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Equal marriage, unequal views

As one of the lawyers who argued in defense of our existing marriage laws in Anderson v. King County et al., I was stunned to flip through the September Washington State Bar News, almost completely devoted to “marriage equality,” and not find a single opposition article authored by a lawyer from the defendants’ side. Instead, it chose Mr. Klaus Snyder to write the lone opposition piece and he focused on an historical, cultural argument for marriage that I have never seen used in defense of the marriage limitation, nor relied upon by a single appellate court, though I have read thousands of pages of case law, law review articles and anything else I could get my hands on to prepare the briefs and for oral argument before the State Supreme Court. This failure to contact lawyers most familiar with the arguments in support of the marriage limitation, while soliciting articles from lawyers who represented the plaintiffs’ interests in this seminal case (Hugh Spitzer and Patricia Novotny), suggest the Bar News was not really trying to “educate, debate, inform, advise, and stimulate” readers’ thoughts as WSBA Executive Director Paula Littlewood claims on page 13. Good journalism and lively debate were casualties of the Bar News’ effort to centerpiece a single viewpoint.

Is the Bar News so afraid of the actual arguments in support of the marriage limitation that it failed to make sure those arguments would be considered by its readership?

Steven O’Ban, Seattle

Emotionally charged and unbalanced

It was interesting that in the September publication you printed one article mentioning the potential drawbacks to gay marriage in the face of three that support gay marriage.

In addition to this obvious inequality of articles on one side of this issue you also managed to fail to screen the articles in support of gay marriage. The writings were emotionally intense. In “Equal Marriage in My Lifetime? Whoa!” the author feels his experience taking the bar exam was somehow different because of self doubt due to his orientation. This is indeed unfortunate. However, one should ask what does that have to do with marriage laws.

In “Marriage Equality: Why Gay and Lesbian Couples Shouldn’t Be Excluded,” the author argues that marriage is a fluid concept and states: “In western tradition, romantic love between spouses was anomalous until relatively recently.” There is no support for this statement. Is this somehow a reference to sexual love as a part of romantic love? If so there are Puritan writings on ways to assure both husband and wife maintain sexual pleasure in marriage.

I have spoken to several other lawyers and it seems that one reason for the imbalance on this issue is fear of RPC Rule 8.4 g. This rule should be clarified to encourage open debate where there are true scientific and sociological issues. Other lawyers who saw the imbalance in coverage were afraid to write for fear of an ethics debate centered on them.

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Civil Actions

The importance of professionalism and civility to the integrity of the profession

What does it mean to be a professional? Every practicing attorney has his or her own answer to that question, and many may answer that, at least in part, being a professional means complying with the Rules of Professional Conduct. There is certainly nothing wrong with such an answer. The duty to represent a client must always be within the bounds of the rules of court, and the Rules of Professional Conduct. However, most of us expect a higher standard than that. The RPCs govern what a lawyer must do or shouldn’t do. Professionalism, on the other hand, is more than compliance with the rules of ethical conduct. It is what a lawyer should do. Much of the time, unprofessional conduct is, quite simply, a lack of good manners. The lawyer who fails to act with courtesy and good will towards colleagues establishes a reputation as unprofessional and uncooperative.

There are numerous causes of unprofessional conduct and incivility. Stress, lack of mentoring, loss of collegiality created by a large population of attorneys, overwork, and the competition to find and keep clients are likely common problems. Some attorneys misunderstand the desire to zealously represent clients and cross the line of effective representation into unacceptable behaviors. However, zealous representation is not an excuse for rude behavior or bad manners.

Incivility is not a professional requirement, but, sadly, that fact is often forgotten. Every attorney has experienced unprofessional or uncivil conduct by a colleague, and unfortunately it is one of the most commonly stated reasons for abandoning the practice of law for another career.

The consequences of unprofessional conduct and incivility go beyond the reputation of the individual lawyer. Lawyers who engage in unprofessional and discourteous conduct impede the administration of justice and cause the public reputation of the legal profession to suffer. The lack of cooperation and candor by attorneys increases the costs of legal services and court costs and wastes limited judicial resources, creating an access to justice issue. The public and other lawyers become skeptical of the ability of the legal profession to regulate itself. Finally, unprofessional conduct diminishes the public image of lawyers.

The WSBA has adopted a Creed of Professionalism, and a copy hangs in almost every state courtroom. The goal of the conduct encouraged by these rules and standards is, at least in part, to make the practice of law more rewarding, to generate an improved image of the legal profession, and to further the high ideals of the rule of law. The preceding statement to the Rules of Professional Conduct puts it best, as follows:

The Rules of Professional Conduct point the way to the aspiring lawyer and provide standards by which to judge the transgressor. Each lawyer must find within his or her own conscience the touchstone against which to test the extent to which his or her actions should rise above minimum standards. But in the last analysis it is the desire for the respect and confidence of the members of the legal profession and the society which the lawyer serves that should provide to a lawyer the incentive for the highest possible degree of ethical conduct.

The possible loss of that respect and confidence is the ultimate sanction. So long as its practitioners are guided by these principles, the law will continue to be a noble profession. This is its greatness and its strength, which permit no compromise.

With that in mind, I have developed my own list of 10 rules of conduct and offer them here to prompt your thoughts and response. In my opinion, the practice of law would be more professional, civil, and tolerable if each lawyer followed these rules. It may also help improve our public image.

1. **Respect your client.** Your clients’ interests should be your primary concern when practicing law. Take time to understand your clients’ goals, and understand that many are experiencing pain or frustration in their lives. You may not approve of their conduct, but you were hired to be on their side and help them solve the problem.

The WSBA has adopted a Creed of Professionalism, and a copy hangs in almost every state courtroom. The goal of the conduct encouraged by these rules and standards is, at least in part, to make the practice of law more rewarding, to generate an improved image of the legal profession, and to further the high ideals of the rule of law.

2. **Respect your colleagues.** Join a section, specialty bar association, or volunteer for the state bar. Incivility is bred, in part, by a lack of familiarity. The more we know our professional colleagues, the less likely we are to be unprofessional. When confronted with unprofessional conduct by a colleague, don’t respond in kind. Treat others with respect and dignity, regardless of how they treat you.

3. **Respect the legal profession.** Win or lose, you represent the legal and judicial system to the public. Don’t complain about the judge or the other attorney to your client. Respect the process, and the other participants, even if you are not happy with the most recent development. As an attorney, you set the tone for your client, and he/she...
likely won’t display respect for the system if you don’t. It’s OK to be disappointed, but it’s not OK to be disparaging. As officers of the court, it is our duty to always support the rule of law.

4. Be honest. Don’t make unreasonable promises to the judge, other attorneys, or your client. If you make a promise, keep it. Don’t misrepresent the facts to anyone. Admit your mistakes when necessary, and correct misunderstandings and misinformation. Nobody’s perfect, and your clients don’t expect you to be. Telling the truth is always the best policy, even when doing so is difficult.

5. Be timely. This is a big source of client frustration with lawyers. Call them back, answer their letters, reply to their e-mails, and keep them informed. Treat the court and colleagues in the same way. Be timely when filing pleadings and responding to discovery requests.

6. Read and know the rules. The rules are there for a reason, and a practicing lawyer should always be familiar with them. Don’t depend on the judge or the other attorney to know the rule for you. Ignorance simply wastes the court’s time, your opponent’s time, and your clients’ money.

7. Remain objective. The problems of your client are not your problems. Your job is to help solve those problems, and you can do that best only when you remain objective. Don’t practice angry. Behave in a way that will get a positive result.

8. Avoid unnecessary conflict. The practice of law is already stressful enough. Why create unnecessary conflicts and disputes? If your adversary asks for a concession, favor, or time extension and it is within your power to say yes — then by all means grant the request. Why not? Some day you will be in the position of making a similar request. Take into account the demands on and limitations of others.

9. Be prepared. Don’t expect the judge or opposing lawyer to solve your problems. Try to figure it out yourself. Work hard and come up with your own solution, and be prepared with a proper legal argument.

10. Practice with integrity. Professional conduct and civil behavior should not exist only in the courtroom, or when the judge is present. It has to be part of your daily practice. Use the discovery process properly, and not with the intent to harass or oppress your opponent. Follow the rules, speak the truth, and seek the truth. Take action with the proper motive, not with the intent to harass, annoy, or burden. Your objective should never be to oppress or inconvenience the opponent. Remember, your objective is to solve your client’s legal problem. That should be your only objective when representing a client.

I am interested in your comments and response to these 10 rules and to the question that began this essay: “What does it mean to be a professional?” There is no correct answer. In fact, the answer is not nearly as important as the discussion. It is important for people to think about the question and develop an answer on their own. I am very interested in your thoughts, and my intent is to devote another President’s Corner to the responses received, if any.

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Shariah and Estate Planning

Examining the issues that Muslim communities in the United States face today when dealing with issues pertaining to inheritances

by Shahzad Q. Qadri

In the post 9/11 world the term “shariah” has been rampantly used throughout the media. While shariah has been widely discussed, little focus has been put on explaining the significance and relevance of this body of law. In a nutshell, shariah is the Islamic laws that are all-encompassing and deal with many aspects of day-to-day life, including politics, economics, inheritance, banking, business law, contract law, sexuality, and social issues.

Given that Islam is one of the fastest-growing religions in the United States, with an approximate population of five to eight million Muslim Americans, legal practitioners throughout the country are scrambling to understand the basic principles of shariah. Muslims in the United States are made up of a fairly affluent and educated group of people. As the first generation of Muslim immigrants reach retirement, one of their primary concerns is estate planning.

Islamic societies are generally what we may call societies without wills. Traditionally, Islamic nations do not require a will for the disposition of property upon one’s death. Shariah mandates the shares of each heir, payment of debts and obligations, and the general distribution of the estate. In the event an individual has left behind a will, he/she is entitled to devise only one-third of his/her estate after the payment of the debts and obligations, as he/she wishes. The remaining two-thirds shall be distributed according to the mandates of shariah. However, should the heirs choose to comply with the terms of the will, they are certainly free to do so.

The laws of inheritance have been addressed in the Qur’an in Surah Al-Nisaa (the fourth chapter), verses 11 and 12, and then in verse 176. Although a virtual translation of these verses is something to be desired, the complexity of the Arabic language forces us to rely on interpretations of the Qur’an. The following is an attempt to interpret verses 11 and 12 of Surah Al-Nissa:

Verse 11:
Allah enjoins you about [the share of inheritance of] your children: A male’s share shall equal that of two females — in case there are only daughters, more than two shall have two-thirds of what has been left behind. And if there be only one daughter, her share shall be half — and if the deceased has children, the parents shall inherit a sixth each, and if he has no children and the parents are his heirs then his mother shall receive a third, and if he has brothers and sisters then the mother’s share is the same one-sixth. [These shares shall be distributed] after carrying out any will made by the deceased or payment of any debt owed by him (the deceased). You know not who among your children and your parents are nearest to you in benefit. This is the law of Allah. Indeed Allah is wise, all-knowing.

Verse 12:
You shall get half of what your wives leave, if they die childless. But if they do have children, your share shall then be a quarter of what they leave after carrying out any will made by the deceased or payment of any debt owed by her. And they (your wives) shall have a quarter of what you leave, if you die childless. But in case you have children, they shall then get one-eighth of what you leave, after carrying out any will made by you or payment of any debt owed by you (the deceased). And if a man or a woman is made an heir on account of his [or her] kalalah relationship [with the deceased] and he [or she] has one brother or sister, the brother and sister shall each receive a sixth and if they be more than two, they shall then share in one-third, after carrying out any will that had been made by the deceased or payment of any debt owed by him — without harming anyone. This is a command from Allah and Allah is al-knowing, most forbearing.

