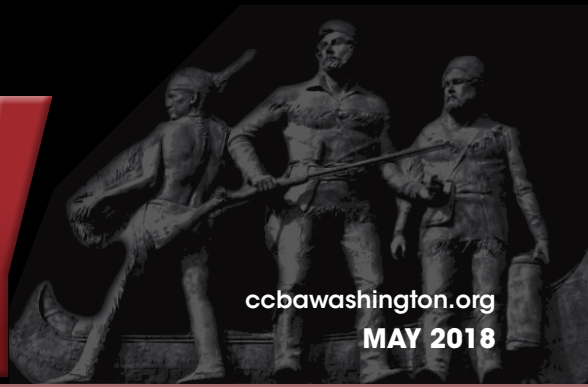


HEARSAY



ccbawashington.org

MAY 2018

THE OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION



SWEARING IN

Don't try it yourself



In over your head with a case in Oregon?

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Trial Lawyer of the Year, Clark County (2015)
Past President, Oregon Trial Lawyers Assoc.

JESSE JACOBS

OTLA Guardian and WSAJ Eagle

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



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MEDICAL MALPRACTICE WRONGFUL DEATH PERSONAL INJURY



Law office of:

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Vancouver 360.859.3823
Portland 503.974.4161
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PRESIDENT'S MESSAGE



Mark Sampath
CCBA President

Greetings!

I hope everyone is enjoying springtime in the Pacific Northwest, even if Mother Nature refuses to cooperate. I am of the strong belief that when Mother Nature refuses to bring nice weather to you, sometimes you have to go where Mother Nature is shining bright. I am also a big believer that taking consistent periods of vacation, even if it is only for a day or 2, is essential to recharging oneself and resetting your mindset so that you can be of value to your team and your clients. Regardless of what area of law you practice, we all deal with the stresses of managing a practice and our clients. In my opinion, there is nothing better for maintaining or regaining equilibrium, no matter how busy you are, than getting away. I also think that it is important as an owner of your own firm, no matter how large or small you are, to think about your business. This involves looking at where your practice, as a business, is today, and where you want it to be in 3-5 years in terms of size and organization. One can then use these goals to determine what needs to be in place to achieve your objectives, where the stress points and weaknesses in your practice infrastructure are, and whether you have the right people and assets to grow your practice in the manner you desire.

Fortunately, I had a chance to do all of the above in late March and early April. In late March, I spent 4 days in Palm Springs at a business owner leadership and development workshop that was put on by my payroll services provider, BBSI. The weather was great, I was able to spend time working on my business goals and objectives while learning from other business owners from around the west coast, and I still found enough time to set the world of golf back about 20 years by playing in the ANA women's golf championship pro-am. Then in April, I was able to get away with my girlfriend for a weekend of hiking in Bend, Oregon, where again, the weather cooperated.

I came back from those trips refreshed, rebalanced and with a fresh perspective and some new ideas on how to improve the business side of my practice. While I know that some attorneys have at least a little disdain for the notion of growing their legal practice as a business, I do think it is important so that we can serve our clients more efficiently while staying viable. I highly encourage my fellow attorneys to get away when possible and to work on their business. The client will always be there when you return. As usual, I hope you enjoy the pictures.

Mark





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Attorney Deanna Busch has distinguished herself as a strong legal advocate throughout Vancouver and Clark County Washington for over a decade. McKean Smith is honored to have her on our team. Together, Deanna and McKean Smith are committed to supporting our Southwest Washington community as we grow into the future.



We're here to help

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1200 Main St., Suite 400
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F: 503.765.7443

Portland
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CCBA Board Meeting Minutes



LE ANN LARSON
CCBA Secretary

Minutes for the CCBA Board of Trustees Meeting April 11, 2018

Called to order 12:10 (Larson, Sampath, Cheney, Spratt, Green, Sasser) Lisa Darco present.
March 7, 2018 Board Meeting Minutes: motion to approve (Spratt/Green) Approved
March 19, 2018 CCBA General Meeting Minutes: motion to approve (Spratt /Green) Approved
Treasurer's Report regarding March 2018: (Cheney)
We reviewed the report he submitted. Revenue for the month down in comparison to last year; Cheney thinks the decrease is timing related and is not concerned. Expenses were higher, but budgeted for.

OLD BUSINESS

a) Political Advertising Policy (Cheney)
Discussed features we would want in a policy: non-endorsement language, nexus to Clark County legal community. Discussed present practices/policy. Policies will differ as to purchased Hearsay ads and purchased use of listserv. Cheney will draft a proposal.

b) Barrister's Ball Financial Recap (Darco)
Came out ahead of expenses although a bit lower ticket sales. Sponsorships were increased to offset increased expenses this year.

c) LLLT Membership Category for CCBA
Decided to create a separate category for LLLT membership previously; definition decided.
Motion: to offer a rate same as new attorney rate for new LLLTs beginning in the 2018/2019 fiscal year.
(Sasser/Sampath) Approved

NEW BUSINESS

a) Formal Swearing In Ceremony – April 26th, at 4:00
b) Darco will receive her laptop tomorrow, which was generously donated by Paige Spratt.
c) Agenda next month: policy regarding trustee duties
Adjourned 12:35

CCBA CLE SCHEDULE

CLE: Think While You Drink

Tim Calderbank & Adam Murray

May 31, 2018

3:00pm - 4:30pm

Warehouse '23 Event Space

FREE!!!

N&B – The Nuts & Bolts of Appellate Procedure

*Hon. Rich Melnick, Kevin Hochhalter
& Averil Rothrock*

June 13, 2018

3:00pm – 5:00pm

WareHouse '23 Event Space

\$50.00 for Members

\$70.00 for Non-Members

\$25.00 for Non-Attorneys

YOUNG LAWYERS SECTION



By **BEN MELNICK**

The oath of attorney is long, like way longer than I remember. Hearing new lawyers recite it like they can feel the impending doom of their careers is always good: it reminds me of how scary it is to be brand-new to practice, and they tell me all the things I'm not supposed to do.

The most recent batch was a little unusual in that there were only three new attorneys, and one was waiving in from another state. There were more lawyers and judges in the room than newbies. Their families were excited, and their hearts were racing.

Just prior to the newest local attorneys taking the oath and promising they would be good people, not steal their clients' money, and not have inappropriate relations with their clients, it was Judge Gregerson who imparted some very practical wisdom. First, I have to note that he seemed to really enjoy the "meta" art form of my photography style.

Second, I wish I had taken better notes because this speech was poetry. Literally. Judge Gregerson quoted Shakespeare, and discussed the permeating integrity of the profession. The newbies were obviously impressed. Then they took the oath, there was a photo op, and off we went for the YLS happy hour.

Bearded Brothers is a pretty cool bar. They show sports on TV and have a good selection of their own and other local beers. There is a big jar of pretzels and they even gave us cheesecake! On a more personal note, the orange cream soda is very good. Until next time, remember not to engage in offensive personalities.

