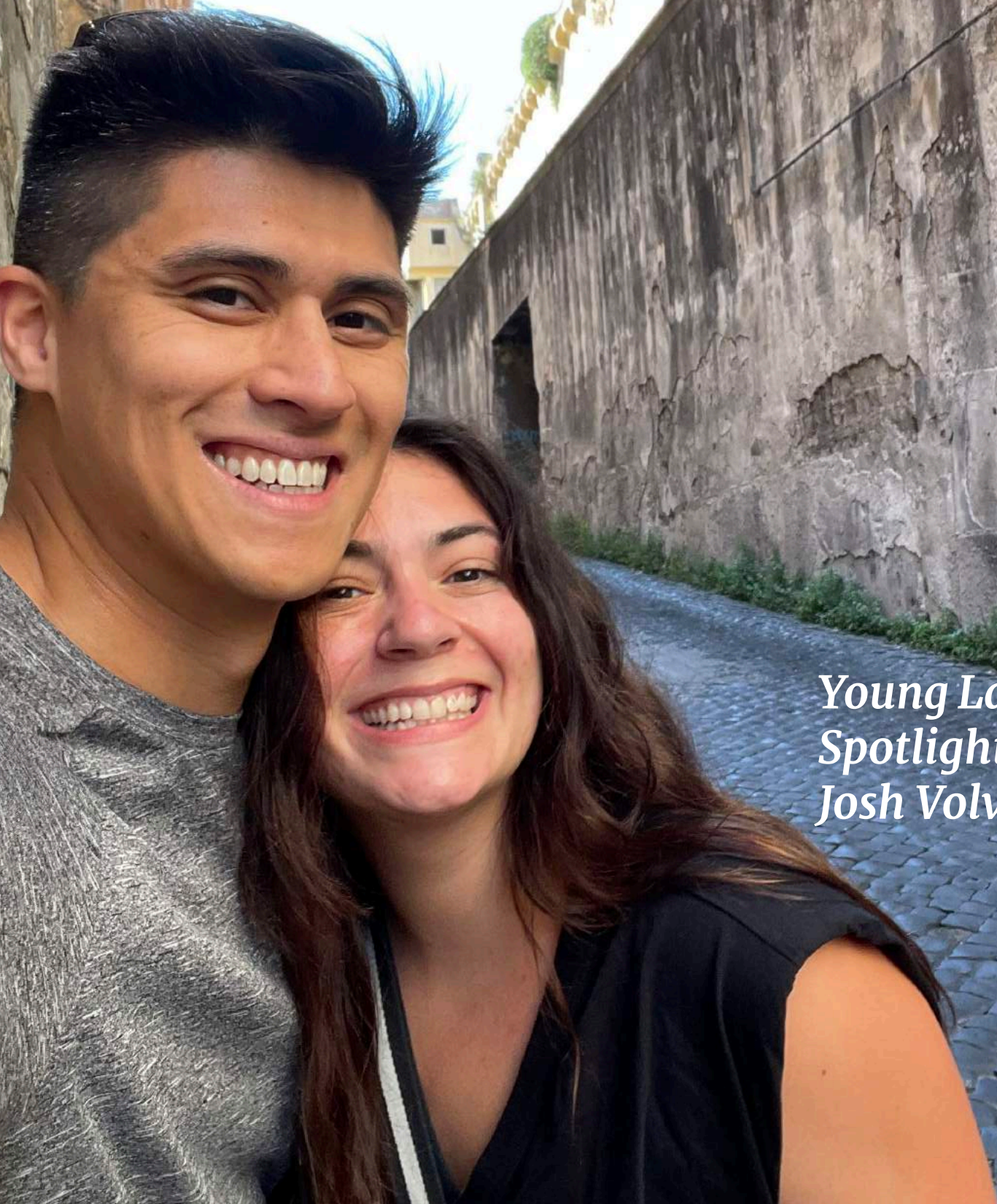


# HearSay

THE OFFICIAL MAGAZINE OF THE CLARK COUNTY BAR ASSOCIATION

March 2024



*Young Lawyer  
Spotlight:  
Josh Volvovic*





# Injury law in Oregon and Washington

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# ***March Hearsay Contributors***



*Josh Sherman*

*Jane Clark Legal*

Josh Sherman dedicates his practice to medical malpractice cases. Josh is admitted to practice law in Washington and Oregon, and he regularly litigates cases in both states.