While verses 11 and 12 of Surah Al-Nissa focuses on providing guidance as to distribution of property to spouses, children, and parents, verse 176 delves into the rights of heirs who have what is known as a kalalah relationship. Kalalah relation is an adjective used for a person who leaves behind neither parents nor children; it also means all the relatives of a deceased except his parents and children, and it also denotes the relationships which are not through [the deceased’s] parents or children. Verse

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rules for distribution of property upon death, more and more Muslims in the United States are realizing the importance and necessity of having a will in place. While one may argue that the laws of intestacy allow for the disposition of property without the necessity of a will, unfortunately, the state laws of intestacy do not take into consideration the principles of the Islamic faith. For example, under Washington state laws of intestacy, the share of a surviving spouse includes all of the decedent's community property and at a minimum one-half of the net separate estate if the intestate is survived by issue. However, under the principles of sharia, the proportionate share that a surviving spouse is entitled to inherit is contingent on several factors, as stated in the verses from the Qur'an referenced above, including but not limited to: (1) whether it is the husband or wife who is inheriting; (2) the number of children they are survived by; (3) the characteristic of the property, i.e., did the wife receive it as inheritance or was it gifted to her by her spouse during the marriage. Furthermore, the concept of "community property" is nonexistent in the principles of sharia. Despite this, financial security is assured for women under sharia. A woman is entitled to receive unlimited marital gifts, which can include properties. Additionally, any properties and income derived from those properties are the exclusive and separate property of the woman, even after marriage. No woman is required to spend any portion of her property or income on her household. Upon the death of her spouse or in the event of a divorce, such acquired property remains to be the exclusive property of the woman. Another example of the differences between state law and sharia is that under Washington state laws of intestacy, surviving children all receive an equal share. Under sharia, sons receive twice as much as daughters.

However, other elements of sharia are in sync with the Washington laws of inheritance. Take, for example, the slayer statute. The slayer statute states in pertinent part that "[n]o slayer shall in any way acquire any property or receive any benefit as the result of the death of the decedent ..." Similarly, the shariah provides that "[o]ne who kills a man cannot inherit from him." All Islamic jurists agree that intentional or unjustifiable killing according to shariah is a bar to inheritance.

This article is not aimed at addressing the fairness of such distributions nor the
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reasons behind such provisions, but rather to examine issues that Muslim communities in the United States face today when dealing with issues pertaining to inheritances. The Muslim community is having to find ways to reconcile the laws of their respective states with *shariah*. For practicing Muslims, their faith is interwoven with their daily lives. It is essential for them to find harmony between *shariah* and laws of the United States. In an effort to do this, they are turning to estate-planning practitioners to find a solution. One of the key fears amongst Muslims is the fear that their will may be null and void upon their death as being in violation of local statutes. As such, it is becoming increasingly important for estate-planning practitioners to not only understand the Islamic laws of inheritance, but also the Islamic culture. In order for an attorney to be able to competently advise a Muslim client on the ramifications, consequences, and solutions to *shariah*-created issues, it is essential that the practitioner have some understanding of the principles of *shariah*.

Islamic wills, or rather, *shariah*-compliant wills, and Islamic estate planning is a very complex area of law that requires practitioners to utilize creative ways to integrate *shariah* with local laws. Creativity not only requires drafting immensely detailed wills, but also the use of other tools such as property agreements, trusts, prenuptials, postnuptials, and gifts. Approximately 50,000-90,000 Muslims are estimated to be living in Washington state. A growing Muslim community requires lawyers to have, at the very least, a basic understanding of Islamic estate planning and will undoubtedly require lawyers to look beyond the legal culture and step into foreign territory to ensure that they are able to serve this community effectively, keeping in mind the specific religious needs.

Shahzad Q. Qadri is a senior shareholder at Caley Dehkhoda & Qadri, Inc. in Bellevue. In the past, Mr. Qadri has served on WSBA’s Committee for Diversity and has served as trustee for the King County Bar Association’s Young Lawyers Division. He is currently on the board and serving as chair for the World Education Foundation, a nonprofit promoting education in third-world countries. He can be reached at 425-869-4040 or shahzad@cdqlaw.com.

**NOTES**
1. As the U.S. census does not collect data on religious affiliations, the number of Muslims is an estimate.
2. Dr. Abdul Hai A’Rfi (First Ed. 1994) *Islamic Law of Inheritance*.
4. RCW 11.04.015.
5. RCW 11.04.015.
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Congratulations to this year's Annual Awards recipients! The awards, with the exception of the Pro Bono and President's Awards, were presented at the Annual Awards Dinner held September 20 at the Grand Hyatt Hotel in Seattle.

**Professionalism Award**

**Eugene M. Moen**

This honor is awarded to a member of the WSBA who exemplifies the spirit of professionalism in the practice of law. “Professionalism” is defined as the pursuit of a learned profession in the spirit of service to the public and in the sharing of values with other members of the profession.

Gene Moen is a graduate of the University of Oregon and a 1968 graduate of Yale Law School. He has been listed in the book “Best Lawyers in America” and in “Best Lawyers in Seattle” published by Seattle Magazine. Mr. Moen also was recognized by his peers as a “Top 100 Super Lawyer” and a “Top 40 Plaintiffs Personal Injury Super Lawyer” in surveys conducted and published by Washington Law and Politics magazine during the past several years.

A member of the Board of Governors of the Washington State Trial Lawyers Association from 1987-1993, Mr. Moen also served as vice president, chair of the Medical Negligence Section, and editor-in-chief of the monthly newspaper Trial News. He has been a speaker at many legal seminars on a variety of aspects of law, including family law, adoption law, discrimination law, trial practice, personal injury law, and medical negligence law. He has served as chair of the WSBA Civil Rights Committee and the Pro Bono and Legal Aid Committee. He also served on the Board of Directors of Evergreen Legal Services. In addition, Mr. Moen has actively participated in legislative and lobbying activities in Olympia on behalf of the Washington State Trial Lawyers Association.

“Gene Moen not only mentors other lawyers with no expectation of any return to himself, but he epitomizes all of the ethical and professional ideals expected of all of us, and achieved by few,” wrote Indira Rai-Choudhury in her nomination letter. “He follows not just the letter of our professional and ethical obligations, but the spirit as well, and he does so at all times and without exception.”

**Angelo Petruss Award**

**for Lawyers in Public Service**

**Norman K. Maleng (posthumous)**

Named in honor of the late Angelo R. Petruss, a senior assistant attorney general who passed away during his term of service on the WSBA Board of Governors, this award is given to a lawyer in government service who has made a significant contribution to the legal profession, the justice system, and the public.

Born in Acme, Washington, Norm Maleng graduated from the University of Washington in 1960 with a degree in economics. He earned a law degree from the UW in 1966. After graduating, Mr. Maleng was selected to serve as staff attorney for the United States Senate Committee on Commerce, chaired by Sen. Warren Magnuson.

Mr. Maleng was elected prosecutor in 1978, and was King County's prosecutor for 28 years. He oversaw a staff of more than 500 employees, including 240 deputy prosecutors. Mr. Maleng's office was nationally known for its sexual-assault prosecution unit and victim-assistance unit, which served as models of how to prosecute sexual-assault crimes while dealing with the trauma experienced by victims.

“Norm has left us an incredible legacy of integrity and honor in the pursuit of justice,” said Bonnie Glenn, deputy chief of staff at the King County Prosecuting Attorney’s Office. "His optimistic spirit, passion for work and life, and legacy will remain with us all for years to come. He touched many people in his life with his ability to see the best in people and his commitment to support and elevate others. He touched the careers and lives of so many. His ability to connect and touch others was so special. It was a privilege to have known and served under his leadership. He will be truly missed."

“It is hard to imagine the Office of Prosecuting Attorney in King County without Norm Maleng,” wrote 2006-2007 WSBA President Ellen Conedera Dial. “We have lost a giant in our justice system, a man whose life and career manifested grace, dignity, fairness, respect, and justice. I knew him, as countless others did, as a quiet but charismatic leader, an innovator who nonetheless touched everyone he met with his warmth and optimism.”
“He was a friend and a man I will sorely miss,” wrote King County Superior Court Judge Richard A. Jones. “Norm’s legacy as the King County Prosecutor will be one filled with praise for his integrity, compassion, dedication, and commitment to justice. We must also not forget how hard he worked to stay deeply connected to the community. Norm took the time to attend and be an active participant in the events and activities of diverse organizations both legal and civic. He served as a role model for all elected officials of what ‘being involved and committed’ really meant.”

“He was an outstanding example of law’s most noble aspirations: a kind, ethical, fair, and honest man who was a devoted public servant,” wrote Dean Kellye Testy of the Seattle University School of Law. “He was a leader for justice and inspired so many lawyers to be their very best selves. He has had a profound and lasting influence on so many lawyers that he will live on in and through the law for decades to come.”

**Courageous Award**

*John McKay*

*This award is presented to a lawyer who has displayed exceptional courage in the face of adversity, thus bringing credit to the legal profession.*

A Seattle native, John McKay attended the University of Washington, where he received his bachelor’s degree in political science in 1978. After working as an aide to Congressman Joel Pritchard in 1978-79, he earned his law degree at Creighton University in 1982. He joined the Seattle law firm of Lane Powell Spears Lubersky in 1982, eventually becoming a litigation partner with that firm. During this time, he was admitted to practice before the U.S. District Court, the Ninth Circuit Court of Appeals, and the United States Supreme Court. From 1989-1990, Mr. McKay served as a White House Fellow, where he worked as a Special Assistant to the Director of the Federal Bureau of Investigation in Washington, D.C. Mr. McKay then returned to Seattle and joined the law firm of Cairncross & Hempelmann, later becoming the firm’s managing partner.

Between 1997 and 2001, Mr. McKay served as president of the Legal Services Corporation (LSC) in Washington, D.C. Congress established the LSC in 1974 as a private, nonprofit corporation to ensure equal access to justice under the law for all low-income Americans. Mr. McKay’s tenure at LSC was characterized by a bipartisan approach to working with Congress, driven by a deeply held commitment to the principle of equal justice. Mr. McKay was nominated by President George Bush to serve as U.S. attorney for the Western District of Washington in September 2001, and he was confirmed by the Senate in October 2001. Mr. McKay served in this position with distinction until December 2006. Mr. McKay, and seven other U.S. attorneys, found themselves in the middle of controversy, thrown into the public spotlight. In the midst of it all, Mr. McKay conducted himself with courage, dignity, professionalism, and integrity.

During his legal career, Mr. McKay has taken on leadership responsibilities with the American Bar Association (ABA) and the WSBA. He has been a member of both the ABA Board of Governors and House of
Delegates, and has served on the WSBA’s task forces on Opportunities for Minorities in the Legal Profession and on Governance. From 1988 to 1989, he was president of the WSBA Young Lawyers Division. From 1995 to 1996, he served as the chair of the Equal Justice Coalition. He is currently director of a new ethics center at Seattle University where he had been an adjunct law professor.

This is Mr. McKay’s third WSBA award — in 1995, he received the Pro Bono Award, and in 2001 he received the Association’s Award of Merit, its highest honor.

Outstanding Judge Award
The Honorable Gregory J. Tripp

This award is presented for outstanding service to the bench and for special contribution to the legal profession at any level of the court.

Judge Gregory Tripp joined the Washington State Bar Association in 1973, and served for two years as a deputy prosecutor for Clark County (Vancouver), Washington. For the next 22 years, except for a year in Seattle, he engaged in the general practice of law in Spokane, working in small firms and as a solo practitioner.