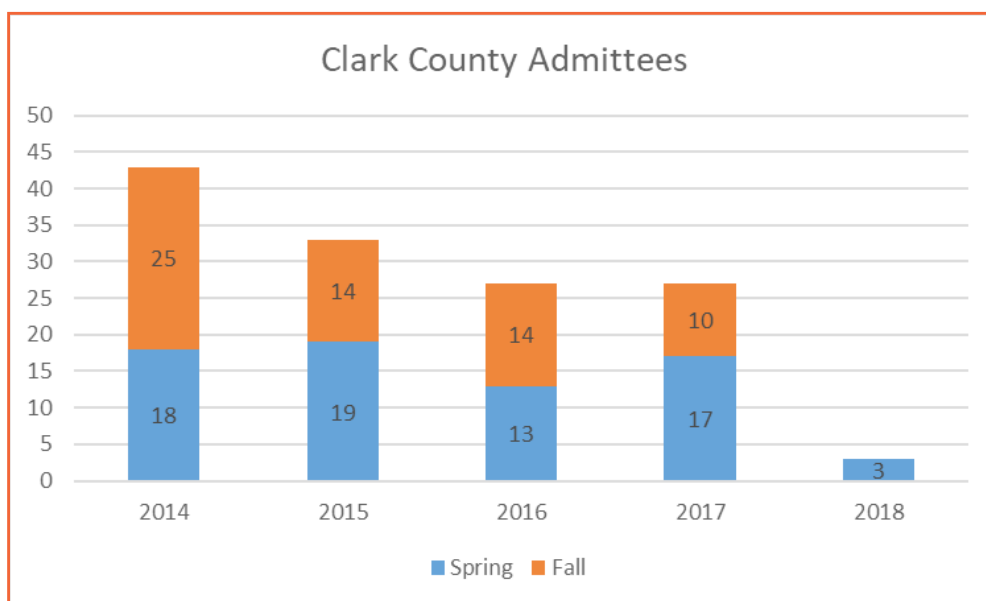


DECLINING TREND IN CLARK COUNTY “ADMISSION”



By **SKYER TANNER**

As the CCBA prepared to welcome new admittees to the Washington Bar into Clark County, the CCBA administrator, Lisa Darco, could not help but notice there were only three people who were being sworn into the bar by one of our Clark County judges. This low number, she said, is part of a trend she has witnessed over the past four years:



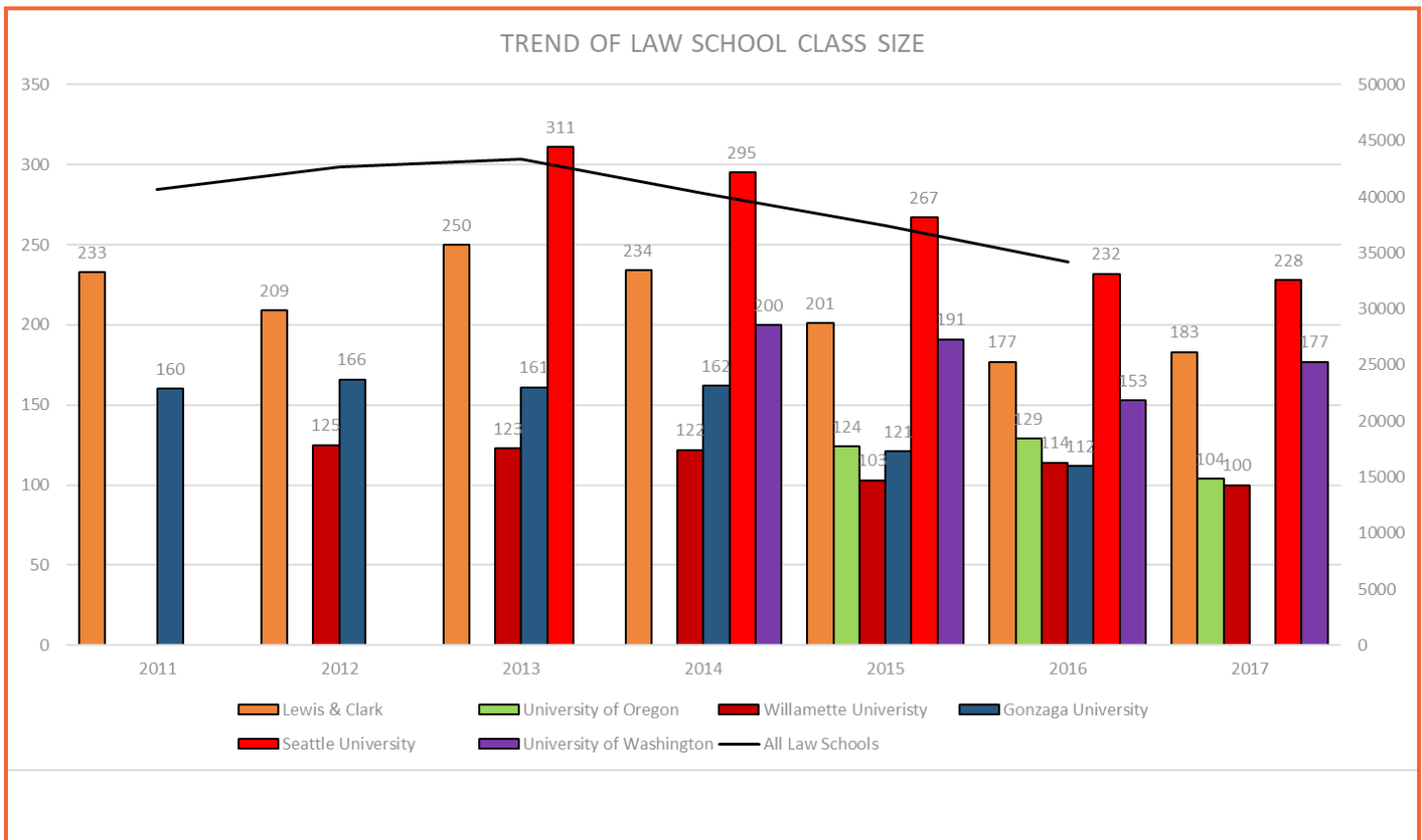
As the chart reflects, the number of admittees sworn into the Washington Bar in Clark County has trended downward year-over-year. That overall decrease has largely come from the fall swearing in ceremony (after the July bar exam), rather than the spring swearing in ceremony (after the February bar exam). This year, however, is a stark contrast to prior years, with only three admittees in the spring ceremony, compared with between 13 and 19 in the last few years. We will be watching to see if the fall ceremony is also significantly decreased and if the trend continues into 2019.

Granted, being sworn into the Washington Bar in Clark County does not necessarily mean an attorney will practice in Clark County. Of course, being sworn in in Clark County is also not a requirement for practicing here. This trend does, at least, give an opportunity to pause and consider if there are causes or ramifications, either good or bad, and if anything should be done to change the trend.

