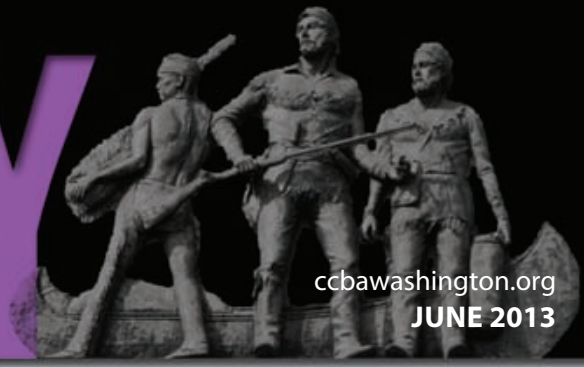


HEARSAY



ccbawashington.org
JUNE 2013

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION



Judge Clark Swears In

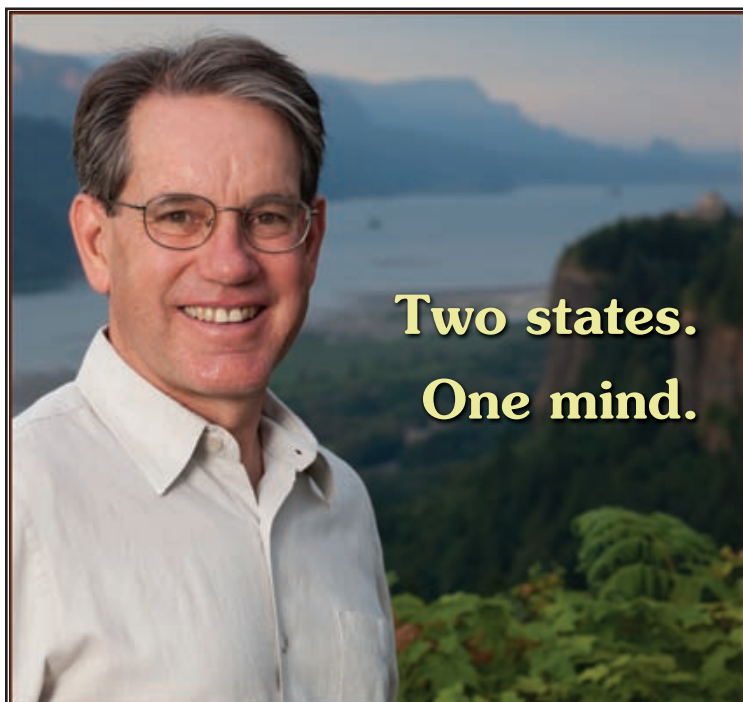
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CCBA OFFICE HOURS: Monday through Friday, 12:00 p.m. to 4:00 p.m.



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CCBA Annual Meeting and Lunch

Wednesday, September 18, 2013
12:00 – 2:00 PM
Red Lion at the Quay
100 Columbia Street, Vancouver

The Annual Meeting will feature reports from Superior Court, District Court, the Clerks Office, the Family Law Section, the Young Lawyers Section and various committees.

The CCBA Treasurer will also present a budget for the coming year and we will elect our new sleight of officers.

Please Plan to Attend!

Clark County Bar Association
 500 W. 8th Street, Suite 65 (by Courier) or
 P.O. Box 61815 Vancouver, WA 98666 (by Mail)
 Phone: (360) 695-5975 or Fax: (360) 737-6891

PRESIDENT'S MESSAGE



JANE CLARK
CCBA Acting President

I am writing this column a few months earlier than I had anticipated, having stepped in as “Acting President” following Suzan Clark’s recent appointment to the Superior Court Bench and stepping down as President of the CCBA. I will officially step into the shoes of President in September. I am excited for the opportunity to continue to serve our local Bar Association and am always open to suggestions and ideas on how the board and staff of the CCBA can better serve its membership. With this in mind please look out for the survey which will soon be coming your way via Email asking for your input, ideas and suggestions on a wide variety of issues relevant to our association. Complete the whole survey or just those parts that are relevant or important to you. We would love your feedback. I would also like to hear from you about what kind of information you would like to see me include in my President’s message all suggestions are welcome.

Suzan is moving on to a new stage of her legal career and I know she will make a wonderful judge. I wish her all the best as she makes her transition. It has been a real pleasure working with her on the board over the last few years. I am sorry that she will not be there to “hold my hand” and guide me in the position of “immediate past president” on the board. John Fairgrieve has however kindly agreed to remain on the board for an additional year in this position and we welcome his experience, sound advice and guidance.

Suzan is making a significant career change and moving into something entirely new after many years in private practice. That got me to thinking about how often our lives change course sometimes on a planned basis and sometimes quite unexpectedly. Do we fear, avoid or embrace new beginnings? Looking back at my life and legal career I have changed course several times, while at the same time working within the same general area of legal practice. I grew up in England, studied law as an undergraduate at the University of Leicester, attended law school in England and then worked as a “Solicitor” in the NW West of England practicing in the areas of Personal Injury, Medical Malpractice and Family law for 9 years.

In 2007 I did a 6 week work sabbatical with a firm in Seattle and decided that practicing law in the USA was what I wanted to do. So I began again. My family and friends at the time thought I was crazy to give up a partnership and move to Seattle with no job.

For me however it seemed like the right thing to do. I sat the bar and fortunately was offered a position with a Seattle firm doing medical malpractice work.

In 2002 shortly after the birth of my son, I relocated to Portland, moved to a new firm and started to work part time so I could spend time with my son. Life as a working mother was probably the biggest change or “new beginning” I have ever experienced.

In 2008 I relocated my practice to Vancouver, joined Baumgartner Nelson and Price and enjoyed immediately the camaraderie and close connections in this legal community. Each move has brought a new set of experiences, a new set of challenges and a new set of friends.

In 2011 I set up my own practice. 2 weeks later I discovered I was expecting my second child. So now my life has changed again as I work hard to balance my practice and my family now a toddler and a preteen!