*Nathan Petersen*

*Petersen Rothermel Law Firm*

Nathan Petersen is a partner at Petersen Rothermel Law Firm. His practice focuses mostly on Family Law and Estate Planning.



*Judge John Fairgrieve*

*Clark County Superior Court*

The Honorable John Fairgrieve began serving as a judicial officer for Clark County Superior Court in 2015.



# **CCBA Nuts & Bolts CLE: Estate Planning Basics – The Bar Exam Edition**

Presented by: Juliet Laycoe and Jim Senescu

April 10, 2024

3:00pm - 5:00pm

West Park Community Room

610 Esther Street, Vancouver, WA 98660

2 law & legal credits

Members: \$60.00    Non Members: \$80.00    Non Attorneys: \$30.00

This presentation will focus on basic estate planning documents in Washington and best practices for the same with a discussion of fact patterns based on actual cases of and situations encountered by the presenters.

**[Click here to register!](#)**





# Away Fans

page 14



# Mock Trial 2024

page 20





## CONGRATULATIONS TO OUR THREE NEW PARTNERS

McKinley Irvin is pleased to announce that **Brian Edwards**, **Samuel Page**, and **Hillary Roberts-Griffith** have been promoted to partner.

These attorneys are known for their relentless pursuit of successful results and exemplify our firm's most steadfast commitment—to protect what our clients value most.



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# President's Message

WHITNEY HAWKE



I want to start this President's Message by saying thank you to everyone who attended the Barrister's Ball! 2024 Barrister's Ball was one for the record books. The event sold out for the second year in a row. Attendees included over 200 members of our local legal community, and sixteen (16) judicial officers from our local bench or the Court of Appeals.

All award presenters' and recipients' speeches were phenomenal. Christie Emrich's speech awarding Jeff Barrar the Lifetime Achievement Award made me cry. Tom Phelan gave thorough and heartfelt retrospectives of the careers of Therese Lavalley (Trial Attorney of the Year) and Barry Brandenburg (Donald J. Simpson Award). Commissioner Jill Sasser would have won the "best dressed" award if we had one. Overall, it was an amazing night that reaffirmed why our local legal community is so special. See you next year, Barrister's Ball!

I'm now enjoying a moment of calm before the CCBA social calendar kicks into high gear. The summer months feature Bowling with the Judges, the Summer Soiree, the Golf Tournament, and the Young Lawyers vs. Senior Lawyers Softball Game (which might transition to a Cornhole tournament? Pickleball tournament? If you have thoughts, reach out to me).

I also presented a CLE with Court of Appeals Judge Bernard Veljacic titled "Introduction to Artificial Intelligence in the Legal Profession." The one-hour CLE took place on Monday, March 18th at the West Park Community Room immediately after the CCBA General Meeting. The CCBA General Meeting was held from noon to 1:00 p.m. and the CLE followed. We had a great showing and learned that there is still a lot to learn!

## Contact Me



whawke@vancouverlaw.net



360-696-0166



The amazing Jean McCoy published an article in last month's Hearsay reflecting on the CCBA General Meeting's popularity in pre-COVID times. The meetings were well attended by all sections of the CCBA and the bench. Post-COVID, there has been low turnout for the General and Annual Meetings – and we need to change that! Get out of your office, people! Come to a meeting! It's not that hard! The CCBA General Meeting (in March) and the Annual Meeting (in September) are great opportunities to see old friends, meet new faces, and get updates from the Superior Court bench, District Court bench, all CCBA Sections (Family Law, Guardianship, and Young Lawyers), and the CCBA Board. There were a lot of new faces at this meeting so Jean's article must have done the trick! It may also have been the free lunch but that's a debate for another time. Thanks to all that attended and we hope to see you and all your friends in September at the Annual Meeting!