To be clear, I am not a statistician and did not attempt to calculate p-scores for any of this analysis, so please consider it only as interesting and informative. To more clearly understand the trend, consider the following additional data.

The ABA’s statistics reflect a general decrease in graduates from law schools from 2010 through 2016,[1] after a general increase in graduation rates since 2000[2]. The black line across the top of the chart below reflects the number of graduates from all ABA-accredited law schools.

When it comes to enrollment in law school, metrics have also declined. At ABA-accredited law schools, enrollment peaked in 2010 before declining in each of the next four years.[3]



Oregon and Washington law schools have been rather consistent with that national trend. For example, as reflected in the chart above, Seattle University (the red boxes), Lewis & Clark College (the orange boxes), Willamette University (the maroon boxes), Gonzaga University (the blue boxes), and the University of Washington (the purple boxes) have seen a trend of fewer graduates over the past few years, with an uptick for Lewis & Clark and the University of Washington in 2017. The University of Oregon (the green boxes) has more limited data readily available, so it is unclear if it was part of the trend that ended or if the school maintained a relatively consistent class size with only one smaller year in 2017.

As the data for a couple of our local schools reflect, the trend of fewer graduates may have ended in about 2016 or 2017. “The most recent data * * * suggest that the years-long decline in the number of law school applicants and enrollees has ended. The rate of decrease in law school applications slowed during 2015 and may have bottomed out. The Law School Admission Council states that LSAT administrations are modestly increasing.”[4] Of course, only time will tell if that will translate into an increase in attorneys seeking admission to practice law in Clark County.

[1] http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/2011_2016_degrees_awarded.xlsx

[2] https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/jd_llb_degrees_awarded.authcheckdam.pdf

[3] http://www.abajournal.com/magazine/article/as_law_school_enrollment_drops_experts_disagree_on_whether_the_bottom/

[4] www.noodle.com/articles/is-law-school-enrollment-still-dropping-the-latest-trends



The Clark County Bar Association Presents a Nuts & Bolts CLE

The Nuts & Bolts of Appellate Procedure

June 13, 2018 - 3:00 pm to 5:00 pm

WareHouse '23 Event Space

100 Columbia Street - Vancouver, WA 98660

Presented by

Hon. Rich Melnick, Kevin Hochhalter & Averil Rothrock

2 Law & Legal Procedure CLE Credits

\$50.00 for Members - \$70.00 for Non-Members - \$25.00 for Non-Attorneys

Part 1: Nuts & Bolts of Appellate Procedure

- What can you appeal and how do you start the process?
- How do you prepare the record and the brief?
- What is the standard of review and how can it help you?
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Pre-payment is preferred.

SUPERIOR COURT BENCH/BAR MEETING MINUTES

Clark County Superior Court Bench Bar Committee Meeting Summary

APRIL 10, 2018



KAREN CAMPBELL
Bench Bar Committee Chair

The meeting began shortly after noon. Persons present were Karen Campbell, Jolene Sell, Ann Christian, Nicholas Alexander, Judge Fairgrieve, Judge Veljacic, Scott Weber, Scott Jackson, Emily Sheldrick, and Rachel Brooks.

OLD BUSINESS:

1. CCVLP: Nick updated the Committee on CCVLP fund raising efforts. The CCBA did not approve the “dunk tank” idea for the annual barbeque. The VLP is considering other fundraising ideas that might be incorporated into the BBQ and possible standalone events such as a softball game and/or a carnival. The VLP will be moving into the Arts Building soon.

2. Legislative Updates: Jolene reported that grandparent and non-parent visitation legislation did pass and that this will affect parenting plans. Ann reported that legislation passed decreasing the number of offenses eligible for “auto decline” when allegedly committed by juveniles. In addition, legislation passed increasing the number of crimes eligible for diversions in juvenile court.

3. Indigent Defense Workgroup: Ann reported that the County Council work session on the Workgroup’s proposal is still scheduled for April 25, 2018.

4. Defense Coordinator Position: Ann reported that she hired a new office assistant and that second

interviews took place for the Defense Coordinator Position. They are in the reference check phase.

5. New Bench Bar Chair: The Committee will elect a new Chair at the next meeting scheduled for May 8, 2018. Committee members are encouraged to participate and weigh in.

NEW BUSINESS:

6. Mental Health Court--Felony Referrals: Scott Weber asked the Committee if they had any feedback about how things were going in the District Court Mental Health Court for felony referrals. This is a relatively new program and Scott has received no feedback. Ann and Scott Jackson acknowledged that word of the program has gone out. Prosecutors are considering appropriate referral criteria. Scott Weber stated if utilization is high, a Superior Court Mental Health Court might be considered.

7. Alzheimer’s Fundraiser: Rachel announced that the Multnomah County Alzheimer’s Association has taken over responsibility for Clark County from the King County Chapter. The Multnomah Association Chapter is holding a walk to end Alzheimer’s on September 9, 2018. There are more fundraisers being organized locally around this issue. Alzheimer’s is the third leading cause of death in Clark County. Those interested in participating in fundraising activities to

end Alzheimer's can contact Rachel for more information at rachel@rachelbrookslaw.com.

8. Competency Restoration: Ann reported that although Western State Hospital (WSH) has two psychologists assigned to Clark County to complete competency evaluations, the wait time for restoration has continued to grow. Multnomah County has local restoration services available. An "ad hoc" committee including court personnel, defenders, and prosecutors has met twice to discuss whether Clark County could obtain local restoration services for individuals who are out of custody. Historically, it has been very difficult for these defendants to find resources and support for successful travel to WSH from Clark County. Judge Zimmerman is convening a committee to review local restoration opportunities for in-custody defendants.

9. ITA Guidelines: Ann informed the Committee that the Washington State Bar's Council on Public Defense (CPD) is developing performance guidelines for attorneys representing individuals in hearings under the Involuntary Treatment Act. The WA

Supreme Court recently approved Juvenile Performance Guidelines for defense attorneys that were proposed by the CPD and WSBA.

10. New Peremptory Challenge Rule: Judge Fairgrieve reminded Committee members that the Washington State Supreme Court passed GR 37 expanding the prohibition against race-based peremptory challenges during jury selection. Judge Fairgrieve stated that the rule will take effect the end of April and that attorneys would be well advised to familiarize themselves with the rule.

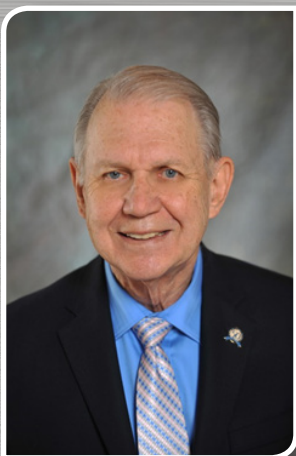
11. The next meeting will be held on May 8, 2018, in the Department 6, Jury Deliberation Room.

