

# HearSay

THE OFFICIAL MAGAZINE OF THE CLARK COUNTY BAR ASSOCIATION

July 2020





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# HEARSAY MAGAZINE

*The CCBA's Official  
Members' Magazine*

*The Clark County Bar Association is a professional organization that serves to support our local attorney community through providing education and networking opportunities designed to enhance and foster better relationships within the local legal community.*

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## MEDICAL MALPRACTICE WRONGFUL DEATH PERSONAL INJURY

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# July Hearsay Contributors



**Paige  
Spratt**

*Schwabe, Williamson & Wyatt PC*

Paige practices Real Estate and Construction law at Schwabe, Williamson & Wyatt. She is the current President of the CCBA.



**Brad  
Thayer**

*Schauermann, Thayer, Jacobs,  
Staples & Edwards, P.S.*

Brad's practice focuses on personal injury, auto accident, biking accident, and insurance cases.



**Art  
Bennett**

*Alfred Bennett Law Firm*

Art is a Clark County defense attorney, who is active in the community through his dedication to the Hearsay Committee.



**Jill  
Sasser**

*Landerholm Law Firm, P.S.*

Jill Sasser's practice emphasizes estate planning, trust and estate administration, probate, and guardianships.

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# YOUR FAMILY'S LAW FIRM.



*Gevurtz Menashe*  
FAMILY LAW · ESTATE PLANNING



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# PRESIDENT'S MESSAGE

by: Paige Spratt

As you can imagine, my CCBA presidency has not been what I imagined. I don't think anyone could have imagined that their 2020 would end up like this. My goal for my CCBA presidency as to focus on sponsorships, so that the organization was not dependent on the membership due for its expenses. That goal was sidetracked in March, when a large construction law CLE I was planning (to include sponsors) was derailed by COVID. It was further derailed when we essentially had to stop providing CLEs and social events for the foreseeable future.

The CCBA has primarily served as an education, social, and networking organization since (at least from what I can gather) its inception. It's a place for attorneys (and those folks who work with attorneys) to get CLE credit and socialize with other lawyers, judges, and service providers in our community. We host great events like Barrister's Ball, Bowling with the Judges, the CCBA BBQ, the Softball tournament, the Golf tournament, the Holiday Party, happy hours, etc. These amazing events are not only a ton of fun (lawyers can party!) but they facilitate great working relationships in our legal community. One of the benefits of our CLEs is that they are in-person and allow us to connect, while enjoying delicious snacks (more like a meal) at Warehouse '23.



But what about now? How do we conduct CLEs or social events in our post-COVID world? Are the days of social gatherings and in-person CLEs over? Do we need to rethink how our organizations engage with our members, so we can stay relevant and meet the needs of our community? Yes! And we are actively working on doing just that. Thanks to Lisa and Mariah, we have worked with the Clark County District and Superior Courts to stay connected and apprised of what is going on. Since May, we have hosted Zoom meetings with our judges to provide updates from the courthouse. We offered a free CLE on Zooming with the courts and we are actively working to offer more remote CLEs to our members. These past events have been free to all attorneys, however, come September we are going to need to limit these events (going forward) to members-only, as a benefit to membership.

We are also thinking of ways that we can provide virtual happy hours or socially-distanced events. We miss our members! We miss you! We had hoped to hold a BBQ-style, socially-distanced event in September, but with the surge in COVID cases and changes to Phase 3 requirements, we had to cancel it this year. I am personally devastated. I love the BBQ...visiting with Judge Melnick...seeing all of the friendly faces of our bar community...enjoying a Renaissance ice cream...it is seriously the best event.

We want to host these events but now we have to rethink how we can do that. If we're unable to host in-person events, our services becomes more limited and our beloved bar association becomes less relevant. That is why we need your help – how can the CCBA help you in this (beyond) difficult time? How can we change our member services to best meet your needs during and after the pandemic? Do you want more CLEs? Do you want virtual happy hours with your favorite public defenders or a virtual poker tournament with the judges? Do you need information on the courts or the bar? Please let us know! You can email Lisa Darco at [EMAIL ADDRESS] with your ideas of how we can assist you during and post-COVID, so we can continue to stay relevant.

When I think about the purpose of the CCBA, I realize that the real purpose of our organization is to keep our legal community connected. While one day (hopefully, soon) we hope to connect with you in-person, we need to figure out ways we can stay connected without being in-person. This connection is so important, so we can continue to learn and grow from each other. This community is amazing and I am very proud to be a part of it. Stay strong friends. We'll get through this together. In the meantime, let us know – how can we help you?

Also, if you're interested in being a part of the CCBA as we begin re-thinking our services, please apply to serve on the CCBA Board of Trustees. It's a great way to connect with our legal community.

I leave you all with an updated pictures of my COVID-puppy "Blue" on a recent camping trip and my snuggling on the couch with our golden retriever "Sully."