I try to adopt the Buddhist philosophy of living in the moment and enjoying experiences as they occur. My 1 year old daughter, Madeleine, took her first steps 3 weeks ago on a day when I happened to be working from home. I was emailing a client and she took 7 steps over to me and handed me her toy. I was grateful that I was there to experience her new beginning and it reminded me that we need to appreciate and embrace all the new opportunities and experiences that come our way whether expected or not!



QUOTE OF THE MONTH:

“In life, I regret the things I didn't do far more than the missteps I made along the way.”

— David Stanley

CCBA

Annual Summer Bar-B-Que!

July 19, 2013

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The CCBA Welcomes Judge Suzan Clark



DON JACOBS

Hearsay Special Correspondent

So the bad news is the CCBA just lost our sitting president. But this is one of those times when the good news far outweighs the bad. The now honorable Suzan Clark joined the Superior Court bench when she was sworn in May 31 in front of a room full of well wishers, family and a large portion of the local legal community.

Judge Barbara Johnson did the honors and Judge Clark's father, Gary Clark, was on hand to do the robing. Former CCSCJ Roger Bennett introduced the new Judge and told the crowd a little of her legal background. He r talked about her work as a DA in Oregon and Washington, her work as a defense attorney doing just about every major felony out there, her trial experience, her work in private civil practice and her history of handling lots of appellate cases. Judge Bennett's remarks should give the attorneys in the community plenty of comfort we'll be getting a very experienced hand on the bench with Judge Clark.



And the appointment did help a little with the gender gap in our county, even though Department 8 was held by Judge Woolard.

Judge Clark's path to the bench was an interesting run in several respects. First of all, it was her first time seeking the position. Although

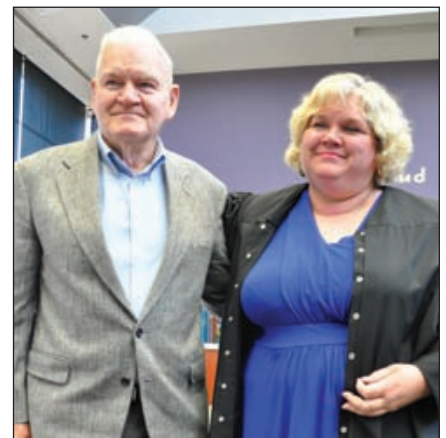
she's been pro-temming since 1999, the idea to try for the seat came to her sometime in early February in the middle of a child abuse trial. Often a potential jurist has to put their name out there and take a couple of shots at it before they succeed in getting appointed. Judge Clark went from considering it to doing it in just a few short months. And the Judge certainly made some Clark County history when our sitting Governor traveled to our little corner of the state on May 6th to publicly announce her as his selection. That was a first. She also beat out a very qualified pool of candidates.

Anyone who attended the judicial forum put on by the CCBA during the process had to be impressed with the quality of peo-



ple seeking the position. But Judge Clark far out polled most of the field when the Bar votes were tallied. Although Commissioner Schienberg actually won the poll, both she and Judge Clark were neck in neck and by far the clear favorites of the local lawyers responding. And the icing on the cake? No one stepped forward to challenge her in the general election! That means Judge Clark gets to serve the people for four years before she has to go through an election. So we get an excellent addition to our bench and a smooth transition.

Sitting down with Judge Clark I learned a little more about her background before and after becoming a lawyer. She grew up on a farm near Salem and was the youngest of three girls. Her father planted 640 acres of row crop. As a kid she learned to work hard and get her hands dirty. She picked up the skills of a welder in an era when young women were first starting to take shop classes and used those skills in her Summer employment. She went to Gervais High School and graduated in 1981, the same school her parents attended. She was active in sports. She threw the javelin in track, played volleyball and held the position of forward on the



school's basketball team. She worked after school in health care, serving as a physical therapy assistant at a local hospital.

After a short stint at Chemeketa Community College, she ended up at the University of Oregon majoring in mathematics and economics. She realized she wanted to be a lawyer her senior year (probably to avoid having to do any more math or econ problems!) and was accepted at the U of O Law School.

Her first job was working as a staff attorney at Oregon Housing, a local non-profit in Salem. From there it was off to La Grande working as a deputy DA for a year. Then a time in Cowlitz County serving as a deputy prosecutor handling just about everything that came down the pike. Her first day on the job her boss gave her a file and told her it was scheduled for a Court of Appeals argument the next morning. Apparently every other attorney on the case before her had been fired. She spent the day reviewing the file and went in the next morning. She started her argument by relating her employment started yesterday and all the other attorneys who had the file before her were let go.

Apparently honesty was the best policy and the court ruled in her favor.

She left Cowlitz County to come to Vancouver in 1990 with a job offer from then Clark County Chief Prosecuting Attorney Roger Bennett. After four years there she left to work with local attorney Jan Anderson doing a mix of civil and criminal defense. For the last 13 years she's been flying solo doing felony defense, civil appeals and some domestic relations work. In her career, she's handled over 50 homicides.

On a personal note, the Judge loves to travel and is a big sports fan. She follows basketball, football and hockey. She wouldn't miss filling out her NCAA bracket picks every March. She's also an Oenophile. (That's a wine connoisseur for those of us from Hazel Dell). So it would be difficult to argue we aren't getting a well qualified person with Judge Clark on the bench. The Judge says she's looking forward to serving Clark County for many years. A lot of folks in the legal community hope that's the case your honor. Welcome to the bench.



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WANTED!!!

The Hearsay is in search of new and exciting material and new and exciting contributors!

Please join us on the third Wednesday of every month at noon at the CCBA office!

If you have a great idea to share please don't hesitate to contact us.

Call Lisa in the CCBA office at 695-5975

2013 Nuts & Bolts, FLS & CLE Calendar

Date	Topic	Speaker
June 27, 2013 1:00pm – 2:00pm Public Service Center Training Room	Brown Bag Recent Developments in First-Party Insurance Coverage Law	Andy Lauersdorf Nick Thede
September 11, 2013 3:00pm – 5:00pm Red Lion at the Quay	N&B Finding Your Clients Money	Tiffany Couch, CPACFF, CFE
September 18, 2013 1:00pm – 2:00pm Red Lion at the Quay	CLE A View From the Bench	Hon. Barbara Johnson
October 9, 2013 3:00pm – 5:00pm Red Lion at the Quay	N&B Representing Vulnerable Adults	Jill Sasser
November 13, 2013 3:00pm – 5:00pm Red Lion at the Quay	N&B Dealing with Medicare in Personal Injury Cases	Tim Nay
December 5, 2013 9:00am – Noon Red Lion at the Quay	Ethics Breakin all the rules: A Case Study	Rick McLeod Rob Lorey

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.