Judge Tripp has served on all civil and criminal dockets of the Spokane District and Municipal Courts. Currently, he presides over cases assigned to the Spokane Municipal Department. His principal duties are criminal trials, probation violation hearings, and related law motions. In addition, he is the presiding judge of the Cheney Municipal Court, in accordance with the County Districting Plan.

Judge Tripp has been active in a wide variety of community-service and bar association activities. He has served as chair of the Spokane Sports, Entertainment, Arts, and Convention Advisory Board (SEACAB), and currently serves on the Eastern Washington Historical Society Board of Directors. He has also served as chair of the WSBA General Practice Section, and as president of the WSBA’s task force on Opportunities for Minorities in the Legal Profession and on Governance. From 1988 to 1989, he was president of the WSBA Young Lawyers Division. From 1995 to 1996, he served as the chair of the Equal Justice Coalition. He is currently director of a new ethics center at Seattle University where he had been an adjunct law professor.

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Dale is a Past-President of the WSBA, former Managing Partner of our Law Firm, one of the region’s most highly-respected Real Estate and business lawyers, former Adjunct Professor at the University of Puget Sound Law School, and active community leader.

Our attorneys and staff are very proud of Dale’s dedication to the Washington State Bar Association and to the legal profession.

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of the Legal Foundation of Washington. He currently serves as chair of the Washington State Access to Justice Board, and is a member of the Spokane County Bar’s Volunteer Lawyer Program Advisory Committee. Additionally, since becoming a judge, he has been active in technology issues related to court management.

“As a judicial leader in this state, Judge Tripp has led by example, and has worked hard to encourage his colleagues on the bench to play leadership roles in the resolution of these challenging [access to justice] issues,” wrote Daniel S. Gottlieb, chair-elect of the Access to Justice Board. “Judge Tripp has been generous with his time and his talents, and has continued to impress Board members and others with his passion and commitment to improving our justice system.”

Award of Merit
Kenneth H. Davidson

First given in 1957, this is the WSBA’s highest honor. The Award of Merit is most often given for long-term service to the Bar or the public, although it has also been presented in recognition of a single, extraordinary contribution or project. It is awarded to individuals only—both lawyers and nonlawyers.

Ken Davidson earned his bachelor’s degree and his law degree at Duke University. He works in private practice with the firm of Davidson, Czeisler & Kilpatrick, currently focusing on tort and commercial litigation, real estate, and employment law.

Mr. Davidson has long been involved in service to the WSBA, the legal community, and the community in which he lives and works. He has served on numerous WSBA committees and boards, including the Board of Governors, Legislative Committee, Budget Committee, Committee on Public Defense, and the Legal Aid Committee. He was the WSBA treasurer for 2002. Davidson also served for five years on the Washington State Access to Justice Board, first as a board member and later as its chair.

Mr. Davidson has been active in the Eastside legal community as a trustee and president of the East King County Bar Association. In 1989, he co-founded the Eastside Legal Assistance Program, and has served as its president and on its board of directors and continues to work as a volunteer attorney in its legal clinics. He has also served on the boards of the ACLU of Washington and the King County Bar Foundation. In addition to his volunteer work for bar organizations and legal aid and civil liberty programs, Mr. Davidson has contributed time to community work, including service as a board member for the Cascade Community College Foundation and the Kirkland Chamber of Commerce, as a member of the advisory committee for St. Edward State Park, and as a coach for the Kirkland National Little League.

“The specific extraordinary contribution that Ken has recently made to the bar and the public was chairing the Death Penalty Subcommittee of the Committee on Public Defense,” wrote Robert Welden, WSBA general counsel. “Ken led the subcommittee through serious, thoughtful, sometimes contentious proceedings, to produce an outstanding report with near-unanimous recommendations for improvement of the death penalty system in Washington.”

Excellence in Diversity Award
David W. Savage • Ronald R. Ward

This award is made to a lawyer, law firm, or law-related group that has made a significant contribution to diversity in the legal profession’s employment of ethnic minorities, women, and persons with disabilities. This year, two Excellence in Diversity awards were presented.

Dave Savage received a bachelor’s degree from Washington State University, and his law degree from the University of Idaho. Licensed in Washington, Idaho, and Montana, he practices in the areas of personal injury, personal injury defense, civil litigation, and alternative dispute resolution, frequently serving as an arbitrator and mediator.

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Mr. Savage was one of the first at-large governors elected to the WSBA Board of Governors. He later served as WSBA’s president in 2003-04. As part of his work with diversity, he instituted the annual “Celebrating Diversity” meeting, now in its fourth year, and was instrumental in creating the full-time diversity advocate position at the WSBA. In addition, Mr. Savage, along with his spouse, Sally Savage, also an attorney, conceived of and contributed the initial funds for the Presidents’ and Governors’ Diversity Scholarship Fund, which is intended to assist young people who aspire to a career in law.

Mr. Savage worked with 2004-2005 WSBA President Ronald R. Ward to help establish the WSBA Leadership Institute, a program that develops and prepares newer lawyers for leadership roles, with an emphasis on persons of color, women, and traditionally underrepresented groups. Now completing its third year, the program received two national awards in its first two years, and several other states are working toward adopting similar programs in their own bar associations. In 2005, Mr. Savage was awarded the Loren Miller Bar Association’s President’s Award in recognition of his achievements in diversity.

“My association with [Dave Savage] has been one of the finest in my personal and professional life,” commented Ronald R. Ward in his nomination letter. “He is a human being of character, integrity, sensitivity, and commitment ... Savage has been the epitome of ‘excellence in diversity.”

The oldest of 10 children raised in a San Francisco-area housing project, Ron Ward was inspired to practice law by the example of his mother, who worked as a domestic and who he saw as an inspiring example of preparation for the next generation. Mr. Ward earned his law degree from the University of California in 1976. He served as a Washington state assistant attorney general before entering private practice at Levinson Friedman of Seattle, where he became a partner in 1986. He is currently a partner in the Seattle firm Jones & Ward PLLC.

Mr. Ward’s practice focuses on serious auto, maritime, construction-site personal injuries, and wrongful death. He was elected and served as 2004-2005 president of the WSBA, after serving two years on its Board of Governors, and as its president-elect. He was the first African-American person to serve as WSBA president. He is a member of the American Board of Trial Advocates, the American Bar Association House of Delegates, and a former member of the ABA Standing Committee on Pro Bono and Public Service and the President’s Commission on the Renaissance of Idealism in the Profession.

Mr. Ward is the founder of the WSBA Leadership Institute for diverse newer lawyers, program winner of the national 2005 American Bar Association Partnership Award, and sole recipient in the country of the 2006 LexisNexis Martindale-Hubbell Legal Fellowship.

“This is a community,” Mr. Ward has said of diversity in Washington. “It includes whites, blacks, Latinos, Asians, Indians, gays, lesbians, and individuals with disabilities. Our community rises and falls together ... We as a community will only achieve full fruition of our possibilities
when diversity as a semantic is a given and no longer of any particular moment."

“Mr. Ward has started a legacy of increasing diversity in the leadership of our profession and creating opportunities to instill an awareness in the value of diversity,” wrote Kennewick attorney Gloria Ochoa Lawrence. “[He] exemplifies a standard of professionalism, commitment, and service to our legal profession and the community at large.”

**Community Service Award**

**Robert D. Wilson-Hoss**

Lawyers are known for giving generously of their time and talents in service to their communities. This award recognizes exceptional non-law-related volunteer work and community service.

**Rob Wilson-Hoss** received a B.A. in philosophy and English from Willamette University in 1973, and his J.D. from the University of Washington in 1978. He grew up in Longview and has practiced in Mason County since 1978. This is his second WSBA award; in 1993, he received the Association’s Courageous Award for his civil rights work. He is also a trained mediator, through the Thurston County Dispute Resolution Center. He is a member of the Washington State Trial Lawyers Association and the National Academy of Elder Law Attorneys.

Mr. Wilson-Hoss has served several terms as Mason County judicial commissioner, in Juvenile Court, Domestic Relations Court, and as a settlement conference commissioner. His previous experiences include service in the Peace Corps, participation in the establishment of the Northwest Intertribal Court System, and as the first reservation attorney for the Squaxin Island Tribe.

Mr. Wilson-Hoss has participated in the formation and/or work of many Mason and Thurston county agencies and associations, including the Thurston-Mason County Dispute Resolution Center, the Thurston-Mason County Bar Association, the Mason County Bar Association, the Mason County Shelter, and the Mason County Counseling Network. He was instrumental in the establishment of Habitat for Humanity Mason County, the Mason County Shelter, and Turning Pointe Domestic Violence Services. He also helped to found and lead an ad-hoc task force of community leaders and federal mediators directed at improving relationships between the emerging Latino-Hispanic community and the existing local community.

In addition to the WSBA, Mr. Wilson-Hoss has received awards and recognition from many other groups, including the Mason County Chamber of Commerce, Shelton Rotary Club, Shelton School District, Lake Limerick Country Club, Spanish Language Institute (Oaxaca, Mexico), Turning Pointe, Cub Scout Pack 126, Save Our County’s Kids, the Northwest Intertribal Court System, the United States Soccer Federation (D license), and the Conehead Invitational Softball tournament. Mr. Wilson-Hoss and his wife, Wendy, are also foster parents to an 11-year-old boy.

“While avoiding the limelight, Rob works tirelessly for his many volunteer projects that cumulatively have had a huge impact on our community,” said his brother, Richard Hoss. “As Rob’s partner for 25 years,
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Lifetime Service Award
Dale L. Carlisle

This is a special award given for a lifetime of service to the WSBA and the public. It is given only when there is someone especially deserving of this recognition.

Dale Carlisle received his bachelor’s degree from the University of Idaho, and his law degree from George Washington University School of Law. He was a judge advocate for the U.S. Air Force from 1960-1963, and assistant U.S. attorney for the western district of Washington from 1964-1966. He was general counsel for Levitt West from 1970-1973. From 1990-2000, Mr. Carlisle was the managing partner of his firm, Gordon Thomas Honeywell Peterson & Daheim PLLC, where he has practiced since 1966.

Mr. Carlisle served from 1999-2002 on the WSBA Board of Governors, and from 2001-2002 as WSBA president. He has also served on the Board of Advisors of the WSBA Leadership Institute, and he is a past chair of the WSBA Business Law Section. He was president of the Western States Bar Conference from 2005-2006, and has served as president and trustee of the Tacoma Public Library. He has also served as director and on the executive committee of Forward Together, and as president of the Tacoma City Club.

“Dale Carlisle has served with distinction and honor throughout his professional legal career,” wrote Judge Zulema Hinojos-Fall in her nomination letter. “Dale has provided leadership and shown his commitment to issues affecting the practice of law and attorneys throughout his career. He has also been an inspiration... as a leader who has devoted his time and talent to encouraging professionalism and dedication in the legal profession.”

President’s Award
Dean Kellye Testy

The President’s Award is given annually in recognition of special accomplishment or service to the WSBA during the term of the current president.

Dean Kellye Testy took office as dean of Seattle University School of Law in February 2005. She joined the Seattle University School of Law faculty in 1992, after serving as a law clerk to the Honorable Jesse Eschbach of the United States Court of Appeals for the Seventh Circuit. With the exception of a year as visiting professor at Indiana University, she has been with the school ever since. Prior to being named dean, she served as the associate dean for academic administration, and as a Wismer Professor from 2001-03. Dean Testy co-founded the law school’s Access to

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Justice Institute, and founded both the Seattle Journal for Social Justice and the Center on Corporations, Law & Society. She also serves as co-director of the Wismer Center for the Study of Justice.