**PROSECUTING ATTORNEY | ANTHONY F. GOLIK**

**SCOTT D. JACKSON**  
Chief Deputy

**CAMARA L. J. BANFIELD**  
Chief Criminal Deputy

**EMILY A. SHELDRIK**  
Chief Civil Deputy

**GAYLE HUTTON**  
Administrator

**JOINT LETTER FROM THE  
CLARK COUNTY PROSECUTING ATTORNEY'S ACTION AND REFORM COMMITTEE AND CLARK  
COUNTY PROSECUTOR TONY GOLIK**

July 7, 2020

Systemic racism exists in Clark County, in Washington State, and throughout the entire United States. To deny it is to perpetuate it. Systemic racism has its roots in our history, our laws, and our culture. But it is not always overt and obvious. It is hidden in the structures of our society. Even when its operation is invisible, its devastating, generational impacts can be seen throughout our community.

We know systemic racism exists because those who experience it and suffer from it are telling us it does. That should be enough, but, if it is not, empirical evidence also tells us that systemic racism exists. Recent studies looking at our community have identified racial disparities in public schools' discipline and hiring practices, in higher-education outcomes, and in access to healthcare.

Acknowledging a problem is the first necessary step in meaningfully addressing it. The long overdue open dialogue that has begun in our county is encouraging and we commend Clark County Sherriff Atkins and Vancouver Police Chief McElvain on taking a first step towards validating the community's concerns and moving towards productive discussion by removing the "thin blue line" and "blue lives matter" iconography from county and city property. Our law enforcement community is listening and learning, and we commend that process and progress.

We recognize that while the removal of these symbols was a meaningful gesture, it was not an easy one. Symbols have deep meaning, but their meaning is not always universal. Symbolism and imagery often morph over time, and our choices to use them or not must occur in the context of what they mean at this point in time. When a symbol represents separation and division to a marginalized group in our community, it is important that we listen and reflect on what message that symbol sends. It is imperative that we work through the pain and discomfort the resulting dialogue may bring in an effort to right the wrongs that have persisted in this country since before its inception.

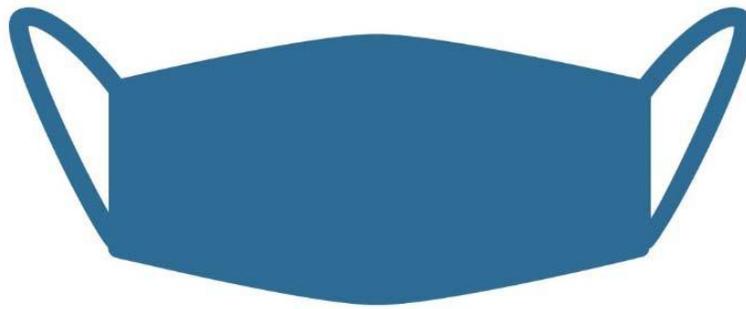
When we hear difficult truths about our community, we must reject the instinct to be defensive. We must reject the desire to put ourselves in the right and we absolutely must reject the temptation to turn a blind eye and say that racial inequity and systemic racism are only problems in other communities. We need to put aside those instincts to truly be able to hear what marginalized voices are saying.

The Clark County Prosecuting Attorney's Office acknowledges that systemic racism exists in the criminal justice system, of which we are a part. We are dedicated to intentionally and actively identifying and eliminating racial inequities in our office, our courts, and our community here in Clark County. It is time to change. What we have been doing as a society simply is not working. We in the Prosecuting Attorney's Office have the power to evaluate policies, laws, and practices to change those that have contributed to institutional racism. We make the commitment to the community to actively educate ourselves and listen to the members of our community who have been impacted by systemic injustice. We commit to pursuing anti-racist policies to truly ensure equal justice under the law.

*DRW*  
Deborah Wechselblatt,  
Senior Deputy Prosecuting Attorney & Chairperson  
CCPA Action and Reform Committee

  
Tony Golik  
Clark County Prosecuting Attorney

# **CLARK COUNTY COURTHOUSE JUVENILE COURTHOUSE FAMILY LAW ANNEX**



## **FACE COVERINGS REQUIRED**

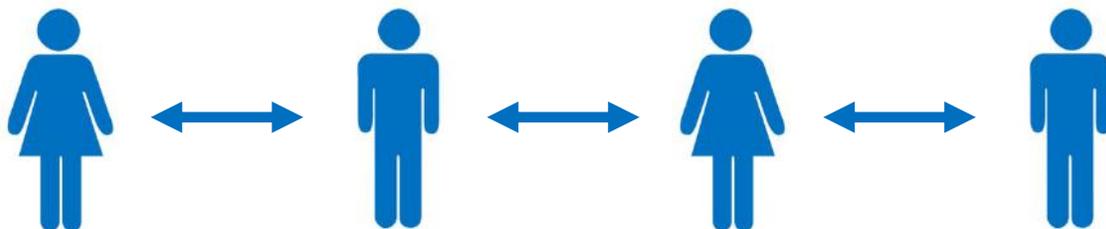
**Thank you.**

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You are required to wear a face covering while in the Clark County Courthouse, Juvenile Courthouse, and Family Law Annex per District Court GAO 2020-09 and Superior Court GAO 2020-13. The public is encouraged to bring their own masks. If you do not have a mask, one will be provided at entry to the building.

