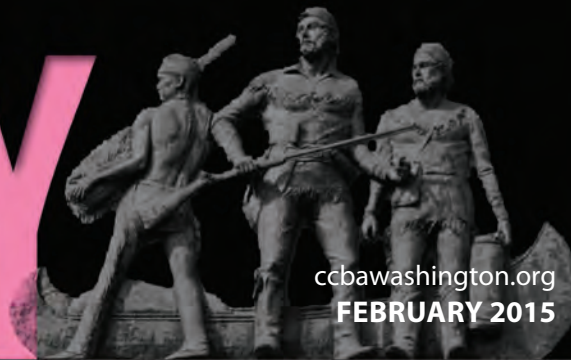


HEARSAY



ccbawashington.org
FEBRUARY 2015

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION

Department Three's New Occupant

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



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ATTORNEY AT LAW

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Vancouver, WA 98660

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Vancouver 360.859.3823
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Clark County Welcomes Judge Vanderwood



DON JACOBS

Hearsay Special Correspondent

East side Vancouver attorney Derek Vanderwood got a call from Governor Inslee's office recently. The call changed his life and career forever. No longer a mere attorney, he's now joined the Clark County Superior Court bench. He replaces retiring Judge John Nichols in Department 3. Word is he also inherits Jennifer Wolfe, which should make the transition that much smoother. Judge Vanderwood had some pretty good timing with the appointment too. The judicial college was scheduled to start soon afterwards. So he immediately shuttled off to the college and is now back ready to hit the ground running. His first day on the job will be February 23rd. Of course, first he has to break the word to his clients and get someone to take over the scores of personal injury and real estate cases he was handling. Fortunately, he has been practicing law with English Marshall Lane & Vanderwood for the past fifteen years and has some very able partners to call upon.

Judge Vanderwood hails from western Colorado and is the son of an architect. His mother, when not raising four kids, was employed as a librarian. Judge Vanderwood graduated from Fruita Monument High School in Fruita Colorado. While in high school he was a class officer, was on the debate team and played tennis all three years. College took him to BYU where he graduated Cum Laude in 1990. He went into the Master's Program at BYU to earn a degree in International Relations. However, law school got in the way and he found himself at the UW where he earned his JD in 1994. After law school and the bar exam he did manage to finish his thesis to earn his MA from BYU. So our new judge can rightfully have the initials BA, JD and MA behind his name.

After law school, when not writing his thesis, he practiced law as a solo practitioner in Edmunds for two years. He did family law,

civil litigation and some misdemeanor criminal defense. This is when he had his first jury trial, a discrimination suit in federal court brought by the Church of Scientology against a cult deprogrammer. Judge Vanderwood defended the deprogrammer all through the week long trial. In 1996 he followed his wife Alison to Vancouver. Alison was a Fort Vancouver grad and has family here. After he got to town he was lucky enough to land a job with the firm of Nichols Lane & Marshall. He eventually became a partner and spent the last fifteen plus years doing primarily plaintiff personal injury, real estate and some contract matters. He's had some memorable cases over the years, including the Magana v. Hyundai case, which established important precedent for dealing with discovery violations. Known as a competent lawyer with a solid reputation, he brings important civil expertise to the bench.

Judge Vanderwood met his spouse Alison in college and the two of them went on to create a family of five with four boys and one girl. Members of the LDS church, the family has one son on a mission in Peru and the other doing his stint in Dallas. In his spare time, which, with five kids and a busy law practice probably doesn't amount to much, he fishes and plays golf.

Judge Vanderwood is looking forward to serving Clark County for many years to come. At the relatively young age of 48, he can put another 27 years in before mandatory retirement. But first he has to run for election later this year when Judge Nichols' term was set to expire.

Judge Vanderwood's investiture ceremony will be February 27th at 4:00 P.M in Judge Johnson's courtroom. A reception will be held at the Vancouver Hilton 5:00 P.M to 7:00 P.M.

District Court Bench/Bar Meeting/Free MCLE

WEDNESDAY, MARCH 25th – NOON to 1 p.m.
Judge Zimmerman's courtroom

One-hour FREE CLE: DWLS Re-Licensing Barriers in Washington State (MCLE credit pending approval)

Presenter:

Karen Campbell, Senior Attorney, Northwest Justice Project



CCBA General Meeting and Lunch

Monday, March 9, 2015

12:00 – 1:00 PM

Red Lion at the Quay

100 Columbia Street, Vancouver

**Family Law Section Report
Hearsay Report**

**Young Lawyers Section Report
CLE Committee Report**

Treasurer’s Report

In an effort to better accommodate our members
Pre-registration and payment is mandatory for lunch.

Please call the CCBA at (360) 695-5975

Or

Email ccbamanager@ccbawashington.org

Italian Buffet

Lunch: \$15.00

Directly following the meeting, the CCBA is proud to present

Jeff Williams: Founder of Speak Up Now!

Speak Up Now! helps professionals speak confidently in public, among peers and through the media. Rooted in developing confidence, poise and continual improvement, Speak Up Now teaches core speaking. Trainer Jeff Williams -- a professional speaker with radio, television, narration and voiceover experience -- is also a seasoned instructor training local business professionals.

\$25.00

1 CLE credit is pending for this presentation.

CLE—1:00pm—2:00pm

Name	Lunch \$15.00	CLE \$25.00	Total Paid

The Clark County Bar Association is pleased to announce its

Forty-Seventh Nuts and Bolts Lecture:

Collaborative Practice: A Primer

Presented by Nancy Retsinas & Howard Marshack

Wednesday, March 11, 2015, 3:00 PM – 5:00 PM

Red Lion at the Quay

The cost is \$50 for CCBA members, \$70 for non-member attorneys, and \$25 for non-attorneys.

This will get you 2 CLE credits and the speaker's prepared materials to download.

There is an extra fee if you want to pick up the materials at the door.