In addition, Dean Testy is a member of the university’s Faith & Justice Committee; a former member of the Development Committee for a J.D./M.B.A. program; a current member of the law school’s Self-Study Committee; and a past member of the university’s Strategic Planning Committee.

Dean Testy has published many articles and book chapters on corporate governance and other business law and economic justice issues. She is also active as a consultant and expert witness on a variety of corporate and securities law matters, in both state and federal court. Her writing has been published in many journals, including the Duke Journal of Law & Contemporary Problems, Northwestern Law Review, the New York Journal of International and Comparative Law, California Law Review, and George Law Review.

Dean Testy is known for her caring involvement not just with students, the law school, and the university, but the legal community and the community at large. Said 2006-2007 WSBA President Ellen Conedera Dial: “Dean Kellye Testy is a leader with a vision and an absolute conviction — that a world in which justice is available to all can be a reality. She inspires us with her strong commitment to social justice and her abundant generosity of spirit.”

**Pro Bono Award**

**Shelley A. Ajax**

This award is presented to a lawyer, nonlawyer, law firm, or local bar association for outstanding efforts in providing pro bono services. This award is based on cumulative efforts, as opposed to a lawyer’s or group’s pro bono hours or financial contribution.

Shelley Ajax received a bachelor’s degree in Social Sciences from Washington State University, and her law degree from Gonzaga University School of Law in 2004. She opened her own law firm, focusing on family practice, in 2005, and immediately began volunteering her time for community service. Ajax also serves as the current editor of *De Novo*, the Washington Young Lawyers Division newsletter.

Ms. Ajax is the founder and president of the Benton-Franklin Young Lawyers Division. She is an active member of the Benton Franklin Legal Aid Society Board and has facilitated a weekly clinic for legal aid clients. She recently instituted the We the Jury program in Benton and Franklin counties. In addition, she has coordinated a blood drive and food drive to benefit domestic-violence shelters and others in the community, and participated in YMCA Mock Trials.

In 2006, Ms. Ajax received an honoree award from Equal Access to Justice, representing Benton, Franklin, and Walla Walla counties; an award of recognition for volunteer work as a Court Appointed Special Advocate/Guardian Ad Litem for Benton County Superior Court; and the Gene Schuster Award for pro bono legal services, presented by the Benton-Franklin Legal Aid Society.

“Shelley’s drive, charisma, and generosity bring new meaning to the spirit of pro bono work, which is why I am so pleased to nominate her for this award,” said attorney Laura M. Chuang in her nomination letter.
If you would like to contribute to Around the State on behalf of your county, minority, or specialty bar organization or if you have a law-related item of interest, send your submissions to aroundthestate@wsba.org.

Ellen Conedera Dial congratulates Michael Heatherly.

Bar News Welcomes New Editor
2006-2007 WSBA President Ellen Conedera Dial officially congratulated Bellingham attorney Michael Heatherly upon his appointment as editor of the Washington State Bar News on September 21. Mr. Heatherly was formerly a reporter for the Aberdeen Daily World, and a reporter and business editor for the Bellevue Journal-American. He received a bachelor's degree in editorial journalism and English from the University of Washington, and a law degree from the University of Washington School of Law. Mr. Heatherly is currently in private practice focusing on mediation and arbitration services.

Northwest Justice Project Opens Legal Aid Office in Port Angeles
The Northwest Justice Project (NJP), Washington's statewide legal aid program, has opened a new office serving Clallam and Jefferson counties to provide free legal assistance in civil matters to low-income families, individuals, senior citizens, and tribal members. The opening marks the first time in more than 25 years that Clallam and Jefferson counties have had a staffed legal aid office. "An NJP office to serve Clallam-Jefferson is long overdue and is a powerful symbol of Washington's commitment to making equal access to justice a reality," said Washington State Supreme Court Justice Susan Owens.

In addition to providing direct representation to eligible clients, NJP's Port Angeles office will engage in ongoing community education efforts and outreach to identify and target the civil legal needs of Clallam-Jefferson's residents, and to help the courts, social service providers, and people with low incomes better utilize NJP's services and the court system. A special focus will be to establish relationships with the many Indian communities on the northern peninsula to ensure that tribal members seeking assistance are aware of NJP's services, and to help reduce obstacles faced by tribal members seeking to access civil legal assistance.

Seattle Lawyer Kathleen J. Hopkins Named to ABA Board of Governors
Kathleen J. Hopkins of Seattle took office August 14 for a three-year term as a member of the Board of Governors of the American Bar Association. As governor of the ABA's District 18, Ms. Hopkins will represent Puerto Rico, Maryland, Washington, and Indiana. She will serve on the Finance Committee and as board liaison to the General Practice, Solo and Small Firm Division, the Standing Committee on Pro Bono and Public Service, and the Standing Committee on Publishing Oversight. Ms. Hopkins has been a member of the ABA House of Delegates since 1986 and has served on the Credentials and Admissions Committee, as well as the Tellers Committee. In addition, she has served as a liaison to various commissions within the ABA, including the Second Season of Service Committee, and the Commission on Women in the Profession.

Ms. Hopkins is a past president of the WSBA Young Lawyers Division. She received her J.D. with honors from the University of Washington School of Law.

New WYLD President Sworn In
Mark W. D. O’Halloran was sworn in as the 2007-2008 WYLD President by 2006-2007 WSBA President Ellen Conedera Dial at the WSBA Board of Governors meeting on September 20, 2007. Mr. O’Halloran served as a WYLD trustee representing King County from 2003-2006. He is a 2002 graduate of Seattle University School of Law and is currently an associate at the Gosanko Law Firm on Mercer Island, where he focuses on civil tort cases.

Ed Wolfe (right), and Dr. Glen Carlson (left) present checks to the Susan G. Komen Foundation for breast cancer research.

Kitsap Organizations Join Together to Fight Breast Cancer
The Kitsap Bar Association and Kitsap County Medical Society Foundation sponsored the Susan G. Komen Breast Cancer Golf Tournament September 4 at the Kitsap Golf and Country Club. More than $4,500 was raised to benefit breast cancer research and more than 100 people participated.

The two organizations each contributed $1,000 to help the Susan G. Komen Foundation. Kitsap Bar President Ed Wolfe and Kitsap County Medical Society Foundation President Dr. Glen Carlson said plans are already being discussed for next year’s tournament.

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Telling Your Client to Get Another Lawyer

What is a “reasonable opportunity” to consult independent counsel?

In the above scenario, has Jack adequately advised Penny about the need to consult independent counsel? Has Jack given her a “reasonable opportunity” to do so? The amended RPCs and recent Washington State Supreme Court cases indicate that the answer is “no.”

The RPCs (as amended in September 2006) explicitly state that just telling Penny in a telephone conversation that she may consult independent counsel is insufficient. RPC 1.8(a)(2) states that the client must be advised “in writing” of the desirability of seeking independent counsel. Because Penny did not receive the advice in writing, and because she was not told that such a consultation would be prudent, Jack is likely to have violated the rule.

The second requirement is that Penny be given a “reasonable opportunity” to consult with independent counsel. In a recent decision applying the pre-2006 version of the rule, Valley/50th Avenue, LLC v. Stewart, the Washington State Supreme Court addressed the meaning of “reasonable opportunity.” In that case, a law firm represented a businessman, Rose, in several matters, including an expensive litigation matter involving one of his companies, Valley/50th Avenue (Valley). Valley accumulated outstanding legal fees and costs of $160,000. The law firm approached Rose about this outstanding obligation. Ultimately, Rose agreed to sign a new representation agreement, a promissory note, and a deed of trust secured by property owned by Valley. Later, Rose defaulted, and Valley protested. Valley raised several defenses, including that the promissory note and deed of trust were unenforceable against it as violative of RPC 1.7 and RPC 1.8.

A crucial issue in the case was whether the firm had given Rose and Valley "a reasonable opportunity to seek the advice of independent counsel in the transaction” under former RPC 1.8(a). The Court stated that the client’s opportunity to consult independent counsel must be “real and meaningful,” and that it is not enough that in “some moment in time an opportunity existed, no matter how brief or fleeting that opportunity might have been” to consult independent counsel. Although the Court held that the definition of “reasonable opportunity” may depend on the circumstances, it set a minimum standard, i.e., that it will always mean more than the “mere physical ability to contact an attorney.” Finally, the Court made clear that the burden is on the lawyer to demonstrate that a real and meaningful opportunity to seek independent counsel was afforded to the client.

The Valley/50th Avenue Court did not, however, resolve the factual issue of whether Rose (and Valley) had been advised and given a reasonable opportunity to consult independent counsel since the case was on appeal from a summary judgment and the relevant facts were in dispute. The Court noted that one of the law firm’s partners testified that he had orally informed Rose that he was entitled to consult independent counsel, and that he knew that Rose was employing several different lawyers at the time of the transaction. By contrast, Rose testified that a lawyer from the firm had come to his home and told him that the firm would withdraw from the case if Rose did not sign certain documents. The Court remanded the case for further proceedings on these factual disputes.

Another recent case, In re Disciplinary Proceeding Against Greenlee, provides further guidance. Greenlee was charged with violating former RPC 1.8(h), which prohibited (as does the amended version) a malpractice claim against the lawyer. Both rules require that: (1) the lawyer advise the client (or former client if RPC 1.8(h) is involved) in writing of the desirability of obtaining independent counsel, and (2) the client be given a “reasonable opportunity to seek the advice” of independent counsel.

By Kevin M. Bank

Three weeks ago, lawyer Jack sent his client Penny a promissory note and deed of trust. Penny owes Jack $50,000 in legal fees that are past due. In his cover letter, Jack asked Penny to execute the note, as well as the deed of trust on property she owns, in case she defaults on the note. The terms of the note are different than the terms of promissory notes used by institutional lenders, and Jack made sure to provide Penny with full disclosure in writing of all the facts of the transaction and his role in it. Penny called Jack after receiving the documents and told him that she would have no problem providing her informed consent in writing to the arrangement. But Jack is about to leave for vacation in Europe, and Penny has not returned the executed documents. Jack calls Penny and tells her she needs to drop off the signed papers in the next two days, and he also mentions for the first time that she may consult outside counsel before she signs the documents. Jack vaguely remembers Penny telling him when he first got hired that Penny’s neighbor is a personal injury lawyer, and Penny sometimes consults her for a “second opinion.”