## Whit's Picks for March

**Eat:** The "Adult Luke" at Grassa (Vancouver Waterfront)

**Listen:** Beyonce, "Texas Hold 'Em"

**Go:** CCBA General Meeting, March 18th at noon at the West Park Community Room (610 Esther St.)

**Watch:** Fargo, Season 5 (FX)



# HI!

## *I'm New Here*

### **AMANDA HARTMAN**

This column highlights an attorney who is new to the Clark County legal community. This month, we are featuring Amanda Hartman. Without further ado, let's get to know Amanda!



#### **Where are you from?**

I am from Nampa, Idaho.

#### **Where do you work?**

McKean Smith

#### **How long have you been working in Clark County?**

I have been working in Clark County since August 7th, 2023. Unless you count remote work for a Boise company, which stretches back to June 2022.







## **How are you liking it so far?**

It's been great! I enjoy the area, the waterfront, and the community.

## **What is your favorite part of your job?**

The variability, every day brings something different and a chance to learn something new.

## **What neighborhood do you live in?**

I live in Bagley Downs.

## **Do you have any pets?**

I have a 8 month old siberian kitty named Tybalt!

## **Drink of choice - beer, wine, coffee?**

Coffee, and/or Rebels from Dutch Bros

## **Favorite Vacation?**

A hiking trip in a forested state/national park. I love the redwoods and smokey mountain in particular.

## **Favorite restaurant in Portland/Vancouver?**

I haven't tried many yet, when I moved here I was working and in school, followed by the bar, then learning the ropes as a new attorney! But I really have enjoyed Foode.

## **Tell us a fun fact about yourself.**

I was once chased by a sea turtle while snorkeling. (Almost ran into a reef while trying to avoid it).

If you've seen our Eviction Defense crew at the courthouse lately, you may have seen our newest teammate: Kubota the Service Dog!

He is super professional -- I mean look at that bow tie! We know he's incredibly adorable so it's hard to refrain from giving him all the love, but please remember that he is "on duty".



### Seeking Contract Attorneys for Legal Redress!



Thanks to funding from the Legal Foundation of Washington, NAACP Vancouver's Legal Redress Committee and CCVLP are partnering to offer limited contracts to local attorneys.

**Background:** The Legal Redress Committee of NAACP Vancouver supports community members who have experienced racial harm.

**What is "Legal Redress"?:** For the purposes of these contracts, redress means pursuing compensation or reparation for an unfairness, injustice, or imbalance related to racial discrimination or harm. *(More about the committee: [tinyurl.com/legalredress](https://tinyurl.com/legalredress))*

**Expectations and Compensation:** Contracted attorneys for this work will be expected to receive cases from CCVLP that have been vetted and referred by the Legal Redress Committee. Contracted attorneys may be expected to participate in substantive law and skills training and in meetings with the Legal Redress Committee. Contracted attorneys will be compensated \$135/hr for all hours worked on the case.





# Law Library

## Annual Report

The Law Library has services to help both you and your clients.

Legal research databases (<https://clark.wa.gov/law-library>):

- Nolo is a legal self-help publisher with remote access. You can get an overview of an unfamiliar topic, or have your clients learn more about a topic or court procedure.
- LexisNexis and Westlaw Edge can be accessed in the Law Library for one hour during open hours. Attorneys with keycards may use these resources after hours.
- LexisNexis Digital Library ebook Collection - remote access

Other legal research information:

- Washington Practice and CLEs are available for checkout. We also have WSBA deskbooks and Lexis Practice Guides for use in the library, with checkout allowed for older Practice Guides.
- A variety of secondary sources are available for your use.
- We work with other libraries to bring you materials we don't own. Contact us for more info.

Our website covers many topics. Clients can build understanding, or refer people you do not take as clients. <https://clark.wa.gov/law-library>

Keycards for access when the library is closed are available for \$36 per year, prorated for new attorneys. With the keycard you can come in after hours to use the collection, or use Lexis and Westlaw without the time restriction.