Respectfully submitted,

Karen Campbell

Marsh, Higgins, Beaty & Hatch, PC Retirement Announcement

The firm wants to recognize its founding partners Daniel Marsh and Michael Higgins for over 38 years of legal practice and distinguished careers together here at Marsh, Higgins, Beaty & Hatch.



Daniel Marsh is a 1962 graduate of the University of Oregon School of Law and has been a practicing attorney for over 50 years. For sixteen years of Dan's career he served the state of Washington as a State Senator for eight years and as a State Representative for eight years. He received the distinction of being listed as a Super Lawyer in the August/September 2000 issue of Washington Law & Politics Magazine.

Mr. Marsh was involved in several professional law organizations, including acting as the former President of the Estate Planning Council of Southwest Washington and participating as a member of the Clark County and Washington Bar Associations.



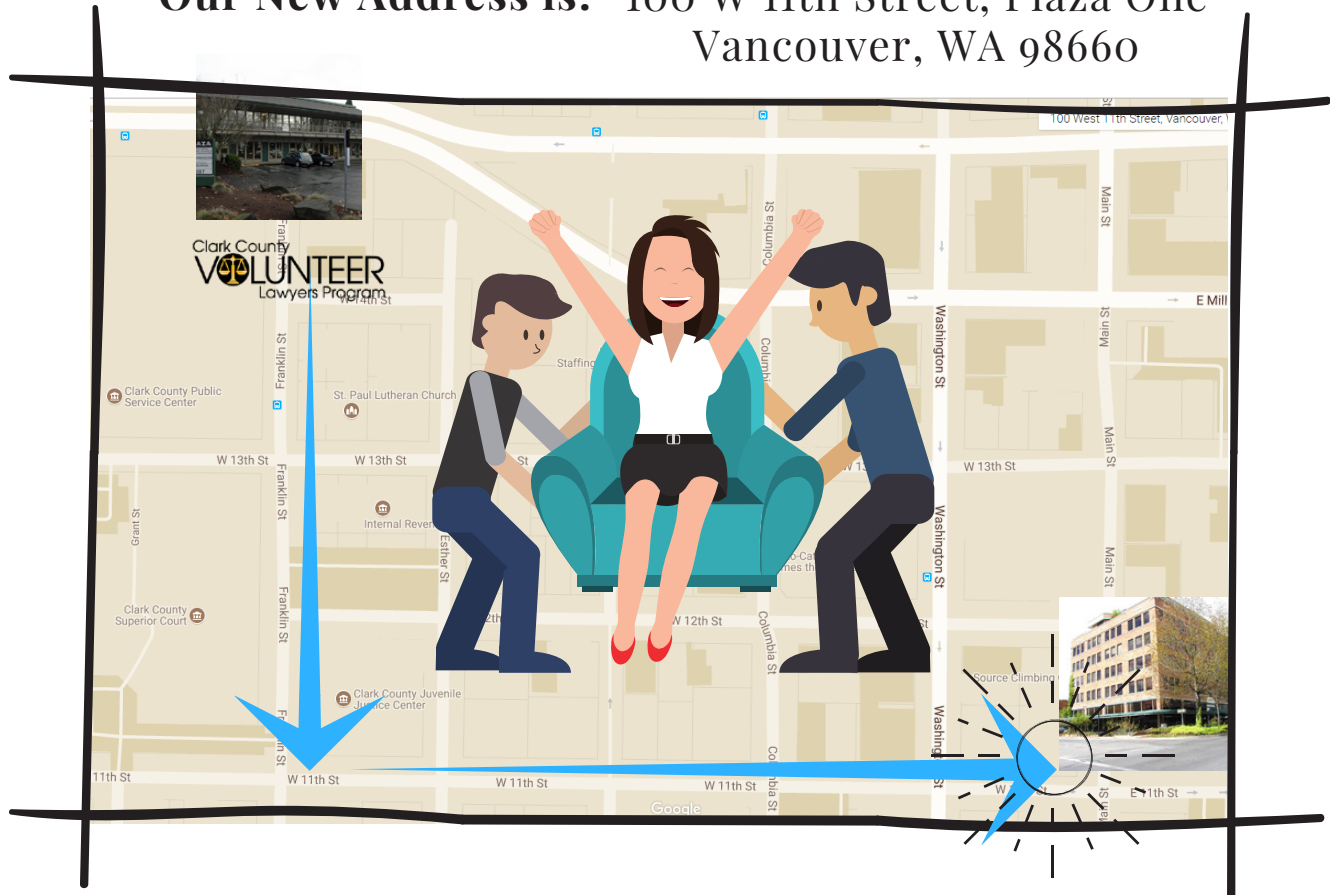
Michael Higgins is a graduate of Lewis and Clark Law School and was admitted to the Oregon State Bar in 1981 and to the Washington State Bar in 1982. Mike has been practicing law in Clark County, Washington since 1982. He has served as a trustee and treasurer for the Clark County Bar Association. He was also a member of the Estate Planning Council of SW Washington.

Dan and Mike will both be greatly missed at the firm but we wish them both well in their retirement!

After nearly 15 years...

Clark County
VOLUNTEER is Moving!
Lawyers Program

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ODOR in the court!

By **ART BENNETT**

We object! And so will you to these true tales from the courtroom.

Hey, I was so drunk, I would have confessed to anything?

A Norwegian man who admitted to police that he was driving while drunk was acquitted because he was drunk when he made the confession.

She follows me everywhere!

A Kansas City, Kansas, judge granted Wesley Fitzpatrick a temporary restraining order against a woman who he said was stalking him (making him “scared, depressed and in fear for my freedom”). The order was rescinded when the judge found out that the “stalker” was actually Fitzpatrick’s parole officer.

Ready, Set, Sue!

Loony lawsuits making the news

- In St. Louis, a woman sued her hair salon for a bad hairdo and won \$7,000.
- A Bulgarian woman sued her heating company, claiming it was too cold in her apartment to have sex.
- An Indiana man sued a Fort Wayne strip club after claiming that pole dancers “fell on his genitals.”
- A convicted robber in Muncie, Indiana, has sued the convenience store owner who shot him during a holdup, saying that he continues to “suffer nightmares as the result of this assault upon his life.”
- Author’s current favorite case:

Oregon horse “sues” its ex-owner

Lawsuit seeks \$100K for animal’s health care

PORTLAND (AP) – A horse is listed as the plaintiff in a \$100,000 lawsuit against the animal’s former Oregon owner, amid claims her negligence left him underweight and afflicted with other debilitating conditions.

Justice, an 8-year old American quarter horse, is the plaintiff in the lawsuit filed Tuesday by the Animal Legal Defense Fund in Portland. The Oregonian/OregonLive reported.

The owner’s negligence caused the horse to be 300 pounds underweight and covered in lice and a skin infection, the lawsuit said. He also had damage to genitals from severe frostbite, according to the lawsuit.