→ Snacks provided! ←

To register: Call the CCBA, (360) 695-5975, OR email: CLE@ccbawashington.org,

OR FAX this flyer back to the CCBA at (360) 737-6891 with your

NAME _____

PHONE # _____

, BAR NUMBER _____

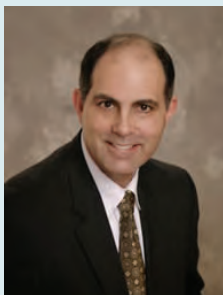
and EMAIL ADDRESS _____

~ Payment can be mailed to 500 W. 8th Street, Ste 65, Vancouver, WA 98660 or via credit card over the phone ~



Nancy Retsinas is a collaborative lawyer and mediator in Washington and Oregon, representing clients who seek out-of-court solutions to conflict. As a settlement advocate, she has extensive experience guiding clients through alternative dispute resolution processes, and understands the difference in roles between traditional advocacy and settlement advocacy. Her professional associations include: Collaborative Professionals of Washington, Association of Family and Conciliation Courts, Oregon Mediation Association, Washington Mediation Association, Oregon Association of Collaborative Professionals, and the International Academy of Collaborative Professionals. Active in her community, Nancy is a member of the Vancouver Rotary Club, and serves as a board member with numerous community organizations, including: Children's Center – a mental health agency serving children and families; H-Roc – a political action committee promoting women in public leadership; and Cappella Romana – a choral ensemble dedicated to keeping alive the

historical musical traditions of the Christian East and West.



Howard Marshack is a graduate of the Northwestern School of Law at Lewis and Clark College. He has practiced family law since 1983 when he joined Ken Weber's law firm. He has been a sole practitioner since 2003. His practice focuses almost entirely on domestic relations law. Howard is a member of the American Academy of Matrimonial Lawyers. He has frequently spoken at family law seminars. He has written and spoken about legal ethics, International Child Custody disputes, UCCJA, UCCJEA, and the practical aspects of equal parenting. For twelve years he was a member of the Executive Committee of the Washington State Bar Association Section on Family Law (1991 to 2003) and served as its chair in 1994. Howard authored chapter 24 (UCCJEA) in the Washington Practice volumes on family law when it was originally printed in 1998 and its updates through 2012. He now authors the chapters on Cohabitation (chapter 56) and Defunct Marriage (chapter 6). He served on WSBA

task forces and ad hoc committees including the Task Force on Non-Lawyer Practice of Law, Committee to Define the Practice of Law (adjunct member), the Access to Justice Family Law Task Force and the Family Law Forms subcommittee to the Mandatory Forms Committee. In 2002, the Washington State Supreme Court appointed Howard to a position on the Practice of Law Board where he served for seven years. He taught family law at Clark College for six years ending in 2002. Howard is trained mediator since 1998. He added collaborative dissolutions to his practice in 2008.

Howard hikes in central Oregon with his wife, Susan. He has to get up before dawn each morning to walk his ungrateful dog.

An outline of this presentation appears on the next page

Collaborative Practice: A Primer

CCBA CLE March 11, 2015

Collaborative Law: An Effective Approach to Conflict Resolution: This presentation focuses on introducing the practitioner to Collaborative Practice so the lawyer knows:

- What is Collaborative Practice? We will discuss the practices and techniques for settlement that replace court-processed resolution of conflict, and will introduce the practitioner to the dynamics underlying interest-based settlement negotiations.
- How does Collaborative Practice work? We will discuss preparation and conduct of the lawyer in a collaborative process, and how it differs from traditional lawyering, and will introduce the practitioner to what his or her role in a collaborative process looks like.
- When will Collaborative Practice work? We will discuss the circumstances that make collaborative practice a more attractive alternative to conflict resolution, and will introduce the practitioner to the many areas of law collaborative practice can be effective, such as in the business, civil, real estate, trust and estates, and family law arenas.
- Why Collaborative Practice? We will discuss the benefits of collaborative practice to both the client and the professional, and will introduce the practitioner to some of the science underlying how individuals in conflict process decisions.

WHEELER MONTGOMERY SLEIGHT & BOYD PLLC
ATTORNEYS AT LAW

Wheeler, Montgomery, Sleight & Boyd, PLLC is pleased to announce **Mila Boyd** has joined us as our Of Counsel attorney.

Mila brings significant experience in estate planning and personal injury law, with a focus on complex vehicle accidents and brain injury cases in Washington and Oregon. She is a past President of the Clark County Bar Association, and brings a track record of success and exemplary client service with her to the firm.

Please join us in welcoming Mila to Wheeler, Montgomery, Sleight & Boyd.



CCBA Board Meeting Minutes



LE ANN LARSON
CCBA Secretary

January 7, 2015

Called to order– 12:03 (Dunn, McLeod, Larson, Sampath, Clark, Carron) Phil Wuest and Lisa Darco present

Motion to Approve December 2014 Minutes
(DUNN/CLARK) Approved

Treasurers Report (SAMPATH)

Presented written report. Income up from the previous year due to increased dues and CLE revenue. Expenses increased this year too. Reserves increased over last month. Cash position remains strong.

Accountant has contacted Treasurer regarding 990

OLD BUSINESS

Motion to ratify electronic vote on 12/4/14 concerning staff bonuses. (LARSON/CLARK) APPROVED

NEW BUSINESS

a) Insurance Review (Dunn)

Dunn in contact with brokers to get insurance quotes for nonprofits. Received a quote from Davidson Insurance, who is our present policy carrier.

b) Hearsay Issue/ Work agreement with Gough Creative(Dunn)

Getty Images claims we used one of their images unlawfully in advertising for a March 2014 CLE. Dunn negotiated a \$250 settlement. Getty originally demanded \$775. Getty has not provided proof that the image is their registered copyright. Discussion regarding whether to just pay the settlement or engage in further dealings. Getty has sent a proposed Settlement and Release Agreement. Dunn made changes to the proposed draft, but has not yet submitted it to Getty. Discussed changes to Dunn's draft. Darco to contact Hearsay publisher to get all of his correspondence involving Getty.