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**PLEASE PRACTICE SOCIAL DISTANCING**



**MAINTAIN A 6 FOOT DISTANCE FROM OTHERS**

## *Dear Vancouver Area Attorneys:*

You well know that the Covid-19 global pandemic has seriously impacted most everyone and everything – including our Clark County Courts. As Washington eases back into opening for business, the need to protect our judges, court staff, litigants, and visitors is vital. Accordingly, this is a call for help in donating disposable or washable masks (not required to be N95 masks), or funds to be used to purchase such masks. Please send checks to the CCBA office and write “Masks” in the memo line.



## ***COLLECTION SITES:***

Clark County Superior Court

1200 Franklin St.

Vancouver, WA 98660

707 W 13th Street

Contact person: Dolly Warden, Dolores.Warden@clark.wa.gov

Samuels Yoelin Kantor's Vancouver Office

(Old Bell Building)

112 West 11th Street

Suite 200

Vancouver, WA 98660

Contact person: Laura S. Nelson, lnelson@samuelslaw.com

Jeffrey D. Barrar, P.S./Vancouver Defenders

2300 Main Street

Vancouver, WA 98660

Office: 360.906.7234

Contact person: Christie Emrich, cemrich@barrarlaw.com

With so much out of control right now, let's each take a positive step toward helping others.

With gratitude,

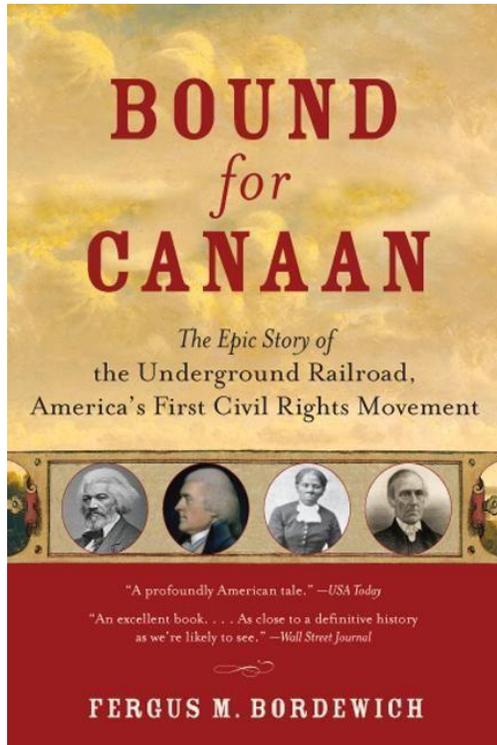
Laura S. Nelson and the CCBA

# Quarantine Fashion

*The COVID-19 global pandemic and health crisis has “cramped” quite a lot in terms of our everyday existence, but it hasn’t “cramped” our collective style! Whether it’s: “business up top, chillin’ down below”; wacky hairdos or facial hair fun; shelter in residence clothing recommendations for comfy living or business lounging favorites; or, PPE that really pops with personality—we’ve gotten some fantastic photo submissions from our readership to date and we’d love some more! Share yours today by e-mailing Lisa Darco ([ccbamanager@ccbawashington.org](mailto:ccbamanager@ccbawashington.org))!*

*Top to bottom, left to right: Christina Phelan, John Terry, Tom Carley, Jason Bailes, Elizabeth Arwood, Juliet Laycoe, Nathan Petersen, Lisa Darco, Scott Staples*





## ***Bound for Canaan: The Epic Story of the Underground Railroad, America's First Civil Rights Movement***

By: Fergus M. Bordewich

Published 2006 (paperback), Harper Collins  
540 pages, including notes and index

*Book Review by: James Smith*

I received this book as a Christmas present and set it aside, fearful it would make for dry reading. In mid-March, as the pandemic began its unrelenting spread, I pulled it off the bookcase. My fears soon proved unfounded, as it made for a highly engaging, quick, and compelling read. *Bound for Canaan* details the history of the Underground Railroad from the early 1800s until its ultimate victory in 1865 with the abolition of slavery. Given recent events, this history is more vital and urgent than ever.