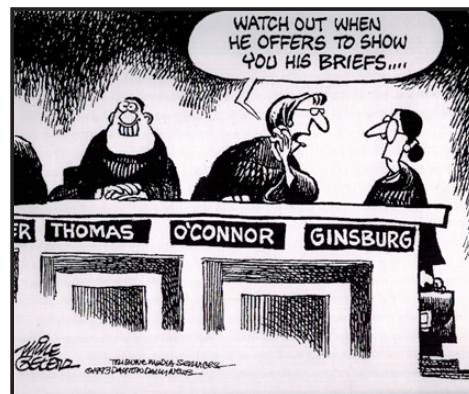
Animals in Oregon have legally protected rights, said one of the horse’s attorneys. Under the state’s anti-cruelty statute, the horse should be allowed to recover the costs for pain and suffering, she said.

“Victims of crimes can sue their abusers and animals are sentient beings that are recognized as victims under Oregon law,” the attorney said. “So with that premise, we’ve come to the conclusion that animals can sue their abusers and we’re confident of our stance in this case.”

All rise . . .

From a list of cases heard in U.S. civil courts, published by the online magazine of the American Bar Association:

- Schmuck v. Dumm
- Gerald Mayo v. Satan and His Staff
- State v. Big Hair
- Henny Penny v. Chicken Little
- Advance Whip & Novelty Co. v. Benevolent Protective Order of Elks
- Fried v. Rice
- Loser v. Superior Court of Alameda County
- People v. Fester
- Jones v. God, Jesus, Others
- Truelove v. Truelove
- Klink v. Looney
- Hamburger v. Fry
- Short v. Long
- People v. Booger
- United States of America v. 2,116 Boxes of Boned Beef, Weighing Approximately 154,121 pounds and 541 Boxes of Offal, Weighing Approximately 17,732 pounds



-ananova.com; Universal Press Syndicate

-The Associated Press; Chicago Sun Times; Fort Wayne Journal-Gazette; ananova.com

-Harper's Magazine



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NEWS YOU CAN USE

Please take a moment to update your printed directory with the following corrections:

Marla Heikkala

Marla Heikkala and Associates, PS

Phone: (360) 699-5405

Email: marla@mheikkala-ps.com

Josie Townsend

Email: josie@jctownsend.com

New Contact Information:

Emily Roberts

Gevurtz Menashe, PC

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Portland, OR 97209

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Email: eroberts@gevirtzmenashe.com

DOUBLE Hearsay

What CCBA Members Are Doing About Town

Raisa Judicata

Guest Gossip Columnist

If you've always wanted to go on an African safari but never had the time, go visit Judge Clark's newly decorated jury room. Rumor has it that Joe Johnson is responsible for hanging the gorgeous artwork.



Congratulations to Dan Marsh and Mike Higgins on their long and wonderful legal careers and many well wishes on their well-earned retirement.

Raisa has recently seen Christie Martin and Gabby Richards around the state of Oregon providing legal assistance to moderate means individuals in their mobile legal clinic which is staffed in their RV.

Don't be confused, Judge Clark is back in the main courthouse on a civil/criminal rotation and Judge Vanderwood has moved over to the Annex for his family law rotation.

Congratulations to Erin Lambley, Landerholm, P.S. business attorney, on the birth of her first child, Callan James Lambley. He was born on March 18th, weighing 7 pounds and measuring 21 inches.



Lambert Law Office, PLLC welcomes Courtney Himes as a new associate. Courtney started as an assistant at the firm, went to Willamette Law School at night, and was recently sworn in by Judge Rulli.

Thomas Hackett of NW Legacy Law Center and his family recently attended surf camp in Costa Rica. This is an avid surfer/skier family!



Congratulations to David Kurtz and Danielle Paradis on the formation of Kurtz Paradis PLLC.

Raisa enjoys watching the travels of the courthouse hiking group, including Ronnie Stockmann, Charissa Clough-Woodruff, Tracy Haxby and Kim Nigg. They've been spotted all over Washington and Oregon.



Congratulations on 25 years of wedded bliss for Judge David Gregerson and Maya Bhat-Gregerson!



Raisa spies that Deanna Rusch has just purchased her first home in Camas. In addition to her work at McKean Smith, she's also a Camas City Council Person.

Your esteemed colleague Raisa Judicata can't be everywhere. If you have a tidbit of news you would like the world to know, send a note to ccbamanager@ccbawashington.org. Messages will be forwarded on to Raisa on the first Monday of every month. Remember it is your ethical duty to support your member organization with juicy gossip and goings on.

ERICA AQUADRO

HOME: Waterford, VA

AGE: 31

PROFESSION: Family Law Attorney at Elizabeth Christy Law Firm, PLLC

Hobby: Hiking with my husband and kids, traveling, reading, and various arts and crafts. I've always enjoyed drawing/art and I have a bit of a knack for those kinds of things. I tried my hand at watercolor recently and had some fun with it! (see photo for sample of my work)

LAST BOOK READ: *Leaving Before the Rains Come* by Alexandra Fuller. The author was raised by British Expats in Rhodesia (equivalent in territorial terms to modern Zimbabwe) during the brutal guerilla war that followed their declaration of independence from the United Kingdom. I had the pleasure of hearing her speak at a recent VOICES, Inc. Lecture in Portland and found her to be very inspiring!



LEGAL PHILOSOPHY: Channeling the former first lady: “When they go low, we go high.”

LATEST ACCOMPLISHMENT: In recent weeks, I've tried sensory deprivation tanks and acupuncture, which might not seem like much, but I have a fear of small spaces and needles so those felt like accomplishments to me! Side note: I will definitely do acupuncture again!

WHY I DO WHAT I DO: I've experienced high conflict family law situations firsthand. Not every case has to be like that. I strive to guide individuals and parents through difficult situations with clarity, respect, and compassion.

PROFILE: I graduated from Rhodes College in 2008 and, after taking a year off to work for a law firm that specialized in employment law and ERISA litigation, earned my law degree from Saint Louis University School of Law in 2012. During my tenure at SLU Law, I was a member of the Family Law Association and served as a certified mediator in domestic relations cases for the Family Court Juvenile Division of the 22nd Judicial Circuit. I have been admitted to three different State Bars, including Missouri (2012), Washington (2014), and Oregon (2016). I practice mainly in Clark County, but I have recently expanded into Oregon.



BEVERAGE OF CHOICE: Happy Cup Coffee

LIMITED LICENSED LEGAL TECHNICIANS - AN IMPORTANT RESOURCE FOR THE PUBLIC AND FOR ATTORNEYS

The mission of the WSBA is to serve the public and the members of the Bar, ensure the integrity of the legal profession, and to champion justice. Washington licensed legal professionals help carry out the Bar's mission through their support, volunteerism, and leadership. [1]

Brief History on the Development of the Limited Licensed Legal Technicians.