Need to review insurance policy for what it covers.
Issue going forward is we need a written agreement with the

Hearsay publisher indemnifying us for any copyright claims.

c) Holiday Party Recap (Darco)

The event went well. Clark suggested more board members should attend bar functions.

d) Bar Poll / Forum (Darco)

Need another poll and forum for Judge Johnson's position. Applications due to governor 1/22/15. Governor's office wants poll results 2/16/15. Forum will be 1/26/15.

Adjourned 1:20

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Connie Henderson, Paul Henderson, and Jordan Taylor

*Medical Malpractice and
Personal Injury Attorneys*

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www.hlf-law.com

RCW 11.88 Title 11 GAL Certification Training

Wednesday, April 1, 2015—8:00am to 5:00pm
Thursday, April 2, 2015—8:00am to 5:00pm (Re-Certification)
Friday, April 3, 2015—8:00am to 5:00pm (Report Writing & Practical Experience)

Red Lion Inn at the Quay
Vancouver, WA
Breakfast and Lunch provided

21 General CEU & CLE Credits are pending for the Full 3 day Certification Training
4.5 General and 2.5 Ethics CEU & CLE Credits are pending for the April 2nd Re-Certification Training
7 CEU & CLE Credits are pending for the April 3rd Report Writing & Practical Training Only

The cost is \$500.00 for April 1, 2 & 3 Full Certification

\$275.00 for April 2 Re-Certification ONLY

\$125.00 for April 3 Report Writing & Practical Experience ONLY

Early Bird Registration paid by March 6, 2015 qualifies for a 10% discount.

To register: call the CCBA at (360) 695-5975, OR email: cle@ccbawashington.org, OR

FAX this flyer to (360) 737-6891 with your BAR NUMBER _____,

NAME _____ PHONE # _____,

and EMAIL _____

Payment can be made with credit card by calling (360) 695-5975 or
by mailing this form and a check to The Clark County Bar Association at 500 W. 8th Street, Ste. 65, Vancouver, WA 98660

Welcome to the Fourth Annual Clark County RCW 11.88 Title 11 GAL Certification and Re-Certification Training!

The purposes of this program are to provide a LOCAL AND AFFORDABLE opportunity for:

- Certification and Re-certification training for Title 11 Guardians ad Litem
- CLEs for attorneys
- CEUs for Certified Professional Guardians and others who require CEU credits
- An interesting educational experience for anyone interested in guardianship issues

Planned speakers and topics

- Dr. Derick Scovel – Dementia and Mental Health
- Dr. Stephen Meharg—Hoarding
- Judge Suzan Clark—Judicial Perspective on Guardian ad Litem Reports
- Judge Scott Collier—Function of a Guardianship and Least Restrictive Alternatives
- Christy Martin & Jo Waddell—GLBT Perspectives
- Don Grant & Christy Martin—Involuntary Commitment
- A wide variety of other topics and speakers are scheduled to present.

Note: Clark County Superior Court Administration does not require re-certification annually at this or any other training in order to remain on the registry rotation list, but encourages all interested GALs to attend this local training.

To become a GAL you must have a 3 year working history of social work with an emphasis in Geriatrics or 3 years of experience working within the community supported by RCW 11.88 Title 11.

A full 3 day outline will be made available in the near future.

SUPERIOR COURT BENCH/BAR COMMITTEE MEETING MINUTES

JANUARY 13, 2014



JOHN FAIRGRIEVE
Hearsay Special Correspondent

The meeting began shortly after noon. Persons present were Judge John Nichols, Judge Robert Lewis, Jolene Sell, Clay Spencer, Ann Christian, Karen Campbell, Dan Lloyd, Heather Beasley, Therese Lavalley and John Fairgrieve.

OLD BUSINESS:

1. Local Competency Evaluation Panel: Ann Christian told the committee that five applicants are still interested in serving on a panel of local professionals who would conduct competency evaluations in criminal cases in the future. She also mentioned that she had met recently with Prosecuting Attorney Tony Golik, Chief Criminal Deputy Prosecuting Attorney Scott Jackson, and CCSO Jail Chief Ric Bishop to discuss the logistics of such a program. Ann reported that shortly after that meeting Jeff Amram, the Superior Court Administrator, talked with a Department of Social and Health Services representative who told Jeff that the money the legislature originally allocated for the program was gone or almost gone. The representative also told Jeff that DSHS would have a better idea by January 15 if there will be money available to reimburse counties for evaluations this year.

Therese Lavalley then described a recent experience she had involving one of her clients. The client, a defendant in a criminal case, was found incompetent and the Court ordered the client sent to Western State Hospital for 90 days of competency restoration on October 28, 2014. WSH picked up the client on November 26 and returned the client to the jail on December 16. A report from WSH indicated that the client was still incompetent. The Court then signed a second 90 day order for competency restoration. As of January 13, 2015 the client was still in the jail and on a waiting list to be transported to WSH for treatment. Therese told the committee that WSH had notified

her that it wanted to reevaluate her client for competency and would be in Vancouver this afternoon to do so. She said that it is unlawful to incarcerate criminal defendants when they are supposed to be in treatment.

Judge Nichols told the committee that the superior court judges have discussed the delays. Therese said that it is unclear how much psychological or psychiatric treatment defendants get in the county jail. Judge Nichols noted that the next stage after dismissal of a felony criminal case due to the incompetence of the defendant is often involuntary treatment. Therese went on to say that she is concerned about WSH's new procedure of re-evaluating criminal defendants in jail for competency.

Ann told the committee that there is a bill pending before the legislature that would allow competency restoration to be done in the jail the defendant is incarcerated in or at a private facility. She also mentioned that there is a federal lawsuit pending filed by the ACLU and Disability Rights Washington challenging the delays in transporting defendants to WSH for treatment.

2. Readiness Hearings: Judge Nichols told the committee that the number of cases on the Readiness Docket seemed to be leveling out. Ann Christian has made the same observation.

John Fairgrieve told the committee that felony filings in the Prosecuting Attorney's Office increased last year for the sixth year in a row. He mentioned that filings are slightly down this year but that fluctuations in case filings throughout the year are not unusual.