PRESS RELEASES

The law firm of **Schauermann Thayer Jacobs & Staples, PS** is pleased to announce that attorney **Scott Edwards** has joined the firm as a partner. Appropriately, effective May 1, 2013, the firm name was changed to **Schauermann Thayer Jacobs Staples & Edwards, PS**.

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LANDERHOLM, PS is pleased to announce that **Bradley W. Andersen** has joined the firm as an Associate.

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Tel: 360-696-3312 • Fax: 360-696-2122
Email: clientservices@landerholm.com

Brian Walker Law firm, PC is pleased to announce **Casey E. Sanders** has joined our firm as an associate attorney.

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(360) 695-8886
www.brianwalkerlawfirm.com

Laycoe & Bogdon PC: We are pleased to announce that we will be moving our office location to the address below *effective July 1, 2013*. Our phone, fax and emails will remain the same.

Laycoe & Bogdon PC
1610 C Street, Suite 207
Vancouver WA 98663
Phone: 360-693-1630
Fax: 360-693-2030
www.clarkcountydivorcelaw.com

A new incentive to write for the Hearsay

HEARSAY STAFF

Of all the services the Clark County Bar Association provides to its members the Association's journal, the Hearsay, is perhaps the most popular. In the past few years the Hearsay has evolved from something that resembled a high school newspaper to a professional journal that garners praise from lawyers throughout the state. However, an effective and eye-catching format is only one facet of the Hearsay. The most important part of our journal is its content.

We have been lucky in the past to have had a series of dedicated editors and writers who have served on the Hearsay committee and have put long hours into producing the high quality articles that appear on its pages. However, the number of contributors has dwindled, placing additional demands on those remaining.

In an effort to encourage more attorneys to write articles for the Hearsay the CCBA Board of Trustees voted at its meeting in May to offer an incentive to would be writers: for every publishable article of at least 500 words submitted to the Hearsay Committee the author will receive a voucher that can be redeemed for one hour of continuing legal education in a CLE class sponsored by the CCBA CLE Committee.

If you are interested in submitting an article for possible publication in the Hearsay under this program please contact any member of the Hearsay Committee or Lisa Darco, the CCBA Office Manager, at ccbamanager@ccbawashington.org or (360) 695-5975.

8th Annual WSBA Solo & Small Firm Conference

Co-sponsored by the WSBA Solo and Small Practice Section

July 18, 2013 - July 20, 2013

10:15 a.m. - 6:00 p.m.

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- Ann Guinn, solo/small law firm practice management consultant
- Matthew Homan, founder of LexThink
- Jeff Lantz, CEO of Esquire Interactive
- Peter D. Roberts, WSBA practice management advisor
- Karl B. Tegland, noted author and lecturer on evidence issues

JOIN US BEFORE THE CONFERENCE BEGINS FOR ONE OF THREE NON-CREDIT WORKSHOPS:

Retirement & Succession Planning, Social Media for Lawyers 101, Reciprocity: A How To with the Oregon State Bar and Washington State Bar

CCBA Board Meeting Minutes



ARIN DUNN

CCBA Secretary

June 5, 2013

Board members in attendance: S. Clark (presiding); A. Dunn (preparing minutes; J. Fairgrieve; R. Mc Leod; J. Sasser; and J. Nellor. Staff in attendance: L. Darco. VLP Liaison in attendance again: Le Ann Larson.

1. J.Clark called the meeting to order at 12:08 PM.
2. Approval of minutes from May 1, 2013. On motion duly made and seconded, and passed, minutes are APPROVED.
3. Treasurer's Report. Darco presented the financial report. Everything looks good. J.Nellor explained we lost \$8,000 this month. However, our assets are up \$19,000 from last year. Nellor believes the monthly loss is typical and not a serious concern.

4. Old Business.

- a. SGAL: Dunn arranged for final speakers. Darco and Dunn have been advertising the event. Darco will seek to arrange to record the CLE. \$95/hour to record was the least expensive of the professional court reporters she queried. J.Clark will ask her husband- cost might be \$50/hour if he is willing to do it. Set up must be half hour before hand. Need good microphone. Discussion of audio recording to help people attend if they are unavailable on that date, necessary since SGAL CLE is mandatory to be in on the list.

Motion: Mc Leod moves that we record in a manner that is professional and hire a professional to do the video recording using the most affordable option determined by Darco. Motion seconded and approved.

- b. Member Survey. Darco will enter information into Survey Monkey and Dunn will made edits. Darco and Dunn will review and complete the matter. Dunn has gathered possible questions from Board members for months and really wants to send it out. Written copies of the survey were already been reviewed by Board members and all comments were considered. J.Clark is interested in having Dunn and Darco make further changes to the survey and have the Board review it again next month. J.Clark is concerned that people will not complete the survey if it is too long. Fairgrieve believes that all questions would be helpful guidance to the CCBA for next year. Dunn believes the CCBA should not be afraid to ask for feedback. Dunn would like to help ensure that the CCBA provide opportunities for member feedback and be accountable, transparent and responsive to member concerns. Agreement that Board will provide any further

feedback by next Monday, if any. Fairgrieve offers to write article on survey results.

- c. Barrister's Ball. Discussion of planning advertising in advance. Solicitation for those interested in being on committee. Darco will head up the committee as she did last year.

5. Resignation. Discussion that S.Clark has resigned as President based on her appointment by the Governor to Superior Court Judge. Fairgrieve discusses Bylaws provision on this issue. Fairgrieve discusses process that we have used in the past, including the process to fill this position and other Board positions. Sasser, J.Clark, and Darco form a nominations committee for future officers of the CCBA. Sasser is willing to be VP. J.Clark is willing to be President. J.Fairgrieve is willing to continue to act as immediate Past President. Nellor would be willing to be VP if that is needed, in which case the CCBA would need to locate a new Treasurer, the position currently occupied by Nellor. Dunn would be willing to be VP as he is interested in sharing typing duties as Secretary, in which case a new Secretary would also be needed.