In November 2001, the Washington State Supreme Court took a historic step, establishing a Task Force on Civil Equal Justice Funding. As part of its charge, the Task Force was directed to conduct a study of the civil legal needs of Washington's low-income and vulnerable populations. Through this study the Task Force sought answers to the following questions:

- What types of civil legal needs do the state's low-income and vulnerable populations experience and how often?
- Do low-income minorities, the elderly, the disabled and other demographic cluster groups have greater or different legal needs than the general low-income population?
- How do the legal needs of low-income and moderate-income people compare?
- How often do low-income people get legal assistance to address their needs?
- How successful are they in getting necessary legal assistance using the telephone and computer technologies?
- For those who manage to get legal assistance, does it lead to better outcomes?
- How does getting legal assistance affect attitudes toward the justice system?
- What do those who work in the justice system and social services communities believe the needs of low-income and vulnerable people to be, and to what degree do their perceptions correspond to the actual needs?

The study is the most comprehensive effort to date to determine the nature and scope of the civil legal problems of low-income people in Washington State, the extent to which these are addressed with legal assistance and the consequences for low-income people and the justice system.

The results of the Civil Legal Needs Study [2] revealed that more than three-quarters of all low-income households in Washington state experience at least one civil (non-criminal) legal problem each year. "[L]ow-income people face more than 85% of their legal problems without the help from an attorney." Attorney assistance is most successfully secured in family-related matters, but even here only 30 percent of legal problems reported are addressed with the assistance of an attorney. Women and children have more legal problems than the general population, especially on matters relating to family law and domestic violence.

Through hard work and diligence, the Washington State Supreme Court's 2012 Order adopting APR 28 (the rule that governs the LLLT program), cites this study as evidence of the need for the LLLT program.

Washington State is the first state in the United States to create a category of non-attorney legal practitioners. While LLLTs are not lawyers, they earn a limited license to practice law. Currently the only practice area is family law.

LLLTs are pioneers in the legal field, which is comparable to the nurse practitioner created approximately 50 years ago. A nurse practitioner can treat patients and prescribe medication like a doctor, as well-trained, qualified and competent professionals. Similarly, LLLTs are well-trained, qualified and competent professionals who can provide the public with legal advice and assistance (within a limited scope).

Why LLLTs are an important resource for the public and for attorneys?

LLLTs can provide resources to the public. This can bridge the gap for people seeking legal advice in family law matters. LLLTs can assist the clients in navigating the legal system by providing limited legal advice within the scope of the license, preparation of legal documents, prepare clients to represent themselves in court proceedings, and ready the client to present their documents to the judge for entry, thus reducing the crowded family law dockets with unprepared pro se parties, at about half the cost of what most attorneys charge, making it an affordable alternative for low and no-income people.

LLLTs can also provide valuable resources to attorneys such as outsourcing unbundled services and attorney referrals when the client's needs are outside the scope of the LLLT license.

What are the requirements to become a LLLT?

There are *three key requirements* to be licensed as a legal technician: *education, experience, and examinations*.

- **Education Requirement:** The applicant must have an associate degree or higher in paralegal studies from an accredited ABA school; or qualify for a limited-time waiver.

The associate degree requires 45 core curriculum credits, which include civil practice, contracts, interviewing and investigation techniques, introduction to law and legal process, legal research, and professional responsibility.

An applicant seeking a waiver must have completed 10 years of substantive law-related experience supervised by a licensed lawyer within 15 years preceding their application, passage of either a certified paralegal exam, paralegal advanced competency exam, or professional paralegal exam (which are exams based on federal law) and be an active certified or registered paralegal with NALA, NFPA or NALS.

Once the above requirements are met and the applicant is accepted to enroll in the practice area classes through the UW School of Law, then the applicant must complete and pass three quarters of 5 credit family law and professional responsibility classes.

- **Examinations Requirement:** An applicant must pass three examinations to be licensed as a LLLT: 1) Paralegal Core Competency Exam (PCCE) (this is waived if the applicant has passed the PACE exam), 2) LLLT Practice Area Examination, which tests the applicant's knowledge of a specific practice area (e.g., family law), and includes three essays, practice area multiple choice questions, and performance of completing pleadings based on analytical questions, and 3) LLLT Professional Responsibility Examination, which tests the applicant's knowledge of LLLT rules of ethical conduct, which usually mirror or exceed the attorney rules of conduct.
- **Experience Requirement:** After applicants complete all of the above but prior to being licensed, the applicants must complete 3,000 hours of substantive law-related work experience as a paralegal supervised by a lawyer and their experience must be acquired no more than three years prior to, or 40 months after, passing the LLLT practice area exam.

What is within the scope of the LLLT license?

Divorce and Legal separations, child and spousal support including modifications, parenting plans and minor modifications (major modifications when terms are agreed to prior to the LLLT's representation), paternity actions, committed intimate relationships (limited to parenting plans and child support), relocations (except when objected to), and domestic violence protection orders are all within the scope of an LLLT's license.

What issues are outside the scope of the LLLT license?

Issues outside the scope of the LLLT license include de facto parentage or non-parental custody actions; issues

within the Washington State Indian Child Welfare Act; division of owned real estate, formal business entities, or retirement assets that require a supplemental order; bankruptcy; anti-harassment orders, criminal no contact orders, anti-stalking orders, and sexual assault protection orders in domestic violence actions; jointly acquired committed intimate relationship property; major parenting plan modifications unless the terms were agreed to before the onset of the representation by the LLLT; the determination of Uniform Child Custody Jurisdiction and Enforcement Act issues under chapter 26.27 RCW or Uniform Interstate Family Support Act issues under chapter 26.21A RCW unless and until jurisdiction has been resolved; objections to relocation petitions, responses to objections to relocation petitions, or temporary orders in relocation actions; and final revised parenting plans in relocation actions except in the event of default or where the terms have been agreed to by the parties.

The LLLT is also prohibited from appearing or participating at the taking of a deposition, initiating or responding to an appeal in the appellate court, and appearing and representing a client in court proceedings, formal administrative adjudicative proceedings, or other formal dispute resolution process, unless permitted by GR 24. The LLLT is also prohibited from negotiating the client's legal rights or responsibilities, or communicating with another person, the client's position or conveying to the client the position of another party, unless permitted by GR 24(b).

There are provisions that allow the LLLT to provide some of the above services with written instruction from an attorney or at the direction and instruction of the client as long as the LLLT writes a disclaimer under the section of the pleading where the client gave instruction to the LLLT regarding an issue outside the scope of the LLLT's license.

What are the ongoing licensing requirements of a LLLT?

A LLLT must complete continuing education and ethics credits, pay licensing fees to the Washington Bar Association, certify compliance regarding a trust account, and unlike an attorney, show proof of carrying limited liability insurance.

Complete Rules, Regulations and Requirements may be accessed at www.wsba.org.

Currently there are three licensed legal technicians practicing in Clark County.

Sherri Farr, LLLT #133, 360-910-8792

Dianne Balch Loepker, LLLT #132, 360-931-0863

Michelle White, LLLT #126, 360-718-7080

This article was co-authored by Sherri Farr and Dianne Balch Loepker in an effort to educate citizens and members of the legal community in Clark County, Washington.