Two Washington Rules of Professional Conduct, RPC 1.8(a) and RPC 1.8(h), require lawyers to advise their clients of the desirability of seeking independent counsel before the client executes an agreement with the lawyer. Both of these rules cover situations where the lawyer’s personal interests could potentially conflict with the interests of the client. RPC 1.8(a) governs business transactions with clients, including situations where the lawyer and client enter in a creditor-debtor relationship and/or the lawyer obtains a security interest adverse to the client. RPC 1.8(h) involves situations where the lawyer seeks to settle the client’s (or former client’s)
lawyer from settling a claim for malpractice with a current or former client unless the client is advised in writing to consult with independent counsel prior to agreeing to the settlement. The Court upheld the hearing officer’s undisputed factual findings, and adopted his conclusions of law that Greenlee had violated former RPC 1.8(h).9

Greenlee had his legal assistant give his client a six-page “Settlement Agreement and Mutual Release” that included the following language: "the parties acknowledge that they either consulted with legal counsel of their choosing prior to entering this agreement or knowingly waived the right to do so." The hearing officer concluded that both the disclosure itself, and the circumstances in which it was communicated to the client, did not adequately advise the client of the appropriateness of seeking independent counsel and/or provide a reasonable opportunity to do so.10 The hearing officer noted that the meeting at which the client was given and signed the document was rushed and stressful for the client, and the client did not read the document carefully and felt pressured to sign it.11 Furthermore, the legal assistant’s claim that she told the client orally of the desirability of consulting independent counsel was insufficient because the legal assistant was not a lawyer capable of providing legal advice, and the rule required the advice itself to be in writing. Finally, the writing that Greenlee did provide to his client, even assuming that she had read it, was inadequate to explain the significance of the requirement to consult independent counsel because it did not specifically inform the client that it was appropriate for her to have independent representation in connection with signing the release.12

Let’s reconsider the opening facts. Even assuming Jack had notified Penny in writing that she should consult independent counsel, the short time Jack provided Penny to get such independent advice may be insufficient to meet the requirements of RPC 1.8. That Penny has a lawyer neighbor whom she “sometimes” consults is unlikely to cure the deficiencies either in the form of notice or the time period provided to Penny to obtain independent legal counsel. μ

**NOTES**

1.  159 Wn.2d 736 (2007).
2.  The pre-2006 rule did not explicitly require a writing, and also did not specify that the client be informed that consultation with independent counsel would be “desirable.”
3.  Valley/50th Avenue, 159 Wn.2d at 746.
4.  Id.
5.  Id.
6.  Id. at 746-47.
7.  Id. at 747-48.
9.  Id. at 263-64. Greenlee did not challenge the hearing officer’s factual findings, and limited his appeal to the legal issue of whether a “potential” (rather than existing) malpractice claim triggered the pre-2006 rule. The Supreme Court concluded that the pre-2006 rule did cover the potential claim of Greenlee’s client for malpractice, even though the client had not filed a lawsuit or notified Greenlee of an intention to sue.
10.  In re A. Graham Greenlee, Public No. 04#00057, Amended Findings of Fact and Conclusions of Law, ¶ 12 (February 7, 2005).
11.  Id.
12.  Id.

**MARK YOUR CALENDAR NOW!**

**ANNUAL RECEPTION AND DINNER**

**FEDERAL PRACTICE CLE**

Sponsored by the Federal Bar Association of the Western District of Washington

**WEDNESDAY, DECEMBER 5, 2007**

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**CLE PROGRAM**

1:00 p.m. to 5:00 p.m.

**The Coming Legal Battles Over the Internet**

Disputes over the use and control of the internet and screen displays will be prominent in the coming years, as the law strains to address circumstances not contemplated by existing doctrine. What are the big issues and battles on both sides, from both a legal and policy perspective?

**The Seattle School District Decision**

What does the case say about the Supreme Court and where it is heading? What does it mean for affirmative action and like programs? In the wake of this decision, should the legal profession be doing more to promote diversity?

**The Rise and Fall of Notice Pleading**

Will the Supreme Court’s Bell Atlantic decision significantly increase what a plaintiff must plead to file a proper complaint, will it change the legal landscape as the Supreme Court’s 1986 summary judgment trilogy did, and is it part of a trend toward keeping cases out of court and enabling judges to decide them earlier, without juries?

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BY ROBERT WELDEN

The Lawyers’ Fund for Client Protection Committee meets quarterly to review applications for gifts from the Fund. The Committee is authorized to make gifts of up to $25,000 to eligible applicants. On applications for more than $25,000, the Committee makes recommendations to the Board of Governors, who are the Fund’s trustees. At their meeting on August 24, 2007, the Committee took the following actions:

Michael A. Clarke — WSBA No. 815 of Everett — Deceased 10/28/06. (Michael A. Clarke is to be distinguished from Michael Steven Clark of Tacoma.)

Clarke represented the applicant on a personal-injury claim. A settlement was agreed to for $8,750, which was paid to Clarke. Clarke disbursed the funds and withheld $900, which he agreed to pay to the applicant’s medical provider. Clarke never paid the medical bill, and never accounted for the $900. The Committee approved payment of $300 in addition to $600 previously paid to the applicant.

Bernie W. Potter — WSBA No. 23076 of Seattle — Disbarred 9/15/04. (Johnson-Ortiz abandoned his high volume immigration practice in January 2004 and left more than 300 open files. The Committee has reviewed 112 applications and approved 70, with payments totaling $1,224,219.11.)

The applicant used representation following his marriage dissolution. Johnson-Ortiz agreed to file a Petition to Remove the Conditions of Residence, which the USCIS website describes as “for a conditional resident who obtained status through marriage to apply to remove the conditions on his or her residence.” The applicant needed to convince USCIS that, although divorced, his marriage had been entered into in good faith. The work order set the total fee at $3,500. The applicant documented payments to Johnson-Ortiz totaling $2,500. Johnson-Ortiz filed the Petition to Remove the Conditions of Residence, but abandoned his practice before any hearing was held on the petition. The applicant employed new counsel who completed the work. Based on its extensive familiarity with Johnson-Ortiz’s practice, the Committee determined that he had performed approximately 60 percent of the work for which he was employed, and that based upon the total documented payments in comparison to the entire agreed upon fee, the applicant should receive payment of $600 from the Fund.

Barry A. Hammer — WSBA No. 6444 of Everett — Resigned in lieu of disbarment 6/20/05.

The applicants are wife and husband (husband is deceased). The wife had used Hammer to prepare her tax returns since the 1970s and she considered him her “tax attorney.” He represented the wife and her then-husband in an IRS audit in the mid-1980s, and also represented the wife in the probate of her mother’s estate. He began preparing the husband’s tax returns prior to his marriage to the wife in 1998. He continued preparing the applicants’ taxes after marriage.

These applications concern promissory notes entered into between Hammer and the applicants individually with their separate property. They did this to supplement their income and to provide savings for retirement. Because Hammer was their tax attorney, he knew that they had substantial savings that were earning low interest rates.

Part of Hammer’s debt to the applicants was secured by real property, and they received full compensation for Hammer’s bankruptcy.

Unsecured debts: The husband gave Hammer $50,000 in November 1998, and received a promissory note originally secured by a deed of trust on property in Lake Stevens. Hammer told the husband that he was selling the Lake Stevens property, but would place the deed of trust on different property. He never did.

Hammer learned that the wife received $75,000 in income in one matter. When meeting with Hammer about preparing her tax return, Hammer recommended that she invest those funds through his office. On April 13, 2000, she gave Hammer $75,000 and received a promissory note in that amount. It was unsecured.

In September 2004, the interest payments from Hammer stopped. He filed his bankruptcy petition on September 17, 2004. In the bankruptcy proceeding, the applicants received $8,065.41 as their apportioned share of payments to unsecured creditors.

The Committee recommended, and the trustees approved, payment to the wife of $70,160.75 ($75,000 less 3/5 of $8,065.14 or $4,839.25) and to the estate of the husband of $46,773.84 ($50,000 less 2/5 of $8,065.14 or $3,226.16).

Michael Johnson-Ortiz — WSBA No. 23580 of Seattle — Disbarred 9/15/04. (Johnson-Ortiz abandoned his high-volume immigration practice in January 2004 and left more than 300 open files. The Committee has reviewed 112 applications and approved 70, with payments totaling $1,224,219.11.)

The applicant used representation following his marriage dissolution. Johnson-Ortiz agreed to file a Petition to Remove the Conditions of Residence, which the USCIS website describes as “for a conditional resident who obtained status through marriage to apply to remove the conditions on his or her residence.” The applicant needed to convince USCIS that, although divorced, his marriage had been entered into in good faith. The work order set the total fee at $3,500. The applicant documented payments to Johnson-Ortiz totaling $2,500. Johnson-Ortiz filed the Petition to Remove the Conditions of Residence, but abandoned his practice before any hearing was held on the petition. The applicant employed new counsel who completed the work. Based on its extensive familiarity with Johnson-Ortiz’s practice, the Committee determined that he had performed approximately 60 percent of the work for which he was employed, and that based upon the total documented payments in comparison to the entire agreed upon fee, the applicant should receive payment of $600 from the Fund.

Michael A. Clarke — WSBA No. 6444 of Everett — Resigned in lieu of disbarment 6/20/05.

The applicants are wife and husband (husband is deceased). The wife had used Clarke to represent her on a personal-injury claim. A settlement was agreed to for $8,750, which was paid to Clarke. Clarke disbursed the funds and withheld $900, which he agreed to pay to the applicant’s medical provider. Clarke never paid the medical bill, and never accounted for the $900. The Committee approved payment of $300 in addition to $600 previously paid to the applicant.

Terry L. Deglow — WSBA No. 13357 of Spokane — Disbarred 9/9/02.

Deglow was given $10,420 by the applicant’s former lawyer when the former lawyer transferred to inactive status. The former lawyer was unable to locate his client to pay her the funds. The funds were the proceeds from an insurance payment following a jury trial in 1998. The applicant was unaware that her lawyer had retired and that he had transferred the funds to Deglow. She believed that they were being held safely in trust earning interest. In late 2006, she contacted her former lawyer who advised her that Deglow had the funds, and that he had been disbarred. The Committee approved payment of $10,420 to the applicant.

Barry A. Hammer — WSBA No. 6444 of Everett — Resigned in lieu of disbarment 6/20/05.

The applicants are wife and husband (husband is deceased). The wife had used Hammer to prepare her tax returns since the 1970s and she considered him her “tax attorney.” He represented the wife and her then-husband in an IRS audit in the mid-1980s, and also represented the wife in the probate of her mother’s estate. He began preparing the husband’s tax returns prior to his marriage to the wife in 1998. He continued preparing the applicants’ taxes after marriage.

These applications concern promissory notes entered into between Hammer and the applicants individually with their separate property. They did this to supplement their income and to provide savings for retirement. Because Hammer was their tax attorney, he knew that they had substantial savings that were earning low interest rates.

Part of Hammer’s debt to the applicants was secured by real property, and they received full compensation for Hammer’s bankruptcy.

Unsecured debts: The husband gave Hammer $50,000 in November 1998, and received a promissory note originally secured by a deed of trust on property in Lake Stevens. Hammer told the husband that he was selling the Lake Stevens property, but would place the deed of trust on different property. He never did.

Hammer learned that the wife received $75,000 in income in one matter. When meeting with Hammer about preparing her tax return, Hammer recommended that she invest those funds through his office. On April 13, 2000, she gave Hammer $75,000 and received a promissory note in that amount. It was unsecured.

In September 2004, the interest payments from Hammer stopped. He filed his bankruptcy petition on September 17, 2004. In the bankruptcy proceeding, the applicants received $8,065.41 as their apportioned share of payments to unsecured creditors.

The Committee recommended, and the trustees approved, payment to the wife of $70,160.75 ($75,000 less 3/5 of $8,065.14 or $4,839.25) and to the estate of the husband of $46,773.84 ($50,000 less 2/5 of $8,065.14 or $3,226.16).

Michael Johnson-Ortiz — WSBA No. 23580 of Seattle — Disbarred 9/15/04. (Johnson-Ortiz abandoned his high-volume immigration practice in January 2004 and left more than 300 open files. The Committee has reviewed 112 applications and approved 70, with payments totaling $1,224,219.11.)

The applicant hired Johnson-Ortiz for representation following his marriage dissolution. Johnson-Ortiz agreed to file a Petition to Remove the Conditions of Residence, which the USCIS website describes as “for a conditional resident who obtained status through marriage to apply to remove the conditions on his or her residence.” The applicant needed to convince USCIS that, although divorced, his marriage had been entered into in good faith. The work order set the total fee at $3,500. The applicant documented payments to Johnson-Ortiz totaling $2,500. Johnson-Ortiz filed the Petition to Remove the Conditions of Residence, but abandoned his practice before any hearing was held on the petition. The applicant employed new counsel who completed the work. Based on its extensive familiarity with Johnson-Ortiz’s practice, the Committee determined that he had performed approximately 60 percent of the work for which he was employed, and that based upon the total documented payments in comparison to the entire agreed upon fee, the applicant should receive payment of $600 from the Fund.