Motion: Dunn moves to make J.Clark Acting President pending the CCBA's Annual Meeting. Motion seconded and approved.

Motion: Mc Leod moves to make Fairgrieve next years' Immediate Past President given that S. Clark will not be available to fill this role and pending any confirmation necessary at the CCBA Annual Meeting. Motion seconded and approved.

6. Website. Dunn and Darco sought quotes for the website. Darco presented two bids for the CCBA's website: LegalPPC and Kanaitek. Based on the lower cost, Darco prefers LegalPPC. The quotes are approximately \$6,000 to \$10,600 including one year of web hosting, a member directory, ecommerce module, etc. Mc Leod: For first 7 years, LegalPPC is cheaper than Kanaitek. After 7 years, Kanaitek is cheaper. LegalPPC did not include an attorney directory in its quote. Dunn has sought multiple quotes for the Board to consider, but recues himself from making the final decision as Kanaitek is one of his clients. Dunn obtained a new additional quote from Internet LAVA which was free, but after adding in an ecommerce module and 2 years of hosting, the price is \$2,800. Fairgrieve believes this could be done now. Dunn is concerned that he saw errors on some of the LegalPPC websites in its portfolio and that quality appears to vary. We were not supplied with a sample attorney directory that we can review. Sasser prefers KanaiTek, if it is affordable, as a local business, cost, and professional website

appearance. Lisa liked talking to Kanaitek and LegalPPC as both spent time with her.

Motion: J.Clark moves for LegalPPC as provider for website development. J.D. does not like LegalPPC believes either KanaiTek or Internet Lava would be better and thinks those companies have better websites in their portfolio. J.D. also prefers local company. Motion is not seconded and there is no vote. Discussion continues.

Motion: J.Sasser moves to allow Website Development committee, comprised of Dunn, Nellor, and Mc Leod, make the contract decision. J. Clark disagrees. Motion is not seconded and there is no vote. Discussion continues.

J.Clark wants the Website committee to make a decision, but then have it voted on by Board. Dunn is concerned by deadlines that the vendors might have and would like to circulate proposals to Board via email. For example, Internet LAVA is offering to do the website at reduced cost because it intends to use the website in its portfolio. Dunn offers to further investigate the matter that day, but rescues himself from the final decision. Note: In an email to the Board, Dunn confirms that all vendors state a willingness to release ownership of the CCBA website to the CCBA, that Internet LAVA drop its price to \$1,995 for one year of hosting, and that Kanaitek is willing to lower its price to an

unspecified amount which Dunn, moving forward, requests a disinterested Board member or Darco to negotiate.

7. Computer Tech. Lisa needs computer tech work to secure and dispose of old hard drives and help purchase a new computer. Dunn recommended a company that does this - CenterLogic, Inc. Lisa met with two employees of the company already at no cost to the CCBA. Future computer technician work is \$95/hour without minimum purchase or obligation to continue. J.Clark states a concern that a bill for \$3,000 would be unacceptable. Sasser says her husband may be able to provide free help setting up equipment. Mc Leod also offers to help consult with Lisa. Dunn recuses himself from the decision as he has represented CenterLogic for over 10 years but comments that he does not believe the CCBA would be charged \$3,000 for the minor work proposed.

a. Motion: Dunn moves to let Darco and Mc Leod decide how to solve this problem and purchase reasonable computer services and equipment as needed. Motion is approved and seconded.

8. There being no more business before the board, on motion duly made, seconded, and passed, the board meeting is ADJOURNED, 1:26 PM

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SUPERIOR COURT BENCH/BAR COMMITTEE MEETING MINUTES

MAY 14, 2013



EMILY SHELDRIK
Hearsay Special Correspondent

The meeting began shortly after noon. Persons present were Judge Robert Lewis, Judge John Nichols, Suzan Clark, Emily Sheldrick, Ann Christian, Karen Campbell, Todd George, Tom Phalen, Heather Beasley, and Curtis Welch.

OLD BUSINESS:

1. Judge Woolard's judicial position: Suzan Clark was appointed to Department Eight by Governor Inslee on May 6, 2013. Ms. Clark will be sworn in on May 31st at the Clark County Service Building at the Hearing Room at 4:00 PM. In addition, the filing deadline for running for the Superior Court position will close on Friday, May 17th.

2. Update on Selection of the New Superior Court Commissioner: The Clark County Bar Association just delivered the preference poll forms to members of the CCBA on a list of four candidates: Jennifer Snider, Robert Vukanovich, Terry Vetter, and Brandy Jeffers. After the new commissioner is selected, a new rotation schedule will be distributed as well.

3. Indigent Defense Standards: Ann Christian reminded the Committee that the Washington Supreme Court decided to delay implementation of the gross misdemeanor and misdemeanor caseload standards until January 1, 2015.

4. CCBA Mentorship Program. Suzan Clark reports that attorneys should be receiving an email from the CCBA soon with an update on the program.

5. Possible Budget Cuts to the State Judiciary: The Washington State Legislature will be meeting next week in Special Session and the budget for the judiciary is expected to be part of the budget considered by the Legislature. The judiciary is bracing for additional budgetary cuts.

NEW BUSINESS

1. New Judge Swearing In for Suzan Clark: Ms. Clark officially resigned as Chair of the Bench Bar Committee because of her newly appointed position. Ms. Clark only has a few indigent

cases that will need transfer - it should be a smooth transition to the Bench. The Committee will elect a new Chair at the June meeting.

2. Western State Hospital. Ann Christian provided an update on the backlog of out-of-custody evaluations. Local prosecutors and defense attorneys met with independent auditors regarding the Western State Hospital. Although there is improvement in timely in custody evaluations, the out-of-custody evaluations are taking significantly worse. The current wait is four to six months. There are other issues with the Hospital as well. For example, the Hospital may be at risk for losing its accreditation if it does not receive "medical clearance" from an individual before the individual enters the Hospital. It is not clear what exactly the Hospital requires for a "medical clearance".