Drawn from contemporary articles, personal letters, and other primary 19th century sources, a vivid and comprehensive portrait emerges of the movement. Early chapters sketch its beginnings as a largely ad hoc alliance between enslaved Black Americans seeking freedom, Black freemen, and radical Quaker abolitionists in North Carolina and the border states. As the struggle over slavery consumed the nation, later chapters detail the group's evolution into a sophisticated and well-financed, though decentralized, multiracial movement operating with significant popular support in major Northern cities such as Boston, Philadelphia, and Detroit. Violence and threats are ever present in this tale, and many gripping passages detail Black Americans' harrowing experiences along the path to immediate freedom in the North and ultimate safety in Canada, the promised land of the title.

The best histories allow contemporary readers to connect, across the gulf of time and cultural change, with the figures of the past as the real people they were. Well-known

figures such as Harriet Tubman and Fredrick Douglass are first introduced using their birth names, a longstanding, yet effective, method of gradual revelation. Other individuals, less well known to this reader at least, emerge just as clearly drawn. The limitations of space prevent a full explanation, but I encourage learning more about David Ruggles, Levin Coffin, John Rankin, and Harriet Jacobs, among many more. Each contributed immensely to the movement, and all are shown in their full humanity.

In addition to convincing personal depictions, the Underground Railroad's relationship with other social forces is examined. In particular, the book argues convincingly that it functioned as a seedbed for women's suffrage and equality. The centrality of religion to the movement is explored in depth and is shown as providing the motivation, mode of argument, and cohesive force uniting different groups together as one.

By synthesizing prior accounts and making research more accessible, *Bound for Canaan* reveals the Underground Railroad as our country's first movement that successfully brought together different races, creeds, and genders to struggle against racism and oppression. History and people are far too complex to simply repeat themselves, but at times the past echoes in the present. In this moment, when so many commit themselves anew to seek a more just and perfect society, a study of our shared history may provide hope and inspiration.

## *News You Can Use*

**Change of Address: GEVURTZ MENASHE, PC: 409 W 9th Street, Vancouver, WA 98660**

**A Message from the Clark County Clerks: Based on increased foot traffic in our office, the Clerk's Office is no longer able to provide phone calls when ex-parte documents are ready. Ex-parte documents will be available by 3pm (paper copies) and Liberty images will be available for viewing by 10 am the next business day.**

# Volunteer of the Month June 2020

Interviewed by:  
Audra Morrison

## *Marlene Nagel Hansen*



Marlene Nagel Hansen is one of our "OG" volunteers, working with us and our clients for a little more than 4 decades (before we were even an official organization!). What sets Marlene apart from the pack is her kindness and warm demeanor with every client she sees, no matter how difficult their situation may be. In 2010, Marlene was honored as our "Volunteer of the Year" for her dedication and compassion. While her lifetime record is much higher, in the last 3 years alone, Marlene has put in **460 hours** of pro bono work. In dollar amount, that's **\$115,000** worth of free work! We decided to sit down with Marlene and see what it is that drives her to give back to the community.

**A: How long have you been practicing law?**

M: I have been practicing since 1978, after graduating from Lewis and Clark Law School.

**A: You have traditionally only practiced family law, why is that?**

M: I like practicing family law because I like working to help people positively move forward in their lives. There is no winning or losing in family law, the best thing we can do is work to make a positive impact on a client's future.

**A: What made you want to start volunteering with the CCVLP?**

M: When I was fresh out of law school I was eager to get to work. I walked into Ken Weber's law firm and told them I was in need of experience. They told me to go down to the Clark County Volunteer Lawyers Program (which was not much at the time) to get some practice in. I went down there and picked up my first family law case, which was against then attorney James Ladley (before he was Judge Ladley). It was my first case ever and we settled it after just a few conversations. I have been volunteering ever since.

**A: Why is continuing to volunteer with the CCVLP so important to you?**

M: Law is a profession, not a job so I believe all attorneys have a duty to volunteer. Why would I stop helping people in need when I have the ability to?

**A: When you're not practicing law, what are some other things you like to do?**

M: I enjoy taking walks and working on my garden with my husband. When we are not finding the next plant to put in our yard, we are spending time up North in our restored cabin



Marlene in 2010 accepting the "Volunteer of the Year" award

# Bookkeeping Tips:

Here is a PPP (Paycheck Protection Program) loan forgiveness tool that includes both an expense tracker and loan forgiveness calculator for both 8 weeks and 24 weeks covered periods. To check out, go to [www.clvalue.com](http://www.clvalue.com) and scroll down to the bottom. Following is a brief description from [www.PPPEXcel.com](http://www.PPPEXcel.com) of the tool (website currently shows 25% limit for non-payroll costs instead of 40%; however, the tool is promptly updated as new guidance becomes available):

The PPP Loan Expense Tracker and Forgiveness Calculator references and tracks the line numbers of the PPP Forgiveness Application and operates in accordance with the SBA guidance and can be used alongside the PPP Forgiveness Application for quick and efficient organization of financial data, documentation, calculation and summarization of each major aspect of the PPP loan.