[1] quoted from Paula C. Littlewood, Executive Director, WSBA.

[2] Wash. State Sup. Ct. Task Force on Civil Equal Justice Funding, The Wash. State Civil Legal Needs Study (2003), available at <https://www.courts.wa.gov/newsinfo/content/taskforce/CivilLegalNeeds.pdf>.

The Hearsay Editorial Board is looking for authors for the following topics. If you, or someone you know is interested please contact Lisa Darco at ccbamanager@ccbawashington.org.
Deadline for submission is July 1, 2018.

Topics:

Clark County Municipal Courts

Washington Women Lawyers

CCBA Guardianship Probate and Elder Law section

U.S. Supreme Court gambling opinion and impact

BOOKKEEPING TIPS

QuickBooks ~ Keyboard Shortcuts for Activities



Emanuela Sandri

By pressing different combinations of keys on your keyboard, you can quickly perform common tasks within QuickBooks. Here are the keyboard shortcuts for activities.

Activity	Shortcut
Create invoice	Ctrl + I
Delete check, invoice, transaction, or item from list	Ctrl + D
Find transaction	Ctrl + F
Go to register of transfer account	Ctrl + G
History of A/R or A/P transaction	Ctrl + H
Memorize transaction or report	Ctrl + M
New invoice, bill, check or list item in context	Ctrl + N
Open account list	Ctrl + A
Open Customer Center (Customers & Jobs list)	Ctrl + J
Open Help for active window	F1
Open list (for current drop-down menu)	Ctrl + L
Open memorized transaction list	Ctrl + T
Open split transaction window in register	Ctrl + R
Open transaction journal	Ctrl + Y
Paste copied transaction in register	Ctrl + V
Print	Ctrl + P
QuickReport on transaction or list item	Ctrl + Q
Use list item	Ctrl + U
Write new check	Ctrl + W

CCBA Social Hour

Thursday, June 7, 2018

Stop by Cellar 55
between 5:00pm and 7:00pm
and enjoy this friendly, low-key way
to meet other CCBA members.

Snacks and a free wine tasting
will be provided by

VanArnam Vineyards

Cellar 55

1812 Washington Street
Vancouver, WA 98660



ANNUAL CCBA BBQ

Annual CCBA BBQ

July 20, 2018

Noon - 1:00pm

Public Service Center Plaza

The much adored Annual CCBA BBQ
is coming soon! All CCBA members
and their staff are welcome to attend.

The Honorable Chef Melnick
will once again man the grill.

Please plan to attend!

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Navigate Law Group**

NEW COURT SCHEDULE:

Please note the Whole-Court schedule effective June 4th, 2018 is. The primary change is the rotation of the Court's Commissioners to some new assignments. Most of the Commissioners' case number assignments (by either the 8th or 9th digit of the case number) remain the same, however there are a few changes. Due to courtroom availability a few dockets may have changed their locations. Please review carefully when you cite cases. Commissioners Snider and Schienberg will also exchange

chambers on or just before June 4th. On a related note, Judges Vanderwood and Clark will swap chambers and assignments effective April 30th. This will cause Judge Vanderwood to take over Juvenile Recovery Court and Judge Rulli to take back Adult Drug Court from Judge Veljacic during the month of May. Commissioners Schienberg and Snider will swap Family Treatment Court in June.

Please share this with anyone you think should see it.

Thank you.

Jeff Amram

SUPERIOR COURT SCHEDULE* - Effective JUNE 4, 2018

	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 4:00 PROBABLE CAUSE
CIVIL JUDGE	TRIAL	TRIAL	TRIAL	TRIAL	CIVIL MOTION DOCKET UNLAWFUL DETAINDER
	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

JUVENILE/DEPENDENCY/FAMILY LAW SCHEDULE*/EFFECTIVE JUNE 4, 2018

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
COMMISSIONER SCHIENBERG *WED/NON JURY	JUVENILE DOCKET JUV #2	PROTECTION ORDER/DV DOCKET *CRIMINAL	SHOW CAUSE DOCKET 5/6/7/8 *NON JURY	JUVENILE DOCKET JUV #2	SETTLEMENT CONFERENCE (PRO SE'S) *DEPT #7
	2:00 JUVENILE COP	SPECIAL SET	*PRO SE DOMESTIC DOCKET 5/6/7 *NON JURY	P. PLAN/CHILD SPT MOD 5/7/9/0 *FL #3	1:00 CHINS & COLLECT. 1ST FRI OF MO. 1:30 **PRO SE FINALIZATION 2/4/6/8/0 JUV #1
COMMISSIONER SNIDER	DEPENDENCY TRIALS	DEPENDENCY DOCKET	SHOW CAUSE DOCKET 9/0	DEPENDENCY/SHELTER CARE	DEPENDENCY TRIALS
	DEPENDENCY TREATMENT COURT	DEPENDENCY/SHELTER CARE DOCKET	2:00 *PRO SE DOMESTIC DOCKET 8/9/0	P. PLAN/CHILD SPT MOD 1/2/3 *FL #1	1:30 DEPENDENCY TRIALS *FL #1
COMMISSIONER LIEBMAN *WED/CRIMINAL		JUVENILE DOCKET JUV #2	SHOW CAUSE DOCKET 1/2/3/4 *CRIMINAL	PV DOCKET *NON JURY	JUVENILE DOCKET JUV #2
	TRUANCY DOCKET JUV #1	2:00 ST CHILD SUPPORT (ARRAIGN COURTROOM)	*PRO SE DOMESTIC DOCKET 1/2/3/4	P. PLAN/CHILD SPT MOD @ 2:00 4/6/8 *FL #2	1:30 **PRO SE FINALIZATION DOCKET 1/3/5/7/9 JUV #2
FAMILY LAW JUDGE GREGERSON	FL TRIALS	FL TRIALS	JUVENILE DOCKET	FL TRIALS SETTLEMENT CONF (ROTATES WEEKLY #1 & #2)	FL DOCKET
	FL TRIALS	FL TRIALS	FL TRIALS		1:30 TERMINATION DOCKET 2:00 ADOPTION DOCKET
FAMILY LAW DRUG COURT JUDGE RULLI	FL TRIALS	FL TRIALS	FL TRIALS	Drug Court	FL DOCKET *FL #1
	FL TRIALS	FL TRIALS	FL TRIALS	Drug Court	1:00 RES DOSA IC DRUG COURT 2:00
FAMILY LAW JUDGE VANDERWOOD	FL TRIALS	FL TRIALS	FL TRIALS	FL TRIALS SETTLEMENT CONF (ROTATES WEEKLY #1 & #2)	FL DOCKET
	FL TRIALS	FL TRIALS	JUVENILE RECOVERY COURT JUV #2		SPECIAL SET