3. Gang Green/Sweep Cases. Ann Christian reported that the cases are nearly all completed from the October 14, 2011 arrests/charges. One-third of the cases were transferred to federal jurisdiction; one-third pled guilty; and the final one-third were dismissed. Of the guilty pleas - ten misdemeanors, ten felonies, and two prison terms.

4. Swearing In Ceremony for New Lawyers - May 16, 2014 at 4 PM, Department 5.

5. Emergency Guardian Ad Litem. Jeff Amram will be updating the list of Guardian Ad Litem that are available and interested in being contacted on an emergency basis. Mr. Amram will be contacting the current individuals on the list to find out if they still want to be available for potential emergency appointments as a guardian.

6. Next Bench Bar Committee Meeting: The committee will meet next on Tuesday, June 11, 2013 at noon in Judge Nichols' jury room.

Respectfully submitted,
Emily Sheldrick

CCBA Young Lawyers Section - 2013 CLE Series

The CCBA Young Lawyers Section would like to invite you to their 2013 Brown Bag CLE Series! A “Young Lawyer” is defined as an attorney that has been in practice for 5 years or less or is 36 years of age or younger, whichever is later. Attorneys not meeting these criteria are still invited to attend. Everyone is welcome!

Location: Public Service Center – 6th Floor

\$10.00 – Individual CLE for CCBA Member “Young Lawyers”

\$25.00 – Individual CLE for CCBA Members

\$35.00 – Individual CLE for Non- CCBA Members

Date/Time	Speaker	Topic
July 9, 2013 Noon – 1:00 p.m.	Chris Babich	Probate 101
August 13, 2013 Noon – 1:00 p.m.	TBD	JA Panel
September 10, 2013 Noon – 1:00 p.m.	TBD	Ethics
October 8, 2013 Noon – 1:00 p.m.	Judge Kelli Osler Barry Brandenburg Jim David	Criminal Law Panel
November 12, 2013 Noon – 1:00 p.m.	TBD	Business Law

Please RSVP by emailing cabayounglawyers@yahoo.com

All payments must be made out to **CCBA-YLS** and should be sent to:
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SGAL Certification Training a Big Success!



HEATHER J. NORTON
Hearsay Special Correspondent

What do you get when you ask Doug Foley to offer a defense counsel's perspective on settlements? A surprisingly engaging discourse on the history of statistics and an intricate explanation of the bell curve—followed by some really cool “ah-ha” moments.

This was just one of several take-aways shared by attendees at the recent all-day CLE/certification training for Settlement Guardians Ad Litem, sponsored by the CCBA.

“Ummm. . . what exactly is a Settlement Guardian Ad Litem?,” you ask. Excellent question—in fact many attorneys are not aware of what an SGAL is or does.

Under SPR 98.16W, “in every settlement of a claim . . . involving the beneficial interest of an unemancipated minor or a person determined to be disabled or incapacitated, the court [is obligated to] determine the adequacy of the proposed settlement on behalf of such affected person and reject or approve it.” Enter the Settlement Guardian Ad Litem. This court appointed representative investigates the case to determine whether the settlement amount is fair and reasonable. He/she then prepares a detailed report and advises the court regarding the specifics of the case, any unusual factors to be considered, legal issues, and the fairness of the settlement.

Under the CCBA's new program, a list of SGAL's will be created and distributed to courts.¹

Completion of the SGAL certification training is one of the most important requirements to become a CCBA listed SGAL.

The SGAL training, held on June 13th, covered a range of topics including trusts, basic negligence and liability principles, coverage issues, and tips from the defense. But the most



entertaining presentation was undoubtedly given by Doug Foley and Loren Etengoff, who entertained attendees with a spirited debate regarding the little-known gray area of SGAL report filing.

The CCBA would like to thank committee co-chairs Jane Clark and Arin Dunn, and our speakers, Evan Hull, Karen Webber, Judge Robert Lewis, Jeff Jacobs, Grant Gehrman, Loren Etengoff, and Doug Foley. A special thanks to Arin Dunn and Lisa Darco for all their behind the scenes efforts to make this CLE a success.

If you missed the live CLE, the training was recorded and will be available by contacting the CCBA office. (contact Lisa Darco if interested). Please note that although viewing this recording will satisfy CCBA SGAL list eligibility requirements, it will not qualify for CLE credit.

¹ To be on the CCBA list, applicants must certify that they comply with the requirements of SPR 98.16W, complete the CCBA's mandatory SGAL CLE, and meet other similar application requirements. Any CCBA member that meets the requirements can be on the SGAL list free of charge. Non-members that meet the requirements can be CCBA listed SGALs for \$25/year.

Advertise in next month's HEARSAY
Call Lisa Darco at 360.695.5975 for rates and availability.

New Whole Court Schedule

Please note the new Whole Court Schedule going into effect August 12, 2013.

Amy Swingen will continue to hear Civil Commitments 3 mornings per week even though her schedule is not included. Contact Jeff Amram with questions.