Additional PPP resources:

Internet search Forbes Alan Gassman

[www.fmaonline.net/ppptoolbox](http://www.fmaonline.net/ppptoolbox)

[www.arbcpa.com](http://www.arbcpa.com)



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Insurance offer of \$12,000 — Verdict of \$40,000
- Fee splits as per RPCs are welcome.

**Grant A. Gehrman**

*Attorney at law*

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# *Inequity of Clark County Compensation for Indigent Criminal Defense Attorneys*

*by: Art Bennett*

The Columbian recently published an article discussing concerns expressed by some criminal defense attorneys about the inequity of financial support for the Clark County indigent criminal defense attorneys.

The following is an interview of two senior criminal defense attorneys, Tom Phelan and Shon Bogar, concerning this situation.

- How long have you been a criminal defense attorney for Clark County?  
**Tom:** Over 30 years.  
**Shon:** Over 10 years.
- What type of criminal cases have you handled?  
**Tom:** Shoplifting, DWI, Murder, rape, domestic violence, child abuse.  
**Shon:** Everything through Murder 1.
- Are you a sole practitioner or do you partner with other attorneys?  
**Tom:** I have one partner who also practices indigent criminal defense for the County.  
**Shon:** Sole practitioner.
- About how many other indigent criminal defense attorneys are there in Clark County?  
About 40. We're not sure – maybe as high as 55.
- How are you compensated for indigent criminal defense cases?  
We are compensated by Clark County on a case by case basis.

- Do you feel the County compensation is fair and equitable?

No.

- Why not?

**Tom:** There has only been one raise in the last 12 years. To get a current cost of living rate of pay, we would need another 10-12% raise immediately. The real problem is that cases have become more difficult and sentences more harsh and time-consuming. The caseload has increased, and the number of attorneys involved has grown. All the while pay has remained stagnant. There exists little to no quality control over the services being rendered. We are being asked to work under tremendous stress and are being underpaid in the first place. What was maybe possible to do 10-15 years ago for a flat fee is no longer possible at that rate. Recent efforts by the county are insufficient and do not recognize the hard work and stress these cases require of us.

There is a wide discrepancy in pay and benefits between indigent criminal defense attorneys and criminal deputy prosecuting attorneys, although they both do similar work. Criminal deputies get a good steady income per month with generous benefits including:

- Office space paid by the County
- Office staff paid by the County
- Malpractice insurance paid by the County
- Social security/Medicare match of 7.65% paid by the County
- Annual vacation paid by the County
- Medical insurance paid by the County
- Retirement paid by the County
- Two weeks for military reserve time paid by the County
- Continuing Legal Education paid by the County

On the other hand, criminal defense attorneys are simply paid a flat fee, which was inadequate in the first place, and has not even kept up with inflation over the last decade for the cases that they contract for. In addition, there are restrictions in the County contract from doing work outside the contract. In contrast to the deputy prosecuting attorneys, indigent criminal defense attorneys:

- Pay for their own office
- Pay for their own office staff
- Pay for their own malpractice insurance

- Pay a federal self employment tax of 15.3%
- Pay for their own vacation
- Pay for their own medical insurance
- Pay for their own retirement
- Pay for their own military reserve time
- Pay for their own CLE

The bottom line is that there is no realistic comparison of pay and perks for similar work. As attorneys, we are prohibited by federal law from forming a union and striking for better compensation. We have no spokesman to represent us. The County is shirking its obligation to us and, more importantly, our clients, by not ensuring that we are adequately compensated.

**Shon:** I echo Mr. Phelan's points, but would go further and state that the Clark County Indigent Defense system is quickly grinding to an unconstitutional halt. Clark County is the largest county in the Pacific Northwest that lacks formalized Indigent Defense. The following is a partial list of facts outlining the present state of Indigent Defense in Clark County.

- The present rate of compensation is not attracting new blood. Since mid-2019, at least 5 murder-qualified attorneys or mid-career professionals no longer have a contract with the county. At least 3 more are of retirement age. Thus, within a few short years, at least 8 murder-qualified attorneys out of approximately 36 total attorneys will be leaving the County.
- Clark County Indigent Defense is presently managed by an Indigent Defense Manager, and Indigent Defense Coordinator and an Office Assistant. However, none of these individuals represent the defense attorneys regarding compensation. They are simply coordinators.
- Criminal cases last longer, with corresponding effects on dockets, clients, victims, defense attorneys, prosecutors, judges and the legitimacy of our system.

The Clark County Council is fully aware of the failures surrounding Indigent Defense compensation. One of the most pressing and glaring examples, as Tom pointed out - if they have \$500,000 or \$600,000 to spend disposing of abandoned RV's, they have the money to adequately fund indigent defense. It is a matter of choices and priorities.

In this country, if the government is going to prosecute the poor, then it has to also pay for a constitutionally adequate defense. Passing the buck to overworked, underfunded and completely unsupported independent

attorneys serves neither the rule of law, due process nor the County taxpayers.