Bernie W. Potter — WSBA No. 23076 of
Seattle — Disbarred 9/15/04; Deceased. (The Committee has previously paid $62,670 regarding Potter.) Potter represented the applicant on an insurance claim that was settled for $18,799.20. The disbursement statement prepared by Potter shows that after the settlement was disbursed, he withheld $5,415 to pay subrogation to the applicant’s insurer. However, Potter paid nothing to the insurer. The applicant received a letter from the insurer stating that they had not received their funds and demanding payment. The applicant signed a promissory note to pay $5,415 to the insurer, and he has been making payments on the note. The Committee approved payment to the applicant of $5,415.

Other Business
The Committee reviewed eight additional applications that were denied for lack of evidence of dishonest conduct, as fee disputes or claims for malpractice, as civil disputes, or because restitution was made, or were continued to seek further information.

Annual Report
The Committee prepared the annual report, which was approved by the WSBA Board of Governors for submission to the Washington State Supreme Court. This year, the Committee and trustees acted on 93 applications concerning 47 lawyers. The total amount in approved payments is $539,789.44 regarding 16 lawyers. The 2007 annual report is available on the WSBA website at www.wsba.org/lawyers/groups/lawyersfund/default1.htm or by contacting the WSBA Service Center at 800-945-9722 (WSBA) or 206-443-9722 (WSBA) or questions@wsba.org.

Restitution
Before payment is made to an applicant, the applicant must sign a subrogation agreement with the Fund, and the Fund seeks restitution from the lawyers. Because in most cases those lawyers have no assets, the chief avenue of restitution is through court-ordered restitution in criminal cases. Prosecuting attorneys cooperate with the Fund in getting the Fund listed in restitution orders. As of August 2007, eight lawyers were making regular restitution payments to the Fund totaling $30,018 since October 1, 2006.

The Committee chair is Bainbridge Island attorney Judy Massong. WSBA General Counsel Robert Welden is the staff liaison to the Committee.
This In Memoriam section contains brief obituaries of WSBA members. The list is not complete and contains only those notices that the WSBA has learned of through newspapers, magazine articles, trade publications, and correspondence. Additional notices will appear in subsequent issues of Bar News. Please e-mail notices or personal remembrances to inmemoriam@wsba.org.

Anderson, Donald A.
Donald Anderson was born January 22, 1931, in Cedar City, Utah. He attended the University of Utah and Gonzaga University School of Law, where he received his J.D. He practiced law in Nevada and Washington before devoting himself to being a teacher. He taught business law at Spokane Falls Community College for 30 years. Donald Anderson died July 23 at the age of 76.

Bonnell, Paul F.
Paul Bonnell was born in 1926 in Trenton, Nebraska. He graduated from the UW School of Law in 1950. He began his career in private practice in Ephrata and Othello. He worked as an attorney for the State Highway Department I-5 project. In 1964, he was elected Roxbury District Court judge and served until 1976. Judge Bonnell then started a personal-injury practice in Burien. He enjoyed jewelry-making and gem-cutting in his spare time. Judge Paul Bonnell died May 17 at the age of 81.

Byrnes, Peter D.
Peter Byrnes graduated from the University of Michigan School of Law in 1962. A longtime resident of Mercer Island, Mr. Byrnes was an accomplished antitrust, securities, legal malpractice, and intellectual property attorney. Coworkers enjoyed his Irish sense of humor and positive attitude. His firm, Byrnes & Keller, represented the seven seafood processing companies that processed fish affected by the Exxon Valdez oil spill. Peter Byrnes died June 14, aged 68.

Foss, Harold W.
Harold Foss was born in Spokane, served as Washington State University student body president, and earned his law degree from the UW School of Law. He served as a first lieutenant with the U.S. Air Force JAG Corps. Mr. Foss was a senior partner with Perkins Coie in the litigation department. He was active in many local charities and with Seattle's Norwegian community groups. He enjoyed fishing, skiing, golfing, gardening, and cooking. Harold Foss died on July 9, aged 78.

Green, Dale
Dale Green was born in 1922 on a small farm outside of Outlook. A Spokane resident, formerly of Walla Walla, he graduated from the UW School of Law in 1950. He served as assistant U.S. attorney for Eastern Washington, worked for the Department of Justice in Washington, D.C., and later served as U.S. attorney. In 1969, he was appointed to the Washington State Court of Appeals and served for 22 years. He was active with his church and the Rotary, and enjoyed fishing, golfing, bowling, and storytelling. Judge Dale Green died on June 11, aged 85.

Johnson, Arlis W.
Arlis Johnson was born in 1931 in Minot, North Dakota. His family moved to Hoquiam in 1945, where he lived until his death. He graduated from the UW School of Law in 1956 and practiced with the firm of Parker, Johnson & Parker. He was committed to his community and was involved with the Kiwanis, YMCA, and the Elks. Mr. Johnson enjoyed golfing and traveling. Arlis Johnson died August 27 at the age of 76.

Knapp, Hugh A.
Hugh Knapp, a lifelong resident of Camas, was born July 7, 1921. He graduated from Whitman College in 1944 and earned his J.D. from the University of Michigan Law School in 1948. He started a law firm in Camas with partner Bob O'Dell and practiced there for more than 40 years. He served as president of the Clark County Bar Association. Hugh Knapp died on July 14, aged 86.

Kostakos, Gustav G.
Gustav Kostakos was born in 1929 in Seattle. He graduated from the UW School of Law in 1954, and upon graduation served in the U.S. Army Finance and Accounting Office in Tokyo. He then served as a King County prosecutor and entered private practice in 1959. Mr. Kostakos served as judge pro tem of the Seattle Municipal, Bellevue District, and Northeast District courts and as pro tem court commissioner for King County Superior Court. Later in his career, he worked as attorney/house counsel for Diamond Parking and Budget Rent-a-Car of Washington/Oregon. Gustav Kostakos died August 29 at the age of 78.

Lange, Mark A.
Mark Lange was an active member of the Washington, Oregon, and California bars. He received his J.D. from Willamette University College of Law in 1981. His practice included civil and criminal law at the trial and appellate level. Later in his career, he became a political consultant and worked on national and local campaigns. Progressive politics was his lifelong passion. Mark Lange died September 2 at the age of 51.

Leavitt, Michael W.
Michael Leavitt earned his J.D. from the University of Utah School of Law in 1971. He practiced law in Yakima for 17 years before being appointed to the Superior Court, where he served for 14 years. He was selected as a magistrate for the Eastern District of Wash-
Luckerath, Carl B.
Carl Luckerath was born November 4, 1905. He retired after 50 years of active practice in 1980. At the time of his death, he was the oldest living graduate of the UW School of Law. He volunteered for and was a member of the Elks, Ballard Lions, Seattle Luncheon Club, Scottish Rite, and Nile Shrine organizations. Carl Luckerath was 101 when he died on July 21.

Magee, Michael
Michael Magee was born in Aberdeen, attended Whitman College, and graduated from the UW School of Law in 1972. He began his career as a public defender in Seattle, worked in private practice, and joined the Snohomish County prosecuting team as a deputy prosecuting attorney in 1981. He supervised trial teams and tried serious felony cases. He received great satisfaction in his conviction of Michael Green for the murder of 12-year-old Brenda Gere. He retired from his position as assistant chief criminal deputy in 2003. "He had a wealth of knowledge, both practical and legal, that was unsurpassed. He was always willing to help," said fellow defense lawyer Stephen Garvey. Mr. Magee was a gifted musician, virtuoso guitarist, pianist, and songwriter. He financed much of his education through singing and playing guitar in coffee houses. Michael Magee died on May 30, aged 61.

Miller, John W.
John Miller was born in 1965 in Bowling Green, Kentucky. He graduated second in his class at the UW School of Law. He was licensed to practice in Washington and Kentucky and was appointed pro tem to the Kentucky Supreme Court in 2005. He enjoyed martial arts and had black belts in Tae Kwon Do, Aikido, and Iaido. John Miller died July 1 from injuries suffered in an automobile accident near his farm in Logan County, Kentucky. He was 42.

Minikel, David
David Minikel grew up in Michigan and served in the Army in the Vietnam War. He worked as an assistant attorney general for 19 years, as an assistant city attorney for the City of Tacoma, and then in private practice. He was a constant advocate for open government and immigrant rights. Mr. Minikel was active in Democratic politics, and ran unsuccessfully for the state legislature in 1994 as the first openly gay candidate to campaign in a Tacoma-area race. David Minikel died June 23, aged 66.

Novak-Krajewski, Alexa
Alexa Novak-Krajewski was born April 28, 1955, in Alexandria, Virginia. She practiced law in the healthcare field and was general counsel for Highline Community Hospital. Alexa Novak-Krajewski died in August after a long battle against breast cancer at the age of 52.

Pedersen, Willard S.
Willard Pedersen, born in Valdez, Alaska, was a graduate of the UW School of Law in 1935 and the University of Michigan Law School in 1946. He served for the U.S. Naval Intelligence during World War II. Mr. Pedersen was associate general counsel for Safeco Insurance Company. He was a volunteer Scout leader and a lifetime devotee of photography and mountaineering. Willard Pederson died July 15, aged 95.

Smith, Michael D.
Michael Smith was born in Stockton, Califor-
nia, and attended law school at the University of Puget Sound. He worked as trial attorney for the superior and district courts for Pierce County, then for the Grays Harbor Prosecutor’s Office, and then in private practice. He held the positions of Aberdeen Municipal Court judge, Raymond City attorney, and public defender in Grays Harbor and Pacific counties. In 1994, Judge Smith was elected as Pacific County Prosecutor. He then moved to Colville, where he took a position in the Stevens County Prosecutor’s Office and where he enjoyed fishing in local lakes. Judge Michael Smith died on May 22 at the age of 57.

**Washington, Nat**

Nat Washington graduated from the UW School of Law in 1939. During World War II, he served as an intelligence officer and judge advocate. In 1948, he was elected to the Washington State House of Representatives and in 1950, he was elected to the State Senate and served for six terms. He was known for his ability to find common ground with fellow legislators and, through bipartisanship, passed a record number of laws. Mr. Washington was recognized for playing a part in building the state highway system, which was admired for its safety. He held the position of Grant County PUD attorney and devised a financial plan to build the Priest Rapids and Wanapum dams. Nat Washington died August 18, aged 93.

**Watkins, Henry J. IV**

Henry Watkins was born July 3, 1922, in Kennekoc, Alaska. His family moved to Seattle in 1925 where Watkins attended Garfield High School and the UW. He joined the U.S. Army and was assigned to the 82nd Airborne Division in the European theater. After the war, he earned his J.D. from the University of Virginia School of Law. Mr. Watkins practiced law until his retirement in 1986. He had a passion for skiing and was the co-founder of two ski clubs. Henry Watkins died May 22, aged 84.

**Weaver, Frank Parks Jr.**

Parks Weaver was born in Spokane, graduated from Olympia High School and Stanford University, and received his law degree from Gonzaga University School of Law. He began his legal career as a law clerk at the Washington State Supreme Court. Mr. Weaver served as deputy prosecuting attorney for Thurston County and as counsel to the Association of Washington Business. His private practice focused on estate planning, domestic relations, and judicial campaign finances. He was an avid sailor, crossing the Pacific to Hawaii four times. Frank Parks Weaver died April 26 at the age of 67.