SUPERIOR COURT SCHEDULE* - Effective AUGUST 12, 2013					
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
TRIAL JUDGE WEEK 1	TRIAL	TRIAL	TRIAL	TRIAL	CIVIL MOTION DOCKET
	TRIAL	TRIAL	TRIAL	TRIAL	IN CUSTODY CRIMINAL DOCKET (ARRAIGNMENT CTRM)
TRIAL JUDGE WEEK 2	TRIAL	TRIAL	TRIAL	TRIAL	CIVIL MOTION DOCKET
	TRIAL	TRIAL	TRIAL	TRIAL	SPECIAL SETS
NON-JURY JUDGE	NON-JURY TRIAL	SETTLEMENT CONFERENCE	CRIMINAL ARRAIGNMENTS	CRIMINAL ARRAIGNMENTS	
	NON-JURY TRIAL	1:30 OUT OF CUSTODY DOCKET	1:30 IN CUSTODY CHANGE OF PLEA DOCKET (ARRAIGNMENT CTRM)	1:30 OUT OF CUSTODY CHANGE OF PLEA DOCKET	1:30 PROBATE DOCKET 3:00 PROBABLE CAUSE
CIVIL JUDGE	TRIAL	TRIAL	TRIAL	TRIAL	CIVIL MOTION DOCKET
	TRIAL	TRIAL	TRIAL	TRIAL	SPECIAL SETTINGS
TRIAL JUDGE WEEK 1	TRIAL	TRIAL	TRIAL	TRIAL	IN CUSTODY CHANGE OF PLEA DOCKET
	TRIAL	TRIAL	TRIAL	TRIAL	SPECIAL SETS
TRIAL JUDGE WEEK 2	TRIAL	TRIAL	TRIAL	TRIAL	CIVIL MOTION DOCKET
	TRIAL	TRIAL	TRIAL	TRIAL	SPECIAL SETS
CRIMINAL JUDGE	CRIMINAL ARRAIGNMENTS	CRIMINAL ARRAIGNMENTS	JUVENILE TRIALS (JUVENILE COURTROOM #1)	SETTLEMENT CONFERENCE	CRIMINAL ARRAIGNMENTS
	1:30 CHANGE OF PLEA DOCKET (ARRAIGNMENT CTRM)		JUVENILE TRIALS (JUVENILE COURTROOM #1)	1:30 CRIMINAL READINESS DOCKET (ARRAIGNMENT CTRM)	SPECIAL SETTINGS

*Judges rotate

Want more referrals?

Each month the Lawyer Referral Service receives calls from clients seeking help in the fields of Administrative Law and Intellectual Property. Unfortunately we have very few attorneys to refer them to. If administrative law or I.P. is one of your practice areas, we invite you to join the Lawyer Referral Service. The cost is only \$150 for the membership year.

Contact Heather Norton at the CCBA (695-5975) to sign up or to ask questions.



JUVENILE/DEPENDENCY/FAMILY LAW SCHEDULE* - Effective AUGUST 12, 2013

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
COMMISSIONER #1 LIEBMAN	JUVENILE DOCKET JUV #2	PROTECTION ORDER/DV DOCKET CRIMINAL JUDGE COURTROOM	SHOW CAUSE DOCKET 1/2/3/4	JUVENILE DOCKET JUV #2	SETTLEMENT CONFERENCE (PRO SE'S)
	1:00 EX PARTE (COURTHOUSE) 2:00 JUVENILE COP	SPECIAL SET	PRO SE DOMESTIC DOCKET 1/2/3	P. PLAN/CHILD SPT MOD 4/6/8/0 JUV #2	1:00 CHINS & COLLECT. 1ST FRI OF MO. 1:30 PRO SE FINALIZATION 1/3/5/7/9 JUV #2
COMMISSIONER #2 SCHENBERG	DEPENDENCY TRIALS	DEPENDENCY DOCKET	SHOW CAUSE DOCKET 5/6	DEPENDENCY/SHELTER CARE	DEPENDENCY TRIALS
	DEPENDENCY TREATMENT COURT	DEPENDENCY/SHELTER CARE DOCKET	1:00 EX PARTE (COURTHOUSE) 2:00 PRO SE DOMESTIC DOCKET 4/5/6	P. PLAN/CHILD SPT MOD 5/7/9	1:00 EX PARTE (COURTHOUSE) 2:00 DEPENDENCY TRIALS
COMMISSIONER #3 SNIDER	SETTLEMENT CONFERENCES	JUVENILE DOCKET JUV #2	SHOW CAUSE DOCKET 7/8/9/0	P. PLAN/CHILD SPT MOD 1/2/3	JUVENILE DOCKET JUV #2
	TRUANCY DOCKET JUV #1	1:00 EX PARTE (COURTHOUSE) 2:00 ST CHILD SUPPORT (ARRAIGN COURTRM)	PRO SE DOMESTIC DOCKET 7/8/9/0	1:00 EX PARTE (COURTHOUSE) 2:00 PV DOCKET	1:30 PRO SE FINALIZATION DOCKET 2/4/6/8/0 JUV #1
FAMILY LAW JUDGE GONZALES	FL TRIALS SETTLEMENT CONF (ROTATES WEEKLY)	FL TRIALS	FL TRIALS	FL TRIALS	FL DOCKET
	FL TRIALS	FL TRIALS	FL TRIALS	FL TRIALS	1:30 TERMINATION DOCKET 2:00 ADOPTION DOCKET
FAMILY LAW JUDGE RULLI	FL TRIALS SETTLEMENT CONF (ROTATES WEEKLY)	FL TRIALS	FL TRIALS	FL TRIALS	FL DOCKET
	FL TRIALS	FL TRIALS	JUVENILE RECOVERY COURT JUV #2	FL TRIALS	SPECIAL SET
FAMILY LAW JUDGE MELNICK	FL TRIALS SETTLEMENT CONF (ROTATES WEEKLY)	FL TRIALS	JUVENILE DOCKET JUV #2	FL TRIALS	FL DOCKET
	FL TRIALS	FL TRIALS	FL TRIALS	FL TRIALS	SPECIAL SET
	YELLOW = ANNEX	BLUE = COURTHOUSE	WHITE = JUVENILE		

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Going paperless at the office: Everybody's doing it!



HEATHER J. NORTON
Hearsay Special Correspondent

Did you know...

The average organization:

- spends \$20 in labor to file each paper document,
- loses 1 out of every 20 documents,
- makes 19 copies of each document,
- spends 25 hours recreating each lost document
- and spends \$120 in labor searching for misfiled documents?¹



Enter Jane Clark—who recently successfully transitioned her sole practice to a paperless office. Flanked by her devoted and gifted husband Art Kohn (president of his own media company and professor at PSU) and her trusty paralegal, Leslie Brown, Jane shared her experience at a 2 hour CLE entitled “The Paperless Office.” Drawing arguably the largest crowd for any Nuts & Bolts CLE in the history of the bar, these three walked



students step-by-step through the art of using free and low cost tools to tame those paper dragons at the office. Time flew by at gigabyte speed as the three discussed the mechanics of scanning, filing, searching, and accessing files quickly, easily, and remotely—files that once upon a time could only be accessed by making a pilgrimage to the filing cabinet. The benefits were

impressive, including less clutter, substantial savings, and the ability to access files anywhere or any time with internet access



(even in your pajamas or while in Florida). What's more, these three proved that transitioning to a paperless office can be a surprisingly easy and seamless process.