While it may be cheaper up front in the fees paid to defense attorneys, defense on the cheap fails to address the corresponding costs, including increased costs of incarceration (which is much more expensive on a per case basis than the cost of counsel) or the litigation that results from indigent defense on the cheap. The County can either pay defense attorneys a fair and equitable rate (and provide insurance for its liabilities) or wait for the lawsuits to start - while remembering that Clark County is self-insured.

- Do you see any solutions to resolve this situation?

**Tom:** Yes. Two years ago, a group of retired judges and several other lawyers and stakeholders in the system recommended a hybrid system of public defender's office, which would be staffed and paid on parity with the prosecutor's office, and contract attorneys at increased pay rates. Here we are over two years later, and nothing is being done to address what is an affront to us as attorneys and to the constitution. It is not only an issue of pay, but it is about providing the best possible service to our clients. The county has been complacent living up to its constitutional mandate and has been skating by, claiming there is no money. I find this ironic when the county recently approved over \$500,000 to remove abandoned RV's, and somehow, we are being told that there is no money. There is always money. It is just a matter of where the county decides to spend it. It is clear the county does not view this as a priority.

**Shon:** Yes. The Council needs to understand that Indigent Defense and Indigent Defense Contracts are different from its other obligations, and from its other contracts. Failing to understand this will result in lawsuits, increased costs, and in the complete derogation of the County's constitutional obligations to due process and the rule of law. The Council has chosen to ignore the plans before it from people who understand the issues.



# Lawyer BFFs

by: Jill Sasser

Dear Members: Hold on to your masks! Another edition of your favorite column, Lawyer BFFs is here! This month we are featuring Amber Rush and Chelsea Elliott. Amber and Chelsea are family law attorneys at Navigate Law Group. Thank you so much to Amber and Chelsie for participating. If you have a lawyer BFF (here in Clark County or anywhere in the world), please email me at [jill.sasser@landerholm.com](mailto:jill.sasser@landerholm.com). We'd love to feature you! Also, if you run into Tom Phelan and/or Jim Mayhew, please remind them that they have been promising to complete their Lawyer BFF questionnaire since January. So I could use some community support to bug them to finish that up so we can run it in the September issue. Please email/call/fax and/or just tell them when you see them next that our readership is anxious to learn about them! Your support in this endeavor is appreciated.



## 1. How did you meet?

In Law school, Chelsie was a year behind Amber. We were involved in a lot of the same activities like the Family Law Attorney Student Help program and the family law club. We both majored in Psychology in undergrad. We also spent a lot of time together when we studied abroad together in Florence, Italy during law school. In the law school days we weren't quite "BFF status" yet, but we were friends and were clearly interested in the same stuff. After Amber (and Colin

McHugh and Eli Marchbanks) started Navigate, Chelsie was their first recruit. It has been a fairy tale ever since.

## 2. What makes you lawyer BFFs?

We have a lot of the same values and ideals, and we can always find something to laugh about. We both find people and humanity to be endlessly fascinating. We share an office - always have and probably always will (we are the only ones in the office who do this). We like to "accidentally" show up to work wearing the same thing - probably because we online shop together at the same stores and end up getting the same items. People in the office refer to us as the

"Amber/Chelsie Show". We love running the business together and know that we can always count on each other. Some people get us confused, but we are like two puzzle pieces that fit together perfectly. Amber is the yin to Chelsie's yang. We could go on.... lol

3. Favorite thing about your lawyer BFF?

Chelsie's thoughts on Amber: Amber is very caring and will give her absolute all to something. She is very driven and knows who she is, but she doesn't pass judgment.

Amber's thoughts on Chelsie: She is my ride or die, and she's always got the scoop. She is hilarious, composed, grounded and is the youngest 80 year old I have ever met. Chelsie is super hard working and can be counted on for anything.



4. Favorite memory with your lawyer BFF?

Chelsie's memory: This is a super hard question...all of the memories are so good. My favorite one is probably New Year's 2016. We released Amber and Eli's quail in the house at midnight. Also that one time Amber spilled some yogurt on me when it fell off the banana she was holding. "Goopy banana" is now a regular reference in the office.

Amber's memory: So tough to pick! So many crazy road trips, girls weekends, weird networking events, fishing in Baine Wilson's pond, taking our special client to the beach to help her spread her sister's ashes.... I could go on! Every day is a new adventure with Chels.

5. Favorite thing to do with your lawyer BFF?

Hang out and observe people - we don't have to do anything in particular to have fun. Plus all the things previously discussed!

6. Anything else you want to share about being lawyer BFFs?

Life and lawyer life would suck without each other.



## ***Volunteer Opportunities for Agencies That Serve***

People Experiencing Housing Instability, Food Insecurity, or Homelessness:

\*Stay tuned for frequent updates to this document as they become available\*.