3. Indigent Criminal Defense Contracts: Ann Christian told

the committee that indigent criminal defense contracts for this year have been awarded but the involuntary treatment act contract has not been filled. Ann said she hopes to get a RFQ for this contract out within the next week.

4. Bail in Criminal Cases: It was reported that a criminal defendant was recently released on his or her own recognizance after first appearance on the criminal felony morning docket. It was noted that this was an unusual occurrence.

NEW BUSINESS

1. Delays in Rulings on Matters Taken under Advisement by the Court: Dan Lloyd told the committee that often when judges take matters under advisement the matters languish for weeks. He mentioned that the same delays occur for motions for reconsideration. Judge Nichols suggested that in such a situation the parties send a joint e-mail to the judge's judicial assistant asking when a ruling on the matter could be expected. He further suggested that the parties wait at least two weeks after the filing of the motion or hearing before sending such an e-mail concern-

ing a motion for reconsideration; longer if the decision concerns a more complex matter. It was noted that the local custom of there being no oral argument on a motion to reconsider was started by former judge Roger Bennett.

2. 2015 Mock Trial Competition: Judge Lewis told the committee that this year's Mock Trial Competition will occur on Wednesday and Thursday, February 18 and 19. There will be six rounds, three on Wednesday and three on Thursday. Judge Lewis noted that the number of teams competing this year is down from last year, part of a trend that has developed over the past few years. The State Tournament will occur the last full weekend in March (March 28 and 29).

3. The next meeting of the committee will be on Tuesday, February 10, 2015.

Respectfully submitted,
John Fairgrieve

CCBA CLE Calendar

Register now for any of our upcoming CLEs.

N&B – Collaborative Practice: A Primer
Nancy Retsinas & Howard Marshack
March 11, 2015
3:00pm – 5:00pm
Red Lion at the Quay

GAL Title 11 Certification
April 1, 2 & 3, 2015
Red Lion at the Quay

**N&B – Fundamentals of a Soft Tissue Injury Case -
Chiropractic and legal issues**
Gavin Flynn & Dr. Tom Kelly
April 15, 2015
3:00pm – 5:00pm
Red Lion at the Quay

**N&B – How to Manage a Chronic Soft Tissue Case -
A legal and medical perspective**
Loren Etengoff
May 13, 2015
3:00pm – 5:00pm
Red Lion at the Quay

N&B – Mediation in Family Law
Meredith McKell Graff
June 10, 2015
3:00pm – 5:00pm
Red Lion at the Quay

**N&B – Working with your Medically Related
Cases- Personal Injury, Medical Malpractice
and Criminal Defense**
Wendy L Votroubek, RN, MPH, CLNC
November 11, 2015
3:00pm – 5:00pm
Red Lion at the Quay

**N&B CLEs: \$50 for Members
\$70 for Non – Members**

**General CLEs: \$35/Hour for Members
\$45/Hour for Non-Members**

Police and Body-Worn Cameras

BRANDON CAMPBELL

Hearsay Special Correspondent



Across the United States, there has been a recent focus on incidents involving the use of force by law enforcement officers. A potential shift in policing oversight appears to be on the horizon. Agencies have been called upon to outfit their officers with body-worn cameras. A body-worn camera, typically affixed to an officer's chest, captures video and audio from an officer's first hand perspective.

Diverse groups have called for the use of this technology, including calls from community leaders, the ACLU, and the executive branch. Law enforcement officials have noted that body-worn cameras may soon be, "as ubiquitous in the world of policing as handcuffs, the police radio, [or] the gun [...]." These devices have been heralded by some, as a panacea likely to reduce law enforcement's use of force and increase community trust in police.

Law enforcement professionals provide a unique and dynamic service to their communities. These men and women in blue may be called upon at any moment, to respond to incidents with the potential of exposing emotionally charged and intimate periods of people's lives. Whether it be investigating a major crime such as a sexual assault or murder, a domestic violence incident, or simply responding to a serious traffic accident involving the loss of someone's loved one, police wearing these body-worn cameras will see, and record, intimate and deeply private aspects of people's lives.

The privacy implications, for citizens of the communities in which officers may be called upon to wear these devices, are relatively apparent. The privacy concerns for officers wearing these devices might not be as immediately obvious. Certainly, many of us would shudder at the thought of our water cooler banter, or

hushed courtroom conversations, being recorded for all to hear and see. Officers should be expected to be hesitant, at times, about adopting this technology. Some danger exists that these technologies could be misused against whistleblowers, union activists, or officers that have simply found themselves on the wrong side of a co worker. Conceivably, this technology could be used to search for minor technical violations of policy, in an attempt to harm a disfavored officer's career.

Privacy concerns aside, practical issues abound related to the implementation of body-worn camera programs. Procedures must be developed to address such questions as: when (or if) officers should be able to turn the cameras off; what is the best way to retain the information in such a way that removes any potential for allegations of spoliation; how may the recordings be used; what protections need to be put into place to prevent disclosure of intimate records; and how will the information obtained by these recording devices be treated by Washington's generous Public Records Act ("PRA")?

The Seattle Police Department ("SPD") was within weeks of launching a six-month pilot program to outfit 12 of its officers with body-worn cameras, in November of 2014. The department's interest in providing its officers with body-worn cameras may have been in response to a 2011 Department of Justice investigation finding, "a pattern or practice of constitutional violations regarding the use of force [...] as well as serious concerns about biased policing [by SPD]." SPD, along with other Washington agencies seeking to implement this technology, ran into an unanticipated snag.

A citizen, only known as policevideorequests@gmail.com, requested from the SPD (among other records) all video and audio generated by SPD's planned body-worn camera program. The PRA seems to currently allow such broad requests (so long as the materials are identifiable) from anonymous requestors. An agency in SPD's shoes can only currently charge the cost of making a copy of the requested video, and not for the staff time required to redact information protected from disclosure by the PRA and other state law. The allegedly significant cost to SPD (and other agencies) in responding to these broad requests, has temporarily halted the movement in Washington for outfitting officers with this technology.