Rounding out the afternoon was Scott Edwards, partner at Shauermann Thayer Jacobs Staples & Edwards, and his ever capable office manager,

Paula Kleven. This daring duo educated attendees on the wonders of Needles, a case management software that enables attorneys to effortlessly organize nearly every aspect of their practice. It has many more bells and whistles than the free or low cost options shared by Jane, Art and Leslie (and, of course, a price tag to go with it). But it has a wonderful interface, is a breeze to use and ensures that attorneys never miss a deadline or a statute of limitations. It was easy to see how this tool could increase productivity and profitability.

¹ (<http://www.efilecabinet.com/lp-filing-system-2/?gclid=CL7A-cv867cCFQSCQgodBBQAvg>)

Clark County Law Library Spotlight on: Criminal Law



MARIA SOSNOWSKI
Law Librarian

This month we are focusing on criminal law. Even if you don't practice criminal law, it's an issue that might arise in one of your cases. I remember one of my family law clients calling me because he had been arrested for staking out his wife's place with a gun in his car, but that's another story.

The law library maintains a large selection of criminal materials. These are some of those that are specific to Washington:

- Defending DUIs in Washington (which is shelved in the office due to frequent theft)
- Washington Criminal Practice in Courts of Limited Jurisdiction
- Criminal Practice and Procedure in Washington Practice
- Criminal Law with Sentencing Forms in Washington Practice
- Pattern Jury Instructions in Washington Practice
- Criminal Caselaw Notebook
- Juvenile Criminal Law in Washington
- Over 20 CLEs

There are also national treatises dealing with criminal law. They are found in row 3 of our recently rearranged treatise section:

- La Fave Search and Seizure
- Courtroom Criminal Evidence
- Everytrial Criminal Defense Resource Book
- Street Legal
- Avoiding Reversible Error in Criminal Cases
- Criminal Law Defenses
- Criminal Defense Ethics
- Criminal Trial Techniques

- Immigration Consequences of Criminal Convictions
- Complete Manual of Criminal Forms
- Criminal Law Handbook
- Prosecutorial Misconduct
- Legal Guide for Police
- Defending Drinking Drivers
- Attacking and Defending Drunk Driving Tests
- Prisoners Guide to Survival
- Prisoner's Self Help Litigation Manual
- Rights of Prisoners

Washington Lawyers Practice Manual (which is shelved in the office) includes a chapter on criminal trial practice.

You can see our online library catalog at: <http://www.clark.wa.gov/law-library/catalog.html> to search for a book by title or search by key words in titles such as "criminal" to bring up all titles including that word.

Also, if you are in need of a title that we don't have, we are able to obtain interlibrary loans from the Washington State Law Library. You can search their catalog at: <http://lawlibrary.courts.wa.gov/> and let us know if there are titles you would like us to borrow for you. Emailing us the link to the title you would like to see is the easiest way to do that. We also have other sources for loans if needed. Email can be sent to: lawlibrary@clark.wa.gov and you can call us at 360-397-2268 with questions.

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references available

Hearsay Profile

Home: Salmon Creek, Vancouver, WA

Age: 38

Profession: Attorney

Hobby: kids, hiking and exploring, oil painting, and photography

Last Book Read: *The Highest Tide* by Jim Lynch

Legal Philosophy: Abraham Lincoln said, "We the people are the rightful masters of both Congress and the courts, not to overthrow the Constitution but to overthrow those who pervert the Constitution."

Latest Accomplishment: Raising 2 beautiful boys.

Why I Do What I Do: I believe in our justice system and the balance that is created by advocacy and the presentation of legal arguments. Helping people be heard as they go through difficult times can be very rewarding.

Profile: I was born in Cincinnati, Ohio, and grew up in Chicago, Illinois and Milwaukee, Wisconsin. I am a graduate of Carleton College in Minnesota with a double major in fine art and psychology, and a graduate of Lewis & Clark Law School. I am Mexican American and fluent in Spanish.

Beverage of Choice: Tall glass of iced Limeade

Best part of working with your spouse: It has been amazing working together. It almost flows naturally and harmoniously from being together for 20 years and knowing each other so well. We know exactly how to compliment each other.

Most challenging part of working with your spouse: Sometimes it is hard to turn off work when your partner is your spouse, and we find ourselves talking about cases on our free time.

The one word your spouse would use to describe your legal style/ philosophy: Thorough

If you were not a lawyer, what would you be doing with your career? My dream job would be an art gallery curator.



Tessa Cohen



Home: Salmon Creek, Vancouver, WA

Age: 37

Profession: Attorney

Hobby: Playing soccer, reading, hiking and my children.

Last Book Read: *Incognito: The Secret Lives of the Brain*, by David Eagleman

Legal Philosophy: "Human progress is neither automatic nor inevitable...Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals." Martin Luther King, Jr.

Latest Accomplishment: Teaching my 6 year-old son how to read.

Why I Do What I Do: Helping people has always been the driving force behind my role as an attorney.

Profile: I was born and raised in Milwaukee, Wisconsin. I am a graduate of University of Wisconsin – Madison with a double major in political science and sociology, and a graduate of Lewis & Clark Law School. I played Division I collegiate soccer, was involved with two National Championships and had a short stint playing in England.

Beverage of Choice: Ice water

Best part of working with your spouse: Getting to be with my best friend all the time.

Most challenging part of working with your spouse: Balancing child care and separating work from home.

The one word your spouse would use to describe your legal style/ philosophy: Tenacious

Matt Cohen

Clark County VOLUNTEER Lawyers Program

Susan Arney, Executive Director
Ashley Belisle, Program Coordinator
Administrative: 360-823-0423
E-mail: susana@ccvlp.org

We would like to reach out to the attorneys who have not volunteered for the VLP and would like information on volunteering. Please call us for details on the services we offer. We do provide mentoring, training and court experience in certain areas of law. There may be opportunities for CLE credits, depending on the program. We are running low on volunteers and are in great need of more attorneys. Volunteering even once per year is a tremendous help and lets us further reach out to the community.

