench/Bar meeting; Judge Zimmerman's Courtroom – noon

SOCIAL

December 8, 2010

Young Lawyers Holiday Social; Lambert Law Office – 900 Washington, Suite 1020. 5:00 – 7:00 pm

MEETING

December 9, 2010

Family Law Section meeting to be held at the Red Lion at the Quay at 11:00 am.

MEETING

December 14, 2010

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

MEETING

December 15, 2010

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

MEETING

December 15, 2010

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

MEETING

December 16, 2010

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

December 17, 2010

Deadline date to get advertisement in the 2011 CCBA directory.

MEETING

December 21, 2010

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

December 24, 2010

CCBA will be closed for the Christmas Holiday.

SOCIAL

January 29, 2011

CCBA Barrister's Ball; Red Lion at the Quay. Watch for your invitation.

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 303 CLIENTS IN THE MONTH OF OCTOBER

Administrative Law	12
Bankruptcy	14
Business & Corporate	4
Consumer	26
Criminal	20
Debtor/Creditor	12
Family	70
General Litigation	51
Labor and Employment	22
Real Property.....	45
Taxation	1
Wills & Trusts	18
Worker's Compensation.....	7

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



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



VLP REPRESENTATIVE
Charles Buckley
(360) 693-2421
cbuckley@cbuckleylaw.com



VICE-PRESIDENT
John Fairgrieve
(360) 397-2261
john.fairgrieve@clark.wa.gov



TRUSTEE
Jane Clark
(360) 694-4344
jclark@bnplaw.com



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



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



TRUSTEE
David Gregerson
(360) 906-1164
david@gregersonlangsdorf.com



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



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



TRUSTEE
J.D. Nellor
(360) 695-8181
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