The Washington State Legislature has identified issues related to body-worn cameras as a point of interest in the 2015 legislative session. At least four proposed bills for the 2015 legislative session look to adjust the legal framework upon which these programs currently sit. These bills include proposed House Bills ("HB"): 1086, 1684, 1910, and 1917.

HB 1086 and 1684 look to pass on more of the costs associated with records requests, to the requesting party. HB 1086 states, "public agencies are increasingly burdened by broad record requests for commercial entities [...] whose purpose is to sell or resell the public records for a private profit." This proposed bill would significantly amend the current PRA allowing an agency to charge a fee to "recover its actual costs in responding to [a] request" made primarily for commercial purposes.

Proposed HB's 1910 and 1917 attempt to deal with some of the practical legal issues, likely to arise, as agencies look to initiate these body-worn camera programs. HB 1910 would limit the use of audio and video evidence developed by these systems to, "investigations of potential law enforcement misconduct." The bill would limit the admissibility of this evidence to, "action[s] or proceeding[s] relat[ed] to or aris[ing] as a result of law enforcement misconduct." This language would seem to make much of the potential evidence developed by these systems inadmissible, for the benefit of the prosecution, in the average case. It may be the evidence contained in these records could still be used by the defense, to show alleged violations of criminal procedure. However, the language and tone of the bill do not make it clear this potential evidence would be admissible for this purpose. HB 1917 would limit the disclosure of records generated by body-worn cameras. This bill would also expressly preclude arguments for suppression of evidence gathered when an officer's body-worn camera was turned off.

Changes in the ways we attempt to "police" our police may be coming. Some legislative action, addressing these concerns, is currently underway here in Washington. The growing pains resulting from implementing body-worn camera programs look to have significant implications for many legal professionals. We will all just have to wait to see how these changes may impact those practitioners who utilize the PRA or who may have to deal with records generated by these programs at the trial level.

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[facebook.com/CCBAWA](https://www.facebook.com/CCBAWA)



Incardably Creative



HEATHER J. NORTON
Hearsay Special Correspondent

So there I was. Pen poised over my paper. . .my brow furrowed . . .beads of sweat forming at my temples. And still-- I was coming up empty. I felt as though my entire career hinged on this moment. It was so important I just HAD to get it right. Mess this up, and it could permanently alter the world's perception of me . . . forever!

****Exasperated sigh****

Who knew creating a business card could be so darned difficult!? But surprisingly, I found it to be just that when I recently took a stab at designing a new “look” for myself. No offense to my colleagues, but I personally think that, generally speaking, lawyer business cards are BORING! Most of them either use the same blasé serif lettering or some sort of over-used legal scales (unless you're Don Jacobs—his are cool). I wanted my business card to stand out! . . . to be different! . . . to be noticed! I wanted to hand folks my card and watch as they glanced at it and then took a second look because it was so darned awesome! But when it came to actually designing one, it was surprisingly challenging. After all, how does one push the boundaries of creativity while still maintaining a sense of professionalism?

I mentioned my woes to attorney Josh Pops during court one day. Josh chuckled and told me he had actually attended an entire one-hour CLE that focused solely on business cards. (An entire hour! . . . Just on business cards!) As my luck would have it, Josh did not save his notes. So I went online to see what other creative attorneys had done. I found a divorce lawyer who had perforated his card down the middle (clever). There was the criminal defense lawyer who presented his business card in a “sleeve” that resembled jail bars (creative). And then there was the breast implant litigation attorney who . . . well . . . perhaps that's not appropriate to mention in Hearsay.

But it got me thinking—What are the fundamentals to creating an effective business card? And better yet, which Clark County attorneys have the coolest ones? The following is a handy list of tips for creating attention-grabbing cards, along with pics of some of the more creative cards I came across. Take a look and see how your business card measures up. More importantly, consider entering the first annual (and probably “only annual”) CCBA business card competition! Mail or email your business card to the CCBA office. (Or better yet, drop it off in person. They have good chocolate at the front desk this month). We will have two contests: 1) a random drawing, and 2) a who-has-the-coolest-business-card-contest.[1]

The prize will be a gift card in an embarrassingly nominal amount to Starbucks or BleuDoor Bakery (or something like that) . . . PLUS the satisfaction of beating out all your colleagues. Submit your business cards no later than Friday, March 13th.

11 Tips and Tricks for Creating Stunning Business Cards^[2]

1) Who, What, Where, Why?

This is obvious, but the first and most important thing to consider is the information you want to convey. Make sure your primary info, you're your name, job title, and company name/logo, are clearly displayed. Think carefully about which contact details to include. You need to strike a balance between providing enough points of contact, without making your card look cluttered.

2) Make it Readable

If you've got a lot of information to display, you may be tempted to shrink the size of your text. Beware—small text can often look readable onscreen, but turn into an illegible smudge when printed. As a general rule of thumb, don't go smaller than 8pt. Also, don't forget about the font itself: keep it professional and simple—don't be tempted to use Comic Sans, or a detailed calligraphic font, which is impossible to decipher.

3) QR Codes

Another way of saving space is to create a QR code for your card. They provide a neat way of including a lot of information on a business card, without making it look cluttered. It's also an easy way to create a link between your printed and online content—by scanning the code, people can automatically be sent to your website. There are plenty of free QR code generators on the web, so getting technological doesn't have to break the bank.

4) Colorful or Plain?

Bright colors, when used correctly, can make a business card stand out, and look distinctive. This tactic is often used by design and creative businesses, with the aim of appearing fresh, exciting and original. However, don't underestimate the power of simplicity. A plain black and white design can be as memorable and striking as a colorful card—and can often be seen as more ‘stylish’ too.

5) Embossing

If you're concerned about a black and white card looking dull, try

^[1] The selection committee will be comprised of random attorneys, judging on random yet-to-be-determined criteria.

embossing the words. Embossing creates a raised, 3D effect, which adds elegance and style to a business card. Embossing also makes the card more tactile. Research has shown that engaging more than one sense at a time can improve recall of an object, so people would be more likely to remember your business.