Special thanks go out to all the volunteer attorneys; without you we would not be here.

Thank you,
Ashley Belisle

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 APRIL

DIRECT REPRESENTATION

Tessa Cohen, Stan Horak, Laura Mancuso, Howard Marshack, Rob Russell, Randy Stewart, Todd Trierweiler

YWCA SAFECHOICE DV CLINIC:

Sidney Dolquist, Marlene Hanson, Jeffrey Holmes, Katie McGinley,

FAMILY LAW:

Lou Baran, Ed Dawson, Stefanie Ellis, Lincoln Harvey, Eric Hoffman, John Holtmann, Juliet Laycoe, Laura Mancuso, Howard Marshack, Deanna Rusch,

BANKRUPTCY:

Peter James

HOMELESS COURT:

Chuck Buckley, Heather Carroll, Jeff Courser, David Feeney, Gil Luzader, Abby Powell, Diane Sweet, Anna Waendelin

HOMELESS SHELTER:

Peter Fels, Dustin Klinger

HOUSING JUSTICE PROJECT:

Gideon Caron, Tresa Cavanaugh, Ed Dawson

Statistics for APRIL

Cases Place for Representation	8	Volunteer Attorney Hours	124
Clinic	# of Appts.	Clinic	# of Appts.
Family Law Advice Clinic	21	Family Law Paperwork Clinic	17
Bankruptcy Clinic	4	General Law Clinic	1
Homeless Shelter Clinic	0	Homeless Court Referrals	7
Housing Justice Project Clinic	5	Housing Justice Project Courthouse	13
Domestic Violence Clinic	5	Dependency Clinic	0
Home Foreclosure Project	2	Non Parental Custody Clinic	3

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LAW LIBRARY NEWS



MARIA SOSNOWSKI
Law Librarian

FOR SALE

Through July, 2013

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

1. Rules of the Road – Plaintiff’s Guide to Proving Liability (Trial Guides)
2. Law of Evidence in Washington, 4e (LexisNexis)
3. Social Security Handbook 2012 (Bernan)

4. Special Needs Trusts 4e with CD Rom (NOLO)
5. McCormick on Evidence Hornbook, 6e (West)
6. Washington Practice 3A-4, annotated CRs, 2011 pp (West)
7. Defending DUIs in WA 2011 contents only (LexisNexis)
8. Defending Drinking Drivers plus CD Rom, contents only, 2012 (James Publishing)

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

The law library would like to thank Brian Leahy for his contribution to the law library! We appreciate his support. If you would like to match his generosity, you can send checks to the address below.

HEARSAY ADVERTISERS WANTED!

CCBA is looking for reliable Attorney Support Services who want affordable, targeted advertising in upcoming issues of Hearsay. If you have reliable and trustworthy service providers that can benefit our audience, please refer them to Lisa Darco for pricing and availability today!

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NEWS YOU CAN USE



LISA DARCO
CCBA Office Manager

Veterans Administration Contract Attorney Opportunity in Cowlitz County: Small, Grant-funded program.

Interested parties can send a cover letter and resume by 6/28/13 cwlap@live.com, or call 360-425-2579

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Unclaimed Property - Washington State

Unclaimed property is money or intangible property owed to an individual or business. Property is considered unclaimed after it is held for a period of time with no owner contact, and a good faith effort has been made to locate the owner. Abandoned property is turned over to the Department of Revenue from many sources, including businesses, banks, utilities and governments among others.

Who needs to report?

All organizations holding unclaimed property belonging to Washington residents must file a report.

What must be reported?

The list includes safe deposit boxes and utility deposits/other

refunds. For law offices, in most cases, the primary item is uncashed checks.

How do I determine what to report?

Review your records every year for all property abandoned as of June 30.

Washington Abandonment Periods

- 1 Year** Payroll checks & Utility deposits
- 2 Years** Public agencies
- 3 Years** Most property categories, such as uncashed checks
- 5 Years** Safe deposit box and safekeeping

Should I try to locate the owner before reporting unclaimed property?

Unclaimed property owners who appear to have valid addresses and property of \$75 or more must be notified in writing between May 1 through August 1. A sample letter is available at ucp.dor.wa.gov. Note: For amounts less than \$75, including very small amounts such as 27¢, written notification is recommended.

When must it be reported?

All holder reports and payments must be postmarked or transmitted no later than November 1 of every year.

For detailed information and specific reporting information, go to ucp.dor.wa.gov and select the link about reporting.

Recommendation: To minimize unclaimed property, for uncleared checks, review checks upon reconciliation of the bank statement and as appropriate followup sixty to ninety days after check issue date.

LEGALLY DRAWN

Legal first aid.



Reproduced with permission. For more cartoons and information, go to <http://www.legallydrawn.com>.

UPCOMING EVENTS

CLE

June 27, 2013

Brown Bag CLE: First-Party Insurance Coverage law
Public Service Center 1:00pm - 2:00pm

July 4, 2013

Independence Day
CCBA Office Closed

MEETING

July 10, 2013

CCBA Board Meeting
CCBA Office - Noon

SOCIAL

July 11, 2013

YLS Happy Hour
Location TBD 5:00pm - 6:00pm

SOCIAL

July 19, 2013

CCBA Annual Summer BBQ
Public Service Center Plaza
Noon - 1:30pm

MEETING

August 7, 2013

CCBA Board Meeting
CCBA Office - Noon

SW WASHINGTON LAWYER REFERRAL SERVICE

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 the CCBA at 360-695-5975.

THE SWLRS REFERRED 219 CLIENTS IN THE MONTH OF MAY

Administrative Law	6
Bankruptcy	5
Business & Corp	7
Consumer	12
Criminal	11
Debtor/Creditor	21
Family Law	37
General Litigation	48
Labor & Employment	18
Real Property	28
Wills & Trusts	21
Worker's Comp	3
Taxation	1
International Law:	1

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- Obstetrics malpractice — \$1.6 million
- Trampoline accident — \$1 million
- Electrocution at work -- \$900,000
- Motorcycle collision -- \$500,000
- Rear end MVC. Soft tissue injury -- \$230,000

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