**Wesselhoeft, William**

William Wesselhoeft was born in Boston and attended Milton Academy and Harvard College. In World War II, he served aboard the destroyer *Russell*, rising to the rank of full lieutenant. While the *Russell* was in Bremerton being repaired, Mr. Wesselhoeft visited Seattle and vowed to return. After graduation from Harvard University School of Law, he joined two other law school friends and drove west to Seattle, arriving on October 21, 1948. They celebrated the anniversary of that date 50 years later with 300 friends and relatives. Mr. Wesselhoeft was a litigation attorney and retired in 2001. He served as president of the King County Bar Association, as a delegate to the American Bar Association, and on the WSBA Board of Governors. He loved the sea, the law, and his second home on Cape Cod. William Wesselhoeft died July 15, aged 87.

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Bar News has also been informed of the deaths of James E. Dunlap Jr. on February 3, Bruce E. Selkoff on July 7, Edwin N. Storz on May 20, and Cedric Tuohy on March 12.
WSBA ABA House of Delegates Alternate
Application deadline: December 31, 2007
The WSBA Board of Governors is accepting letters of interest and résumés from members interested in serving as an alternate for the ABA House of Delegates. The alternate would participate in the ABA House of Delegates if one of the WSBA delegates were unable to attend a meeting, so full voting capacity can exist at all times. Preferably, the alternate should be someone who usually attends the ABA Midyear and Annual Meetings, since the substitution may need to be made on fairly short notice. The term of service is two years, and the alternate may serve a maximum of three consecutive terms. The ABA House of Delegates alternate must be an ABA member in good standing throughout his/her term. Submit a letter of interest and résumé to WSBA Bar Leaders Division, 1325 Fourth Ave., Ste. 600, Seattle, WA 98101-2539; or e-mail barleaders@wsba.org.

Northwest Justice Project Board of Directors
Application deadline: November 15, 2007
The Northwest Justice Project seeks two members to serve three-year terms on its Board of Directors. The terms will commence on January 1, 2008. Incumbents are eligible for reappointment. The Northwest Justice Project is a not-for-profit organization funded by the state of Washington and the federal Legal Services Corporation to provide free civil legal services to low-income people throughout Washington. Board members, who play an active role in setting program policy and ensuring adequate oversight of program operations, must have a demonstrated interest in, and knowledge of, the delivery of high-quality civil legal services to the poor. For more information, e-mail cesar@nwjustice.org or lisag@nwjustice.org. Please submit a letter of interest and résumé to: WSBA Bar Leaders Division, 1325 Fourth Ave., Ste. 600, Seattle, WA 98101-2539; or e-mail barleaders@wsba.org.

Limited Practice Board
Application deadline: November 15, 2007
The WSBA Board of Governors seeks four candidates for appointment to the Limited Practice Board, which oversees administration of, and compliance with APR 12 authorizing certain lay persons to select, prepare, and complete legal documents pertaining to the closing of real estate and personal-property transactions. The candidates’ names will be submitted to the Washington State Supreme Court for appointment and will serve four-year terms commencing January 1, 2008. In keeping with the member requirements of APR 12, one position must be filled by a representative from the lending industry, one by a representative of the escrow industry, one by a representative of the real estate industry, and the other position must be filled by an attorney member of the WSBA. LPOs in the lending and escrow industry are encouraged to apply. The board generally meets every other month. Please submit a letter of interest and résumé to: WSBA Bar Leaders Division, 1325 Fourth Ave., Ste. 600, Seattle, WA 98101-2539; or e-mail barleaders@wsba.org.

Seeking Questionnaires from Candidates for Judicial Appointments
The WSBA Judicial Recommendation Committee (JRC) is accepting questionnaires from attorneys and judges seeking consideration for appointment to fill potential Washington State Supreme Court and Court of Appeals vacancies. Interested individuals will be interviewed by the Committee on the dates listed above. The JRC’s recommendations are reviewed by the WSBA Board of Governors and referred to Governor Gregoire for consideration when making judicial appointments. Materials must be received at the WSBA office by the deadline listed above. To obtain a questionnaire, visit the WSBA website at www.wsba.org/lawyers/groups/judicial recommendation or contact the WSBA at 206-727-8212 or 800-945-9722, ext. 8212, or barleaders@wsba.org.

2008 License Fee, Late Fees, and Suspension Information

2008 License Fee Packet. License packets will be mailed in early December. This year’s packet has been condensed. The packet includes your license-fee invoice with status change request to inactive or for resignation, as well as contact information changes and contact restriction requests. Active members will have a mandatory trust account declaration form, backed by a mandatory professional liability insurance disclosure form and, as applicable, separate MCLE information or certification forms. All members will receive the voluntary pro bono and demographic information form. If you have not received your licensing packet by mid-January 2008, please call the WSBA Service Center at 800-945-WSBA (9722) or 206-443-WSBA (9722), or e-mail questions@wsba.org to request a duplicate. Please note that it is your responsibility to pay your annual license fee, regardless of whether you receive the licensing packet.

New Fee to Change Status to Active. Beginning January 1, 2008, all members on inactive, judicial, or emeritus status who apply for a change to active status will be required to pay a $100 investigation fee at the time of filing an application for a change of membership status to active. The Board of Governors approved the fee to help defray the costs associated with researching a member’s background and membership history.

New Mandatory Disclosure Regarding Professional Liability Insurance. Pursuant to Rule 26 of the Admission to Practice Rules (APR), this licensing season all active members of the Washington State Bar Association will be required for the first time to disclose on the annual licensing form whether they maintain professional liability insurance. Effective July 1, 2007, new admittees and members returning to active status are required to report this information at the time of admission on forms provided to them with their admission or status change documents. Note: Washington lawyers are not required to have professional liability insurance coverage; APR 26 requires only that active Washington lawyers report to the WSBA whether they have such coverage. Because this is a new requirement and the information will be collected during the upcoming licensing season, the Lawyer Directory information for most lawyers will not reflect whether there is professional liability coverage until at least the end of
March 2008. As stated above, an exception will be lawyers newly admitted or recently returned to active status, who are required to report in connection with becoming active. For more information on this rule, see http://pro.wsba.org/insurancedisclosure info.asp.

WSBA Bylaw on Armed Forces Fee Exemption. The WSBA will begin processing Armed Forces Exemption requests in December for the 2008 licensing year. WSBA Bylaw Section II.E.1.b. provides for a fee exemption for eligible members of the Armed Forces. This section of the WSBA Bylaws provides: “An active member of the Association who is activated from reserve duty status to full-time active duty in the Armed Forces of the United States shall be exempt from the United States for any period of time for full-time active military duty in the Armed Forces Exemption requests for the Lawyers’ Fund for Client Protection upon submitting to the Executive Director satisfactory proof that he or she is deployed or stationed outside the United States for any period of time for full-time active military duty in the Armed Forces. This section of the WSBA Bylaws provides: “An active member of the Association who is activated from reserve duty status to full-time active duty in the Armed Forces of the United States shall be exempt from the payment of membership fees and assessments for the Lawyers’ Fund for Client Protection upon submitting to the Executive Director satisfactory proof that he or she is so activated, deployed or stationed. All requests for exemption must be postmarked or delivered to the Association offices on or before March 1 of the year for which the exemption is requested. Eligible members must apply every year they wish to claim the exemption. Each exemption applies for only the calendar year in which it is granted, and exemptions may be granted for a maximum total of five years for any member.”

WSBA members whose membership status is active and who are otherwise eligible for the Armed Forces exemption as described above can apply for a waiver of WSBA license fees beginning in December. (WSBA members whose WSBA membership status is inactive or emeritus must still pay the annual WSBA license fees for that status.) If you are an active member and you believe you are eligible for the fee exemption, please contact the WSBA Service Center at 800-945-WSBA (9722) or 206-443-WSBA (9722), or questions@wsba.org, or contact Kevin McKee at kevinm@wsba.org or 206-727-8243 or 800-945-9722, ext. 8243 for application information, beginning in December.

MCLE Certification for Group 1 (2005-2007)
If you are an active WSBA member in MCLE Reporting Group 1 (2005-2007), you will receive your Continuing Legal Education Certification (C2/C3) forms in the license packet that will be mailed in early December. The deadline for returning the C2/C3 form to the WSBA is February 1. Any C2/C3 forms delivered to the WSBA or postmarked after March 3 will be assessed a late fee.

Members in Group 1 include active members who were admitted to the WSBA through 1975 or in 1991, 1994, 1997, 2000, or 2003. Members admitted in 2006 are also in Group 1 but are not due to report until the end of 2010. Their first reporting period will be 2008-2010; however, any credits earned on or after the day of admittance to the WSBA may be counted for compliance.

The Continuing Legal Education Certification (C2/C3) form that you received in your license packet is a declaration that lists all the MCLE Board-approved courses that were in your MCLE online profile for the 2005-2007 reporting period as of mid-October 2007. If you took other courses after mid-October, you can add these to the back of the C2/C3 form when you receive it. The C2/C3 form, not your online profile, is the official record of MCLE compliance. The original copy of the C2/C3 form must be returned to the WSBA to meet compliance requirements.

All MCLE Board-approved courses that you list on your C2/C3 form must have an Activity ID number. This number is listed in your online MCLE profile and is assigned at the time that the Form 1 for each course is input to the MCLE system. If you have taken courses that have not yet been approved by the MCLE Board, please submit Form 1s for these courses immediately to ensure that they are approved before your C2/C3 is due. A “Certificate of Attendance” or other sponsor-provided certification is not sufficient to receive course credit. If the sponsor has not received course accreditation from the Washington MCLE Board, you must submit a Form 1 application and full agenda for the course in order to receive credit. Because of high volumes from October through February, Form 1s submitted electronically (at http://pro.wsba.org) could take up to four weeks or more to process. Paper Form 1s may take up to six weeks or more to process. If you submit a paper Form 1, you will be notified by mail of its Activity ID number.

If you are not able to meet the credit requirement by December 31, 2007, and need more time to complete your credits, an automatic extension will be granted.
FYInformation

until May 1, 2008. There is no need to apply for it. However, a late fee will be assessed if you took any courses after December 31 that are needed for compliance or if your C2/C3 form is submitted late. If this is the first reporting period in which you will not meet MCLE compliance requirements, the late fee will be $150. The late fee increases by $300 for each consecutive reporting period you are late in meeting MCLE requirements.

If you have questions about the Form 1 process or MCLE compliance, please contact the WSBA Service Center at 800-945-WSBA (9722) or 206-443-WSBA (9722), or e-mail questions@wsba.org.

MCLE Certification for Active Members

Due Date for MCLE Reporting. WSBA members are divided into three MCLE reporting groups based on year of admission. (Newly admitted members are exempt. See “Newly Admitted Members” below.)


Credit Requirements. The following credit requirements must be met by December 31 of the last year of an active member’s reporting period:

- At least 45 total credits of MCLE Board-approved CLE activities must be taken, which need to include a minimum of 30 live credits and six ethics credits. The courses must meet the requirements of APR 11, but they do not need to be taken in Washington state. Many courses are offered around the world which meet the requirements of APR 11. “Live” courses include classroom instruction, live webcasts (not pre-recorded webcasts), and teleconferences. “Ethics” courses, and segments of larger courses, must meet the requirements of APR 11 Regulation 101(n) or (o) to be considered for ethics credit.

- Pre-recorded self-study (A/V) courses cannot be more than five years old, except MCLE Board-approved “skills-based” courses. Pre-recorded self-study courses include the traditional audio-visual (A/V) media of video tapes and cassette tapes. They also include archived webcasts, DVDs, compact disks, and other media with a sound track of the MCLE Board-approved course presentation. Written materials should be included with these courses and reviewed prior to claiming credit. In addition, written materials must be purchased by each member, where required by the sponsor, prior to claiming credit.