6) Color Choice

It's wise to keep your business cards in line with the rest of your company's branding. If you have company colors, use them. Be careful to choose complementary colors. Clashing colors can look tacky and unprofessional on a business card. If in doubt, use an online color-matching tool.

7) Visual Content

Pictures speak louder than words. This is true for business cards. While you need to have written content on one side of the card, think about saving the other for something more visual. Perhaps you could use the space to display an image of your product, or something related to your business. Or, put your company logo on the back of the card. Whatever you do, don't leave it blank—it's often claimed that people don't look at the back of business cards, but that's simply not true. Just think about how many times you've been given a card, and flipped it over to check. . . .

8) Borders and Bleeds

Don't use borders in your card design. This is for a purely practical reason—no matter how much attention is paid, printing is never 100% completely precise. A perfectly symmetrical border on your screen may come out lopsided, thanks to minute movements in the printing machine. Printers recommend leaving a 3mm Bleed—an area the same color as the background—around the edges of your card, purely for this reason.

9) The Safe Area

Along with the bleed, printers also usually specify a "safe area" in the center of the card. Keep any important information—like contact details—within this area, to avoid it being cut off during the printing process.

10) Paper Thickness

Consider the thickness of your business card. Thicker cards tend to feel more expensive—making your business seem more professional. Try thinking of your card as you would a handshake—nobody likes a limp handshake, so why would they like a limp business card?

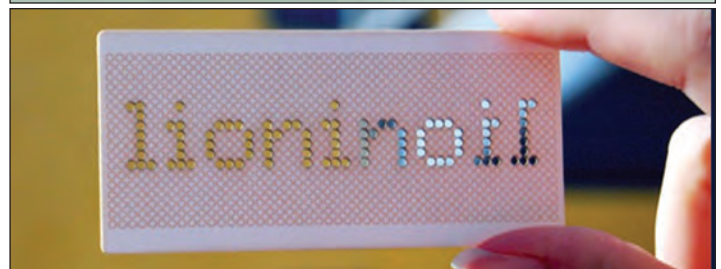
11) Keep it Simple

You might be tempted to use an unusual material for your business card. While this will certainly be memorable, bear in mind the practicality of your chosen medium. People often write extra details on business cards—such as where they acquired the card. This is much more difficult to do on metal, wood, or even meat.

^[2] Taken from "11 Tips and Tricks for Creating Stunning Business Cards" at www.creativemarket.com; Original article was written by Rob Young of moo.com, a design and print company.

WILDLY CREATIVE BUSINESS CARDS ^[3]

Need to get your creative juices flowing?
Take a look at these...



^[3] Taken from "250 Examples of Creative Business Cards Designs" at www.icanbecreative.com; <http://www.icanbecreative.com/creative-business-card-design-tutorial.html>

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Did They REALLY say THAT?!?

*Our readers enjoyed last month's court bloopers so much, we'd thought we'd give you a few more. These courtroom blunders were taken from Mary Louise Gliman's books, *Humor in the court* (1977) and *More Humor in the Court* (1984).*

THE COURT: Now, as we begin, I must ask you to banish all present information and prejudice from your minds, if you have any.

ATTORNEY: Did he pick the dog up by the ears?

WITNESS: No.

ATTORNEY: What was he doing with the dog's ears?

WITNESS: Picking them up in the air.

ATTORNEY: Where was the dog at this time?

WITNESS: Attached to the ears.

ATTORNEY: When he went, had you gone and had she, if she wanted to and were able, for the time being excluding all the restraints on her not to go, gone also, would he have brought you, meaning you and she, with him to the station?

OPPOSING COUNSEL: Objection. That question should be taken out and shot.

ATTORNEY: What is your relationship with the plaintiff?

WITNESS: She is my daughter.

ATTORNEY: Was she your daughter on February 13, 1979?

ATTORNEY: Now, you have investigated other murders, have you not, where there was a victim?

...and what did he do then?

WITNESS: He came home, and next morning he was dead.

ATTORNEY: So when he woke up the next morning he was dead?

ATTORNEY: Did you tell your lawyer that your husband had offered you indignities?

WITNESS: He didn't offer me nothing; he just said I could have the furniture.

ATTORNEY: So, after the anesthesia, when you came out of it, what did you observe with respect to your scalp?

WITNESS: I didn't see my scalp the whole time I was in the hospital.

ATTORNEY: It was covered?

WITNESS: Yes, bandaged.

ATTORNEY: Then, later on.. what did you see?

WITNESS: I had a skin graft. My whole buttocks and leg were removed and put on top of my head.

ATTORNEY: Could you see him from where you were standing?

WITNESS: I could see his head.

ATTORNEY: And where was his head?

WITNESS: Just above his shoulders.

ATTORNEY: What can you tell us about the truthfulness and veracity of this defendant?

WITNESS: Oh, she will tell the truth. She said she'd kill that sonofabitch - and she did!

ATTORNEY: Do you drink when you're on duty?

WITNESS: I don't drink when I'm on duty, unless I come on duty drunk.

ATTORNEY:...any suggestions as to what prevented this from being a murder trial instead of an attempted murder trial?

WITNESS: The victim lived.

ATTORNEY: Are you qualified to give a urine sample?

WITNESS: Yes, I have been since early childhood.

ATTORNEY: The truth of the matter is that you were not an unbiased, objective witness, isn't it. You too were shot in the fracas?

WITNESS: No, sir. I was shot midway between the fracas and the naval.

ATTORNEY: What is the meaning of sperm being present?

WITNESS: It indicates intercourse.

Male sperm?

WITNESS: That is the only kind I know.

ATTORNEY: (Showing man picture.) That's you?

WITNESS: Yes, sir.

ATTORNEY: And you were present when the picture was taken, right?

ATTORNEY: Was that the same nose you broke as a child?

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Hearsay Profile:

Katie Archer

Home: I am proudly a third-generation Vancouver resident, having grown up in the Hazel Dell area. I graduated from Columbia River High School, earned my associates degree from Clark College, graduated with my bachelor's degree from WSUV, and then went on to earn my J.D. from Willamette University College of Law.

Age: 33 years old.