We sell self-help form kits on a variety of topics. They are popular with both the public and attorneys. <https://clark.wa.gov/law-library/self-help-form-kits>

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# AWAY

# *Fans*



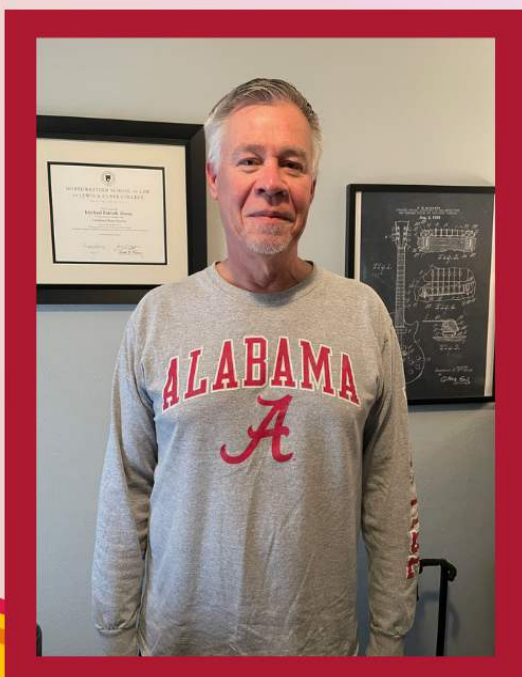
**BY NATHAN PETERSEN**

The Portland / Vancouver area seems to have more transplants than many other areas. People come from all over the US, and sometimes the world, and settle in our little area of the Pacific Northwest. But any true fan does not abandon their team when they move to a new area. Instead they get up early to watch their games, sign up for NFL Sunday ticket and find other fans in the area to root along with. The Clark County Bar Association membership is no different. We have barristers that root for their teams from afar. Here are just a few -





**Roger Priest** - Being a Tennessee Volunteer isn't just about a love of football, although no one does it with a grandeur quite like Knoxville. It's about a love of Appalachia, the South, moonshine, bluegrass, unrivaled fall foliage, and spending Saturdays in October with 100,000 of your closest friends. It's about a love for the game and a hate of all things Alabama. It's a legacy passed down to me from my parents and grandparents and one I pass down to my children. In the immortal words of John Ward, "GIVE ... HIM ... SIX! TOUCHDOWN TENNESSEE!!!!"



**Michael Green** - My family moved to Tuscaloosa, Alabama when I was 5 years old, because my Dad took a job as a professor at the University of Alabama. My Dad spent the remainder of his career teaching at Alabama, and he continued to live in Tuscaloosa until he passed away in 2019. I received my B.A. from the University of Alabama in 1987, and then later went back and got a Master's Degree from Alabama in 1992. Roll Tide!





**Courtney Mendoza** - I've always been a Lakers fan, growing up in Southern CA; but I became a Warrior's fan when I went to college in Northern CA, and then doubled down to mess with Roman since he's a die-hard Laker's fan!

**Ryan Rothermel** - Moved from Ohio in 2014 and been recruiting new fans to Vancouver ever since. Go Buckeyes!!





# DISTRICT COURT CORNER

Anya Crossland (she/her)  
Deputy Court Administrator  
Clark County District Court  
564.397.5647

District Court would like to remind everyone of our process requirements for adding cases for change of plea (please see the policy in the link below which outlines the expectations). We want to make sure that all court participants uphold the practices designed to ensure timely access to justice and dockets efficiency.

[https://www.ccbawashington.org/files/2023-0313\\_DC\\_AddingCasesCOP.pdf](https://www.ccbawashington.org/files/2023-0313_DC_AddingCasesCOP.pdf)