Updated 5/15/20

**Living Hope Church Tent Campsite:** Looking for volunteers to help with campsite operations for 20 tent sites. Different shifts available that range from 2-6 hours long. Contact Patrick at [pjq80228@gmail.com](mailto:pjq80228@gmail.com) or Brian at [Briann@livinghopechurch.com](mailto:Briann@livinghopechurch.com)

**Fourth Plain Pit Stop:** In need of volunteers to help staff restrooms and handwashing stations between 8am and 6pm daily for people living outside located in the west parking lot of River City Church-2400 E Fourth Plain Blvd. Two volunteers are required per shift. To find out more about the project, to sign up to volunteer, or to donate to the project, check out [www.washingtonrecovery.org](http://www.washingtonrecovery.org) or Email: [info@washingtonrecovery.org](mailto:info@washingtonrecovery.org); or Phone: 360-818-4273.

**FISH:** In need of 5 new volunteers every weekday (Mon-Fri) 9am – 12:30pm or 12pm – 3:30pm. Volunteers will help with making food boxes in the warehouse for clients. Please call Volunteer Coordinator Dori @ 360.566.3243, or email [dorim@fishvancouver.org](mailto:dorim@fishvancouver.org) to sign up. Walk in volunteers will not be accepted.

**Share:** Help is needed to prepare to-go meals at Share House. Since the dining room is closed, volunteers and staff are able to maintain social distancing as they pack each meal. Also accepting donations of toilet paper, cleaning wipes, protein drinks and shelf-stable proteins such as peanut butter and beans by appointment only. Contact is Molly at [mevjen@sharevancouver.org](mailto:mevjen@sharevancouver.org) or 360-605-9752.

**Share Summer Meals Program:** Share plans to offer about 20,000 free meals to children at 20+ locations in Vancouver. Volunteer shifts: June 22nd -August 14th. Monday through Friday only. Contact is Molly at [mevjen@sharevancouver.org](mailto:mevjen@sharevancouver.org) or 360-605-9752.

**Clark County District Court  
In the State of Washington**

Kristen L. Parcher  
Chad E. Sleight  
Darvin J. Zimmerman  
Sonya L. Langsdorf  
Kelli E. Osler  
John P. Hagensen  
**Judges of District Court**

Todd N. George  
Abigail E. Bartlett  
**Court Commissioner**



Amber K. Emery  
**Court Administrator**

Bradley R. Alberts  
**Deputy Court Administrator**

July 21, 2020

Dear Members of the Clark County Community:

Clark County District Court joins the Justices of The Washington State Supreme Court and courts throughout our state and nation in recognizing and denouncing systemic racism in our legal system and communities.

It is imperative that we acknowledge that in order to uphold our Oath of Office to faithfully and impartially discharge the duties of judge to the best of our ability means we must recognize that racism exists in our community and is perpetuated in our justice system. As judges, we must commit to addressing existing injustices in order to more fairly serve the citizens of our community.

All citizens should be equal in the eyes of the law. We must develop a greater awareness of our own biases, both conscious and unconscious. We must reflect on our individual actions each day as well as support larger movements to eradicate racism. Every individual that appears in front of the court deserves justice rooted in equality and fairness. As a legal community we must improve meaningful access to justice by ensuring we take measures to remove barriers, including systemic flaws built upon racial inequities.

Clark County District Court must be a place where litigants, attorneys and employees are all treated with dignity and respect regardless of race or background.

We pledge to listen with open minds and educate ourselves as to what steps we can take to effectuate real change around the ongoing injustices faced by people of color.

Sincerely,

Clark County District Court

**THE HEARSAY COMMITTEE**

# NEEDS YOU!

JOIN US AUGUST 14, 2020 AT NOON FOR A ZOOM BRAINSTORMING SESSION!

NO WRITING EXPERIENCE REQUIRED! LINK TO JOIN IS ON OUR WEBSITE.

**LANDERHOLM**

is pleased to announce that

## ERIN E. PRIEST

has joined the firm's Estate Planning and Probate & Trust Administration group as an Associate.

805 Broadway St., Ste. 1000 Vancouver, WA 98660

360-696-3312

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**(360) 696-0228**  
 1915 Washington Street Vancouver, WA 98660

## HEARSAY PROFILE

# *Fuliet Laycoe*



Home: Vancouver, WA

Age: 47

Profession: Lawyer (and author 😊)

Hobby: Running/fitness, spending time with family and watching my son play soccer

Last Book Read: Mindset by Carol Dweck and A Steep Price by Robert Dugoni (I usually have 2 books I am reading at a time - one for pleasure and one for growth)

Legal Philosophy: Pay attention to details; practice compassion



Latest Accomplishment: Maintaining my sanity, two kids and a law practice during a pandemic! I also just finished my second book, Bits of Divorce Wisdom, that will be released soon.

Why I Do What I Do: I like to help people.