Profession: I am excited to announce I am the newest Associate Attorney to join Elizabeth Christy Law Firm, PLLC! I will primarily practice in the area of family law. I'm happy that I'm practicing in my hometown, and helping the community I was raised in.

Hobby: Remodeling my home. Refinishing the original hardwood floors was the hardest physical labor I've done in a long time. My specific job was to hand-sand the edges of the rooms and closets (where the drum sander wouldn't fit). After sanding the floors six times, I was convinced by the end of the project that I had arthritis in my hands. Thankfully, my hands returned to normal after about a week.

Last Book Read: Condoleezza Rice's memoir *Extraordinary, Ordinary People*. I once had the privilege of meeting Ms. Rice when I worked for an investment firm in California. She was running late to a meeting, and I was asked to debrief her on the status of the meeting, and also make her feel welcomed. I found myself a bit star-struck by her. She was polite, confident, and very personable. The years went by, but I remained fascinated by her. This book eloquently puts into perspective why she is the woman she is today.

Legal Philosophy: My personal belief is that it's fundamental to respect the law, respect the court, respect my clients, respect myself, and respect my colleagues. This philosophy allows me to stay well within my ethical obligations, gives me the ability to make good decisions, convey good advice, and communicate effectively.



Latest Accomplishment: Refinishing those hardwood floors! All kidding aside, my latest accomplishment was running my last campaign for a local state representative. Even though, she unfortunately lost her seat, we ran the toughest race in the toughest district in Washington State. Our motto was "no regrets," and looking back I have none. I know how hard we worked and I know we did it with integrity, so I'm very proud of that.

Why I Do What I Do: It's rewarding to me that I can assist people with life's challenges. I believe it's a privilege to practice law, to listen to clients tell me about themselves, and to be able to use my intellect to help them with their problems. I'm motivated by the challenges of practicing law, and I love that there is always something new to learn.

Profile:

Beverage of Choice: Coca-Cola! I know how terrible it is for me, but I still drink one can almost every afternoon. I can even tell when I'm served Pepsi in a restaurant.

A Sound View of Expansion

Have you noticed a new moniker for our friends over at Miller Nash? They are now Miller Nash Graham & Dunn, LLP. LeAnne Bremer is excited for the new configuration and shares her thoughts about her “new firm”:

Looking out over the placid waters of Elliott Bay on Pier 70 in Seattle for the first time last year, I fervently hoped that Miller Nash LLP would join forces with Graham & Dunn PC— not necessarily for its spectacular setting, but for the promise of a stronger firm with expanded capabilities and deeper experience. The views would be a bonus. The unique location is a converted, architecturally appealing warehouse near Olympic Sculpture Park, notable for the filming location of MTV’s *The Real World Seattle*, and is what the Seattle office of Miller Nash Graham & Dunn now calls home.

Miller Nash’s recent combination with the respected and established Seattle-based law firm of Graham & Dunn on January 1, 2015, offers many positive benefits, including to the local Vancouver office and our clients, and to the southwest Washington community in general, by paving the way for additional business growth and service to the local community from this office. On their own, both firms were strong in serving the banking, business, and public sectors by providing legal services on a variety of commercial and litigation matters. Together, their proficiencies solidify and increase the

combined firm’s depth in natural resources law, litigation, banking, estate planning, land use, real estate, condemnation, and other key areas. The combined firm now has 160 lawyers in five offices in Washington, Oregon, and California. I believe our shared values, similar culture, and solid client base will easily translate into growth in our business firmwide, including in Vancouver and southwest Washington. To that end, we hope to continue to grow and to add talented attorneys in this community as well, as the recovery continues and the potential of the combination is realized.

Frankly, we expect to be busier, here and firmwide, and after the lull created by the Great Recession, busier is welcomed. While the combination may have the most immediate effect in Seattle, we will also see the benefits. And Vancouver’s views of the Columbia River and Mount Hood are pretty spectacular too.



LAW LIBRARY NEWS



MARIA SOSNOWSKI
Law Librarian

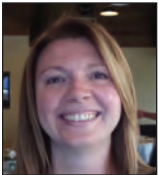
FOR SALE - THROUGH MARCH, 2015

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

1. Civil Jury Instruction Handbook, Wa Practice v. 6B, 2012-2013
2. Motion in Limine, Wa Practice v. 30, 2012-2013, book plus CD
3. Insurance Law and Litigation, Wa Practice v. 35, 2012-2013
4. Qualified Domestic Relations Orders, West, 2013-2014
5. Represent Yourself in Court, NOLO, 8th ed.
6. Rules Practice, Wa Practice v. 2, 2012 pp.
7. Rules Practice, Wa Practice v. 2A, 2012 pp.
8. Rules Practice, Wa Practice v. 3, 2012 pp.
9. Litigating Employment Discrimination Cases, James, 2013, 2 vol.
10. Public Records Act Deskbook, WSBA, 2010 supp
11. Guide for Immigration Advocates, 18th ed, ILRC

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

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Note: From a register, if used, you cannot view or enter a split transaction that includes items ~ to see items, display the check and click on Items tab.

To enter a new split transaction

1. Click in the blank entry at the end of the register.
2. If you want a different date from today's, click in the Date field and choose a date.
3. Click in the Number or Ref field and review the number that prefills for you. Change the number if you want the transaction to have a different one.
4. To mark the check as "To be Printed", enter T in the

Number or Ref field.

"To print" appears in place of the check number. (The check number reappears after you print the check.)

5. Enter the payee.
6. In the Payment field, enter the total amount of the transaction. If you don't know the total, leave the Amount field blank. QuickBooks totals the amount as you fill in the splits and displays it in the Payment field.
7. Click the Splits button on the left side of the register, at the bottom. The splits area opens.
8. In the Account field, enter an account.
9. In the Amount field, enter the amount to be assigned to this account. QuickBooks subtracts the amount entered from the total amount and displays the remainder on the next free line of the Splits window. If you left the transaction amount blank, QuickBooks adds the split amount to the transaction amount.
10. (Optional) In the Memo field, enter a note about the split amount.
11. In the Customer:Job field, enter the name of a customer or job.
12. If you are not using QuickBooks billing and checkbox is marked, click in the Billable? column to clear the checkbox.
13. If you are using classes to track additional information, enter a Class.
14. Repeat steps 8 through 13 as needed.
15. Click Record to record the transaction.