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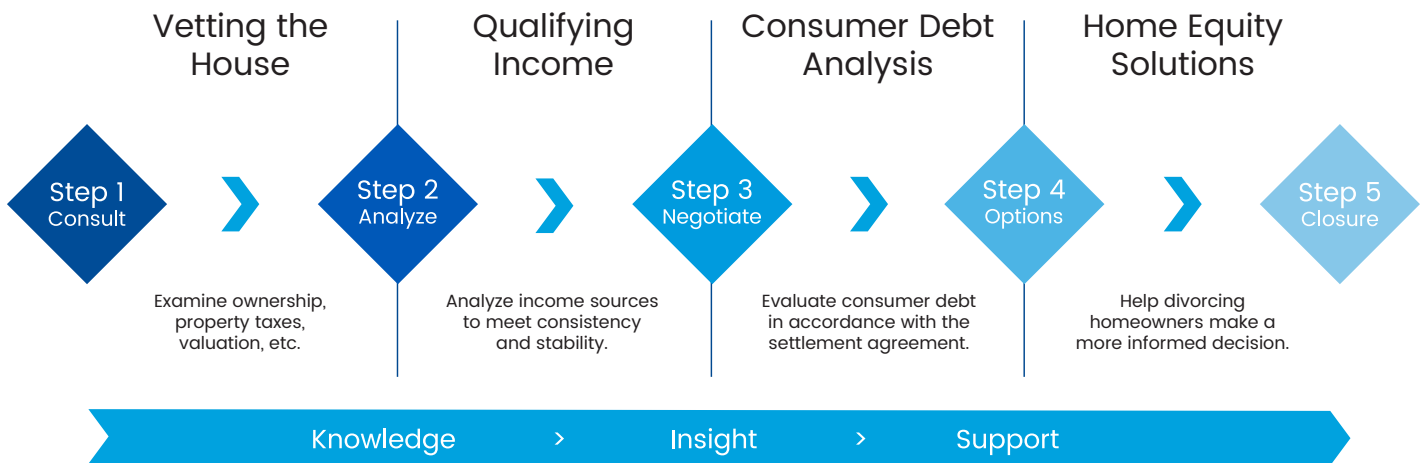
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## CCBA Member Benefits

# Let your CCBA membership pay for itself!

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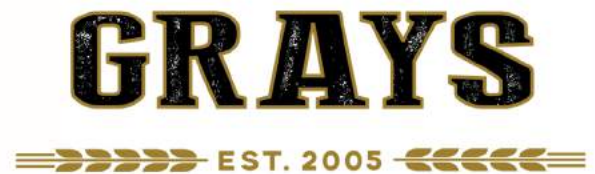
**Grays at the Park:** 15% off (excludes drinks)

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# Young Lawyer Spotlight

Josh Volvovic



by Josh Sherman



The Hearsay is excited to introduce you to Josh Volvovic of Conway Law, PLLC. Josh is a rising star among Clark County's construction litigation, business dispute, and real estate attorneys, and he has been practicing at Conway Law with Jesse Conway since 2019. Josh's practice involves both plaintiff and defense work, and he is becoming well-known for his unique ability to obtain great results along with Jesse for many clients. He also volunteers at the Clark County Volunteer Lawyers Program and with high school mock trial.

When dealing with construction litigation, Josh finds that some cases can hinge on the conclusions of qualified third-party inspectors as well as a careful interpretation of the scope of work. Whereas, business dispute and real estate clients may come to Josh for assistance regarding various contract disputes or derivative actions. Regardless of the type of case, Josh finds that the most effective way to advocate for his clients includes asking the difficult questions to arrive at the heart of the matter, and thinking creatively, while also being straightforward about the strengths and weaknesses of a case.

Josh recalls that when he first started practicing, it could be all too easy to get emotionally attached to a case and lose the ability to see all the issues objectively. Losing objectivity could be a disservice because it can set unrealistic expectations or result in the client becoming pigeonholed into a vulnerable position.

Over the years, Josh has learned it is best to explain the purpose of being objective to clients from the outset and to confront difficult questions right away in order to arrive at the best possible outcome and minimize the costs of litigation. He encourages other new lawyers to adopt this same approach, develop their own style, and try their best to avoid simply parroting the clients' grievances without an objective strategy that acknowledges the strengths and weaknesses of a case – as that can get in the way of an optimal outcome.

Outside of work, Joshua enjoys spending time with family, good food, outdoor activities, and coaching and playing basketball. He also enjoys traveling with his wife. This last summer they went on a trip to Italy, where they explored Tuscany, Naples, and Rome (while Josh tried hard to avoid the crowds). Josh also finds that travel inspires him to work harder for his clients, inspires new ideas, and helps him become a better local and global citizen.