YELLOW = ANNEX

BLUE = COURTHOUSE

WHITE = JUVENILE

*PRO SE - PARTIES ARE SELF REPRESENTED



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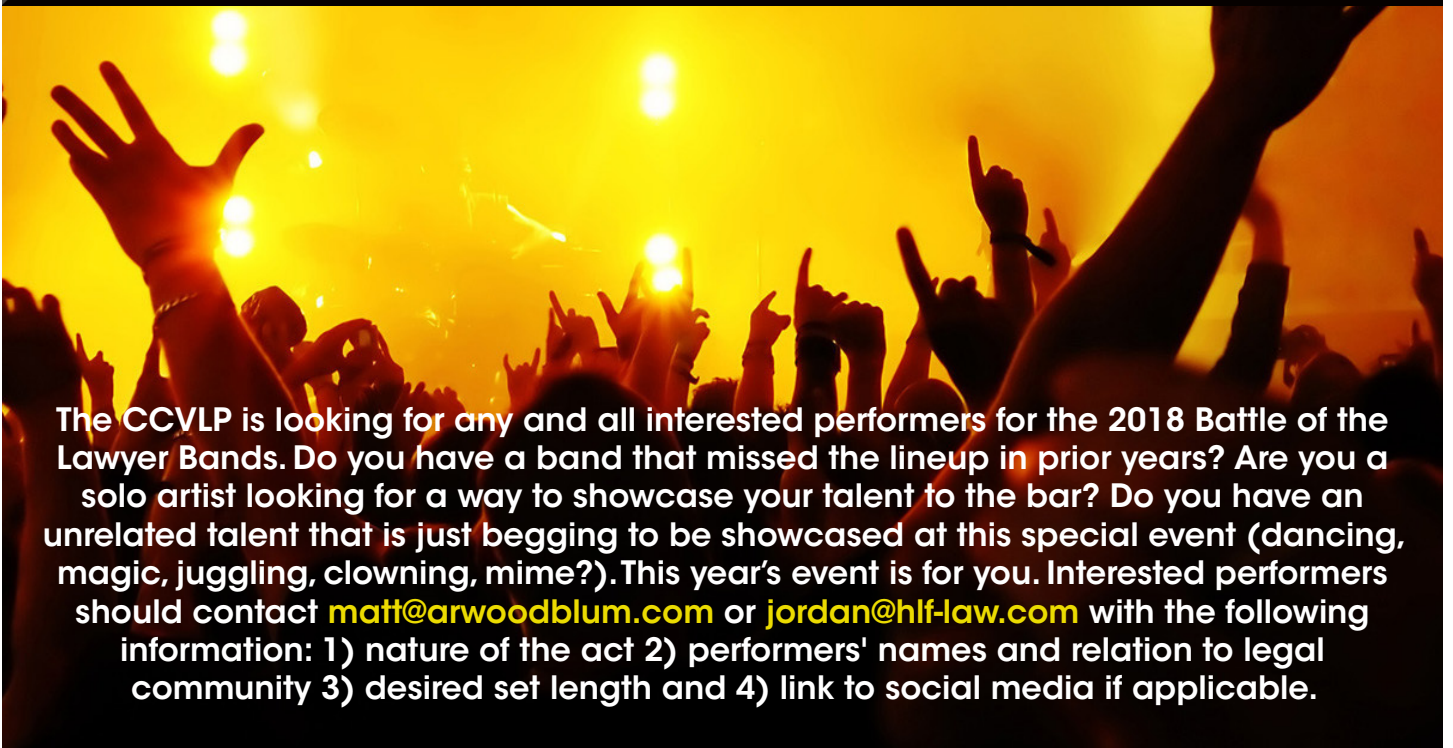


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OPEN CALL FOR TALENT

2018 BATTLE OF THE LAWYER BANDS:



The CCVLP is looking for any and all interested performers for the 2018 Battle of the Lawyer Bands. Do you have a band that missed the lineup in prior years? Are you a solo artist looking for a way to showcase your talent to the bar? Do you have an unrelated talent that is just begging to be showcased at this special event (dancing, magic, juggling, clowning, mime?). This year's event is for you. Interested performers should contact matt@arwoodblum.com or jordan@hlf-law.com with the following information: 1) nature of the act 2) performers' names and relation to legal community 3) desired set length and 4) link to social media if applicable.

Let your CCBA membership pay for itself! ...

We are pleased to be partnering with the following vendors who are generously offering discounts to our members!



A-Affordable Bail Bonds: 8% bond for any bond over \$2,500

The Source Climbing Center: Climb 201 at 1/2 price

Grays at the Park & Vancouver Pizza Company: 15% off (excludes drinks)

Bleu Door Bakery: 10% off

Pacific Office Automation: Free enrollment in Platinum Printer Service. Members receive Free unlimited labor, cleanings and travel time for all printers. (a savings of \$150/HR)

**Lexis Nexis,
Law Pay &
Staples:**

Call the
CCBA office
for details

LAW LIBRARY



MARIA SOSNOWSKI

**FOR
SALE**
Through June 2018

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

1. **Fair Debt Collection 8e - NCLC**
2. **Defending Drinking Drivers Rev. 33 - JAMES**
3. **Washington Business Law, v. 31 Wa Pr - TR**
4. **Social Security Handbook 2017 - Bernan**
5. **Guide to Small Claims Court 16e - NOLO**
6. **Renters' Rights: Basics 8e - NOLO**

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

CCBA Summer Vacation PHOTO CONTEST

What are YOU doing this summer?

The CCBA wants to know. Do you have plans for a summer vacation? How about a “staycation?” The CCBA is holding its third annual Summer Photo Contest!! Snap some photos on your vacation, or even just a fun shot you captured over the summer and send them to us along with a short description. Breathtaking, sporty, artsy...We want them all. Enter more than once with as many photos as you'd like. Winning photos in various random categories will be featured in the Hearsay this fall.

Be sure to email, mail or drop them by the CCBA office no later than **September 1, 2018**.

By submitting your photo(s), you give the CCBA permission to print it (them) in the Hearsay magazine and to be really jealous.

**Judging will be based on random yet-to-be-determined criteria thought up by the Hearsay committee.*

UPCOMING

EVENTS

June 6, 2018

CCBA Board Meeting

CCBA Office Noon - 1:00pm

June 7, 2018

CCBASocial Hour

Cellar 55 5:00pm - 1:00pm

June 13, 2018

Nuts & Bolt CLE: Nuts & Bolts of Appellate Practice

Warehouse 23 3:00pm - 5:00pm

June 14, 2018

Family Law Section Lunch & CLE

Red Cross Building 1:30am - 1:00pm

June 19, 2018

Hearsay Committee 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 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 197 CLIENTS IN THE MONTH OF APRIL

Administrative Law	3
Americans with Disabilities	1
Bankruptcy	5
Business & Corp	2
Consumer	19
Criminal	17
Debtor/Creditor	10
Family Law	31
General Litigation	44
Intellectual Property	2
International Law	1
Labor & Employment	13
Real Property	24
Taxation	1
Wills & Trusts	19
Workers Comp	5



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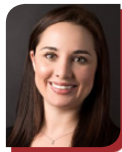
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