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360.696.7499 fax
eva@dsandblaw.com

David T. McDonald

833 SW 11th Avenue, Suite 625
Portland, OR 97205
All other contact information remains the same.

PRESS RELEASE:

Philip Wuest has joined Black Helderline LLP. Philip's practice focuses on real estate transactions, land use and environmental permitting, real estate litigation, and construction contracting.

UPCOMING EVENTS

MEETING

February 27, 2015

Judge Derek Vanderwood Investiture
Clark County Courthouse - 4:00pm

SOCIAL

February 28, 2015

CCBA Barrister's Ball
Royal Oaks Country Club

MEETING

March 4, 2015

CCBA Board Meeting
CCBA Office Noon - 1:00pm

MEETING

March 9, 2015

CCBA General Meeting
Red Lion at the Quay 12:00 - 1:00pm

CLE

March 9, 2015

CLE - Jeff Williams of Speak Up Now!
Red Lion at the Quay 1:00 - 2:00

MEETING

March 10, 2015

Superior Court Bench/Bar
Clark County Courthouse - Noon

CLE

March 11, 2015

Nuts & Bolts CLE: Collaborative Practice
Red Lion at the Quay 3:00pm - 5:00pm

CLE

March 12, 2015

Family Law Section Lunch & CLE
Vancouver Hilton 11:30am - 1:00pm

MEETING

March 17, 2015

Hearsay Committee Meeting
CCBA Office Noon - 1:00pm

CLE

March 18, 2015

Inns of Court
South Pacific Rum Bar & Grill 5:00pm - 6:30pm

CLE

April 1, 2 & 3, 2015

CLE: GAL Title 11 Training
Red Lion at the Quay 8:00am - 5:00pm

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Bankruptcy	3
Business & Corporate	15
Consumer	14
Criminal	7
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Family Law	22
General Litigation	47
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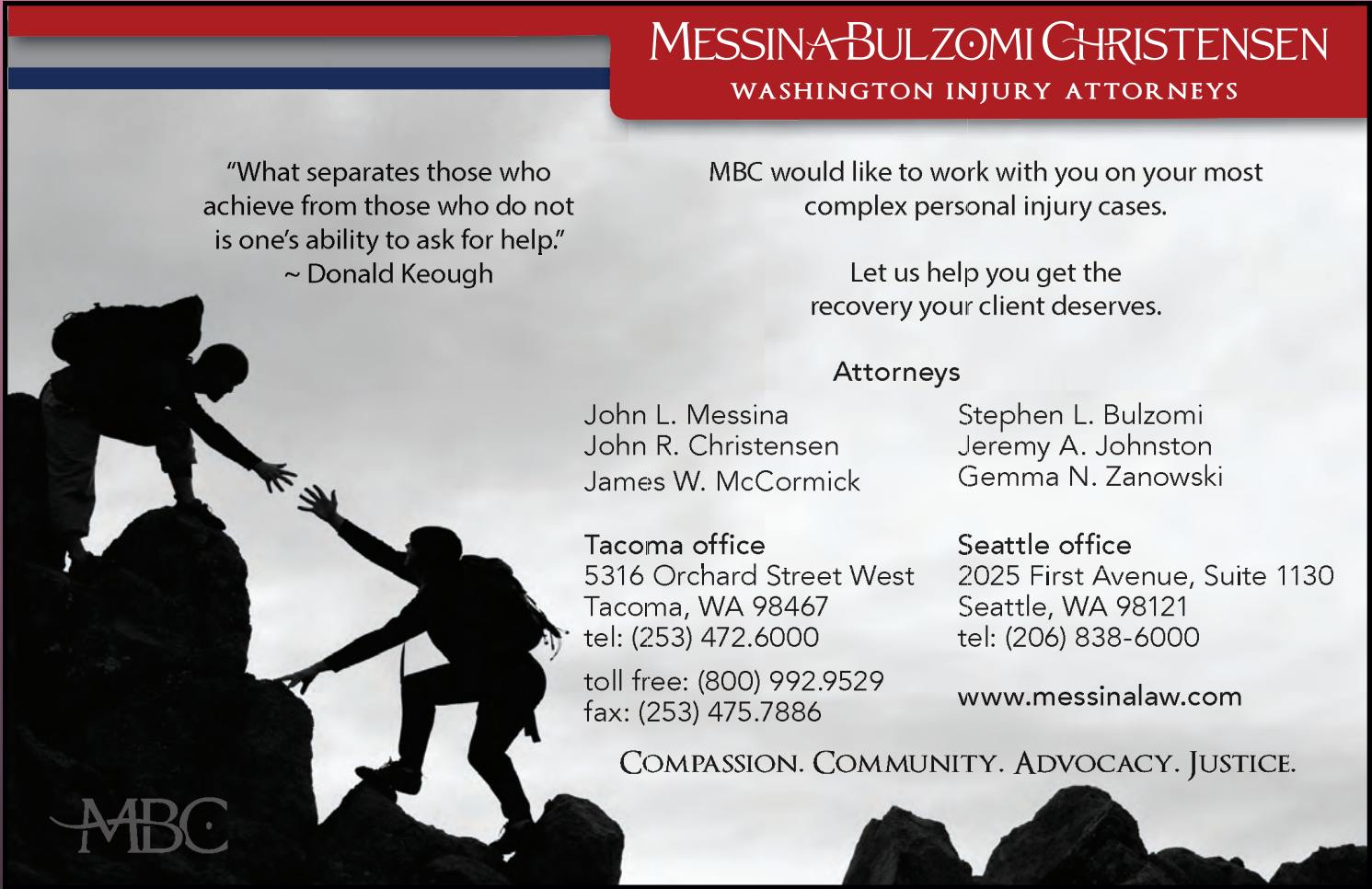
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