Left to right: Steven Hogue, Amy Price, Erik Selden (Team Leader), Bryan Dent, Phil Czajka

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---

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# BRIDGE THE GAP

by Roxana Manesh

Before I became involved with Bridge the Gap, I didn't understand the obstacles children in foster care face that can limit their abilities to access the education and opportunities their peers have readily available. (Pre-COVID), Clark County had the lowest recorded high school graduation rate for foster children in Washington State. This is a result of the "gaps" in the foster care system: past trauma, displacement, lack of financial resources, mentorship, support, stability, guidance, and enrichment activities. That's why Bridge the Gap makes such a big impact: they are dedicated to equalizing the experiences and educational achievements a child in foster care may have alongside their peers.

**About Bridge the Gap:** Bridge the Gap is devoted to enhance the stability, growth, and success of children in foster care through community engagement and support. Since 1999, Bridge the Gap has been dedicated as a nonprofit community outreach program, to enrich the lives of foster children in Clark, Cowlitz, and Skamania counties. With help from our community, we provide foster children the support needed to keep them active and engaged in school. We offer programs such as tutoring that provide academic support, helping them overcome learning challenges. We provide access to camps, sports, and enrichment activities (dance/sports/music/etc) that offer a safe and nurturing environment where they can build social skills and create positive memories. Additionally, we offer other resources, such as different therapeutic services, supply ASB cards, yearbooks, field trips, and more.

Please join us for **Bridge the Gap's 10th Annual Champagne Brunch!** The event features a magic

show by Tony Oberio, followed by an Auction where donation proceeds will go to serve children in foster care in our community of SW Washington. Visit our website to learn more about us and to register for the event: <https://www.btgwa.org/>. We look forward to seeing you there!







# Mock Trial 2024

By Judge John Fairgrieve

The annual Clark County High School Mock Trial Tournament took place on February 21 and 22, 2024, involving eleven teams from as far north as Tacoma and as far east as White Salmon. Sponsored by the Washington YMCA Youth and Government program and the YMCA of Greater Seattle, this year's tournament was conducted in person in the Clark County courthouse and was coordinated by YMCA staff.

This year's case, *Whiskers*, was written by Clark County Superior Court Judge Robert Lewis. It addresses the concept of testamentary capacity in relation to the making of a will or the creation of a trust. As Judge Lewis asked in his introduction: "The key is competence ... did the person know what they were doing at the time and did they make their own, independent decision?"

The teams were divided into two divisions and competed in either five or six rounds over the two days of the tournament. There was a two-way tie for outstanding attorney, with Dorian Ailshie from Cascadia Tech's Red team and Amelia Rice from Columbia River's Purple team each receiving seven nominations. In the outstanding witness category, there was a three-way tie between Victoria Bayazitov of Columbia High School of White Salmon; Brayah Rule from Columbia River Purple, and Jaevein Berry from Cascadia Tech Blue.



The top three teams in the Clark County Tournament this year move on to the state tournament March 22nd through 24th in Tacoma. Columbia River's Purple team was this year's first place team, followed by Columbia High School of White Salmon in second place and Cascadia Tech's Blue team in third.

I would like to take this opportunity to thank all the teachers and attorneys who coached the teams and got them ready for the tournament. We could not run the program without your hard work and dedication. I would like to thank the approximately one hundred judicial officers and attorneys who judged and rated the rounds and provided comments to the students. I would also like to thank Commissioner Jill Sasser who worked tirelessly to recruit judges and raters and coordinated logistics with the YMCA staff. Finally, I would like to thank all the student competitors who put in so much time and effort on the mock trial competition this year.



# Clark County Bar Association

## CLARK COUNTY BAR ASSOCIATION BOARD MEETING

February 6, 2023

Minutes from the CCBA Board of Trustees Meeting February 6, 2024

### Ongoing Action Items:

Hearsay Committee (Hawke): Same status as always. Lots of great content in the works.

Social Committee (Darco): Barrister's Ball scheduled for Saturday, March 2, 2024. Tickets are nearly sold out. Sponsorships discussed. Need for volunteers for set up / break down requested. Tickets were expanded to 210. Event is \$2,000 in the black. Summer Soire is being planned as the next large social event.