Profile: logical, loyal and fun-loving

Beverage of Choice: Coffee in the morning, water throughout the day and an occasional glass of wine at night



# Clark County Superior Court

BENCH/BAR COMMITTEE MEETING MINUTES

CLARK COUNTY SUPERIOR COURT

June 9, 2020

Persons in attendance: Nicholas Alexander (nick@etengofflaw.com), Sean Downs (sean@greccodowns.com), Matthew Kimball (Matthew.Kimball@clark.wa.gov), James Smith (james.smith2@clark.wa.gov), Emily Sheldrick (Emily.sheldrick@clark.wa.gov) Curtis Welch (cwelch@sussmanshank.com), Jessi Anderson (jessi@ccvlp.org), Rachel Brooks (rachel@guardianship-law.com), Jolene Sell (Jolene.sell@clark.wa.gov), Phillepe Knab(Philippe.knab@nwjustice.org) Judge Vanderwood (Derek.Vanderwood@clark.wa.gov), Judge Veljacic (bernard.veljacic@clark.wa.gov) and Judge Fairgrieve (John.Fairgrieve@clark.wa.gov).

If you have matters that you would like to bring to the attention of the Bench/Bar, you are welcome to contact the above-mentioned members of the committee.

## I. OLD BUSINESS:

No old business to report.

## II. NEW BUSINESS:

a. Jessi: CCVLP staff are all still working remotely, forming a back to office plan, which could be implemented in the next 3 weeks. Most clients are walk-ins, so numbers are down. CCVLP is looking to hire a full-time employment law attorney. There has been issues with Zoom and clients not being able to hear the judge.

i. Judge Fairgrieve: Once Polycom is up and running clients should be able to see the judges.

b. Sean Downs: Private communication with clients is difficult with distancing requirements and technology. Jury selection question, questionnaire beforehand? Would reduce interactions with jurors and attorneys and shorten time jurors would need to be together.

i. Judge Vanderwood: questionnaire specifics have not been identified but is another thing to consider; we will have these discussions.

c. Rachel Brooks: Concerned public is not wearing facemasks while in the courthouse. Guardianship is somewhat back to normal. There is no language in the guardianship statute that would allow a work around in lieu of in-person hearings.

d. Jolene: Changes to child support statute goes into law June 11. Changes to imputed income, parents as full-time high school students, etc. Remote dockets going well.

e. James: Volume is increasing – approaching regular levels. Some defense attorneys have cited matters to first appearance docket, instead of the arraignment docket. Additional challenges because of that with regard to our preparation, notice.

i. Judge Fairgrieve: I will talk with the other Judges, likely will have more volume than the two criminal dockets can handle anyways; notice more important than ever.

f. Emily: Will the courthouse require masks for visitors and jurors? How to deal with microphones for hearings/voir dire. Schools as a resource? Civil is still working remotely until Phase III.

i. Judge Veljacic: Masks vote was last week, requiring masks with caveat there will be exceptions; need to carve out specifics.

Subcommittee working on issues for jury trials. We are considering engaging in voir dire with a microphone being carried to individual jurors. Locations for jury selections – everywhere being considered.

ii. Judge Vanderwood: Fairgrounds likely going to be the place – big space – masks would need to be provided to those coming into courthouse for free.

g. Curtis: Question about NOA email from Judge Collier.

i. Judge Fairgreive: Intended so JA's can set up Zoom meetings for attorneys and parties – Revised NOA with updated contact info should be filed.

h. Curtis (cont): Masks –There is a drive by the Oregon Bar for attorneys to donate facemasks for courthouses but did not know if there is going to be a similar drive by the Washington Bar

i. Emily: Coordinate with Jessica Gurley – donating to courthouse can be difficult

i. Matthew: Office working remotely – RFQ going out next week. Been sending out requests for updated contact info to clients; indigent defense to assist with set up.

j. Phillippe: We are working on a return to office plan. Our attorneys have been appearing remotely. If courthouse is open access to justice still available and NW Justice still here as a resource.

k. Judge Fairgreive: Zoom and Polycom – to integrate into cohesive system. Equipment just got here and being installed. Will make communication easier, substantially increase ability to conduct remote hearings while adhering to Supreme Court ruling/decisions. June 1 was a significant date because of Supreme Court order – can have in-person hearings once again. We will be using Supreme Court ruling/decisions as a basis moving forward. Lots of backlog for trials – time resource heavy. Exclusionary period for speedy trial expires September 1. Readiness docket restarts July 2, trials resume July 6, criminal docket July 19. Goal is to keep as few people as possible in courthouse.

l. Judge Vanderwood: Revised emergency order on courthouse website. Family law non-jury matters in virtual format will be recorded with audio and video. Supreme Court committee working on jury recommendations. Likely will be offsite for jury selection and trials will require two courtrooms.

Motion to continue Bench/Bar through the summer months passed

Respectfully Submitted,

Nicholas Alexander

# Clark County Bar Association 2019/2020 OFFICERS & TRUSTEES



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