CLE Committee (Darco): Upcoming CLE discussed. CLE schedule through May.

DEI Committee (Wechselblatt): Meeting held in January. Next meeting is February 26, 2024. Street Law starts in March. Committee has submitted material for approval.

Judicial Evaluation Committee (JEC) having first meeting soon.

Membership Committee (Petersen): They are scheduling a meeting for the subcommittee, with focus on outreach to government agencies and other entities that are underrepresented in the CCBA.

### Previous Action Items

Attorney Fee Survey (Hawke): no updates.

### Current Action Items

Membership Update (Hawke): 2023/2024 – 412. Non renewed 42. New members 31. 2022/2023 – 410 total members.

Goal Setting and Tracking (Hawke) – Board members stated their respective goals.

Hawke – Make Barrister's Ball a success.

Sutanto – Review poll for referral service. Finalize and hold membership subcommittee meeting.

Petersen – Finalize and hold membership subcommittee meeting. Reach out to original list to follow up. Look at non-renewed members list and reach out to those he knows.

Melnick – Meet with Darco to review financials. Schedule midyear meeting. Prepare report for the general meeting.

Busby – Connect with Darco re CLEs. Follow up with individuals on his membership list.

Wechselblatt – Schedule JEC meeting. Draft outline for CLE.

Updated Board Pics and Bios – Ryan Busby requested to provide photo and bio.



### Upcoming Meetings and Events

Barristers' Ball – March 2, 2024 at 5:30 p.m.

General Meeting – March 18, 2024, noon to 1 p.m. in person at WestPark building. Judge Veljacic and W. Hawke to present CLE on AI following meeting.

Submitted by Nathan Petersen

## SOUTHWEST WASHINGTON LAWYER REFERRAL SERVICE

The CCBA's Lawyer Referral Service is a very affordable way to generate income and build your client base. We are proud of our service to the community and we urge you to take full advantage of this resource. If you have questions or are interested in participating please reach out to the CCBA office!

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# Clark County Superior Court

## BENCH/BAR COMMITTEE MEETING MINUTES

February 13, 2024

Persons in attendance: Nicholas Alexander (nick@vancouverwillsandtrusts.com) Jessi Anderson (jessi@ccvlp.org) Jeffrie Keddle (jeffriek@nwjustice.org), Jessi Anderson (jessi@ccvlp.org) Leslie Lopez (Leslie.Lopez@clark.wa.gov) Alena Clark (Alena@gunn-law.com) Lloyd, Dan (Dan.Lloyd@cityofvancouver.us)

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: None.

### II. NEW BUSINESS:

Alena Clark: We (Clark County Elder Law Section) are continuing to do monthly CLEs, next one is March 28th and it focuses on Special Needs Trust and ABLE accounts. Also, on the horizon is an April 9th CLE focusing on Respondent representation in a guardianship context. The CLEs are generally open to all CCBA members for a fee and are free for Section Members.

Jessi Anderson: Staff attorney added Alyssa Lax, Survivor Support Program Staff Attorney, and Sara Gutschmidt was added as our new Housing Justice Program Manager, still one position open for a staff attorney.

Dan Lloyd: The Civil Division for the City Attorney's Office has undergone a duties shift. Dan Lloyd is now advising Finance and Economic Prosperity & Housing. Sara Baynard-Cooke is primarily handling litigation. Taylor Hallvik is now assigned to Police and Fire. To this end, if there any issues with VPD's body camera technology (e.g., evidentiary usage in court), please reach out to Mr. Hallvik at taylor.hallik@cityofvancouver.us.

Leslie Lopez: nothing today.

Jeffrey Keddle: Still time to sign up for Mock Trial, looking for raters and judges. NWJP does a lot of work on the UDA docket, and we understand the challenges meeting the needs. CCVLP DEI is setting up a judicial eval committee – Lisa Darko is a good start for person to contact if interested

MEETING ADORNED 12:15 pm.

Respectfully Submitted,

Nicholas Alexander





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