- Six pro bono credits can be earned per year. Two of these credits are for approved annual training, which must be taken prior to being able to earn credit for the pro bono work. Four pro bono credits may be earned each year if at least four hours of pro bono work was provided through a qualified legal services provider.

Carry-over CLE Credits. Carry-over credits from the previous reporting period may be used to meet the requirements of the current reporting period. If your current reporting period credits total exceeds 45, you may carry over a maximum combined total of 15 credits to your next reporting period. Only two ethics credits and five A/V credits may be carried over.

C2/C3 Reporting Requirement. All active members due to report are required to file a Continuing Legal Education Certification (C2/C3) form listing all CLE courses taken for credit compliance. The deadline for filing your C2/C3 form is February 1 of the year following the end of your reporting period. Note:

- Your online roster is not a substitute for filing the C2/C3 form.
- The C2/C3 form is a declaration and must be signed and dated, and the city and state where signed must be identified.
- C2/C3 forms are included in the license packets sent in early December to all members due to report (Group 1 members this year).
- All CLE courses listed on member rosters as of October 2007 will be printed on the back of the C2 form. If you took more CLE courses after October 1, and if they appear on your online roster and you do not want to hand-write them on the back of the C2 form, you may print a copy of your roster and attach it to your C2/C3 form. State on...
All active members.

Your admission and the following calendar from reporting CLE credits for the year of newly admitted member, you are exempting period of noncompliance. $300 for each consecutive three-year report of noncompliance is $150 and increases by the February 1 deadline, must pay a late fee. The late fee for the first reporting period, or who submit their C2/C3 report December 31 of the last year of their reporting period, or who submit their C2/C3 report of noncompliance is $150 and increases by $300 for each consecutive three-year reporting period of noncompliance.

**Newly Admitted Members.** If you are a newly admitted member, you are exempt from reporting CLE credits for the year of year. If you were admitted in 2006, you will not report for this reporting period (2005-2007) even though you are in Group 1. You will first report at the end of the 2008-2010 reporting period. Members admitted in 2007 will not report until the end of the 2009-2011 reporting period. When you report at the end of your first reporting period, you may claim all CLE credits earned on or after your date of admission to the WSBA.

**MCLE Comity.** If you are an active member of the WSBA and your primary office for the practice of law is outside of Washington and if you are a member of the Oregon, Idaho, or Utah state bars (comity states), you may meet your Washington mandatory CLE requirements by providing proof of current MCLE compliance from your comity state bar. Only a Certificate of MCLE Compliance from your comity state bar (not a “Certificate of Good Standing”), sent with your WSBA C2/C3 form, will satisfy your MCLE requirements in Washington.

**MCLE System — Course Listing and Member Profiles.** You can use the online MCLE system to: review courses taken and credits earned; apply for course approval; apply for writing credit, pro bono credit, or prep-time credit; and search for approved courses being offered. To use the MCLE system, go to the WSBA website at www.wsba.org and click on “MCLE Web Site” in the upper left corner. On the next screen, click on the “Member” tab, then select “Member Login.” The online instructions lead you through the process of creating a confidential password and using the system. Online help is available. If you have questions about using the MCLE system or about the MCLE compliance requirements, see the online FAQs at www.wsba.org/lawyers/licensing/faq-mcle.htm, call the WSBA Service Center at 800-945-WSBA (9722) or 206-443-WSBA (9722), or e-mail questions@wsba.org.

**New APR 11 Regulation 104(e) Requirements for In-House CLEs.** Starting with the 2005-2007 reporting period, members are limited to a total of 15 credits of private law firm CLEs and 15 credits of corporate-legal-department CLEs in each reporting period, regardless of who the private legal sponsor was and regardless of whether the course was open or closed. There are no limits on the number of credits you may earn at CLEs sponsored by government agencies. These limitations are the result of amendments to APR 11 Regulation 104(e) adopted by the Supreme Court that went into effect on November 8, 2005. The Supreme Court will not be changing this requirement in 2007.

**MCLE Compliance Report (C4/C5) in 2008 License Packets**

All active members who are not due to report MCLE compliance at the end of this year, including new admittees, will receive a report (the C4/C5 form) in their 2008 licensing packets. Each member’s report lists all credits reported to the WSBA for the member’s current reporting period as of mid-October. APR 11.6(a)(3) requires that the WSBA provide an annual report to each active member regarding the credits and courses posted to their MCLE online rosters. This report helps non-reporting active members to better track their credits, as well as ensure correct reporting and compliance at the end of their reporting period.

If you receive the C4/C5 form in your 2008 license packet, it is for your information only. No action needs to be taken unless you want corrections to be made. If you want to make corrections to your WSBA MCLE roster, go to http://pro.wsba.org. Click on the “Member” tab, and then on “Member Login.” The online instructions lead you through the process of creating...
a confidential password and beginning to use the system. Online help is available. You may also contact the WSBA Service Center to have corrections made and/or to request an MCLE system instruction booklet at 800-945-WSBA (9722), 206-443-WSBA (9722), or questions@wsba.org.

CLE Bookstore Open at the WSBA Office in December
For Group 1 members who must complete their MCLE credits before December 31, 2007, the WSBA-CLE Bookstore will be open at the WSBA office, 1325 Fourth Ave., sixth floor, from December 17 through December 31 (excluding December 24 and 25). Hours of operation will be 9:00 a.m. to 4:30 p.m. except for December 31, when the hours will be 9:00 a.m. to noon. For sale at the bookstore will be a limited supply of selected recorded seminars with coursebooks, approved for MCLE A/V credit. (You may claim up to 15 total A/V credits for the current reporting period. All six ethics credits can be acquired using approved A/V self-study.) Payment may be made by cash, check, MasterCard, or Visa, and there are no shipping and handling charges for members who take their purchases with them. For members outside the Seattle area, shop online at www.wsbacle.org and order recorded seminar products by December 10 to ensure delivery by December 31.

Live Preadmission Education Courses Offered This Fall by Local Bar Associations
The Preadmission Education course, mandatory for all Bar applicants pursuant to Admission to Practice Rules 5 and 18, has entered its second year of implementation. Since its inception on June 1, 2006, more than 1,700 Bar applicants have completed the course by attending live seminars presented by local bar associations or watching the online video.

Local bar associations will again offer live Preadmission Education seminars this fall in conjunction with local swearing-in ceremonies. By attending a live Preadmission Education seminar, Bar applicants are able to meet members of the local bar association, learn about local bar activities, and gain the perspective of experienced attorneys and judges about practicing law in Washington. Attendees receive a coursebook with information about each topic, plus tips, articles, resources, and local materials selected by the local bar for each seminar location. Topics covered in the course include managing your legal career, resources for practice management, building client relationships, avoiding conflicts of interest, successful communication strategies, and getting to know your legal community.

Local bar associations offering these programs, including dates and cities, are:

**October 30**
South King County Bar Association: Kent

**November 1**
Clark County Bar Association: Vancouver
Tacoma-Pierce County Bar Association: Tacoma
Thurston County Bar Association: Olympia

**November 7**
WSBA (2 sessions): Seattle
Spokane County Young Lawyers: Spokane
Yakima County Bar Association: Yakima

**November 8**
East King County: Issaquah

**November 15**
Snohomish County: Everett

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Thinking of Changing Your WSBA Membership Status? Consider Emeritus
As the 2008 WSBA licensing period approaches, you may be thinking of changing your membership status to accommodate your current career or lifestyle. If you no longer need your active WSBA license, here’s why you should consider Emeritus status. APR 8(e) creates a limited license status of Emeritus for attorneys otherwise retired from the practice of law, to practice pro

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bono legal services through a qualified legal services provider. A qualified legal services provider is a "not-for-profit legal services organization whose primary purpose is to provide legal services to low-income clients." There are no MCLE requirements (although you may attend optional CLE seminars at no cost so that you are aware of changes in the law). The 2008 license fee for Emeritus is $120. This is a significant savings in time and money if you are paying for an active license that you no longer need. Under most circumstances, Emeritus attorneys can remain in Emeritus status indefinitely without having to re-take the bar exam if/when returning to active status. Most qualified legal services providers provide malpractice insurance for Emeritus volunteers. There is no age requirement for Emeritus attorneys. Volunteering for a "qualified legal services organization" allows you to control your own schedule. Most importantly, the Emeritus program provides an opportunity for attorneys to give something back to their communities by helping those who are less fortunate.

An Emeritus training session has been scheduled for Monday, January 21, 2008, at the WSBA office. This training is a requirement for changing to Emeritus status and provides an opportunity for you to meet representatives from qualified legal services providers. Travel expenses will be reimbursed. For more information about the Emeritus program, registration for the training session, and the logistics of changing your WSBA status to Emeritus, please contact Sharlene Steele, WSBA access to justice liaison, at 206-727-8262 or 800-945-9722, ext. 8262 or sharlene@wsba.org.

Website Helps Public Learn About the Law

Please spread the word about the WSBA's www.lawforwa.org website, which provides the public with easy access to information about the law, courts, and government. Its menu and search engine help users find a manageable number of legal resources on a wide variety of topics. Users can also directly access the state law and other resources through the site’s “quick links.” Lawforwa was created by the WSBA’s Council on Public Legal Education, in partnership with the University of Washington, the Bill & Melinda Gates Foundation, and the Seattle University School of Law.

“Foundations of Freedom” Civics Pamphlet Available

The WSBA has created a consumer-information pamphlet called “Foundations of Freedom” that covers the basics of American government and democracy. The pamphlet describes the rule of law, the separation of powers, checks and balances, and judicial independence. It also includes a short quiz and a list of useful websites. Lawyers and judges are encouraged to bring the pamphlet with them when they speak to students or the public in schools, courtrooms, community organizations, and community centers. Teachers may also request the pamphlet for classroom use. The WSBA can provide reasonable numbers of copies at no charge, or the pamphlet may be downloaded from the WSBA website at www.wsba.org/public/consumer. Requests for copies should be directed to Pam Inglesby at pami@wsba.org.

Casemaker Access

Casemaker is a powerful online research library provided free to WSBA members. To access Casemaker, go to the WSBA website at www.wsba.org and click on the
Casemaker logo on the right sidebar. Click on the Casemaker button to begin. For help using Casemaker, contact Julie Salmon at 206-733-5914, 800-945-9722, ext. 5914, or juliesa@wsba.org, or call the WSBA Service Center at 800-945-WSBA (9722) or 206-443-WSBA (9722).

Contract Lawyer Meeting
Discuss the issues with other contract lawyers on November 13 from noon to 1:30 at the WSBA office. Bring your lunch — coffee is provided — and network with other contract lawyers. For more information, contact Julie Salmon at 206-733-5914, 800-945-9722, ext. 5914, or juliesa@wsba.org. Please note the WSBA’s new address: 1325 Fourth Ave., Ste. 600, Seattle.

LAP Solution of the Month: Boundaries
Do you have trouble saying no when you should? Are you struggling with cases your gut told you to avoid? If so, you may have trouble setting and maintaining good boundaries. Figure out what your limits are, then practice saying “no.” If you’d like help, call the Lawyers Assistance Program at 206-727-8268 to schedule a free, confidential consultation. Enjoy feeling in control again.

LOMAP and Ethics on the Road: The 2007 Traveling Seminars
Plan to attend in Oak Harbor on December 4, Bellingham on December 5, or Marysville on December 6. Registration is $89. This seminar has been approved for four CLE ethics credits. For more information and a complete calendar of fall seminars, contact Julie Salmon at 206-733-5914, or 800-945-9722, ext. 5914, or juliesa@wsba.org. Please note the WSBA’s new address: 1325 Fourth Ave., Ste. 600, Seattle.

Computer Clinic
The WSBA offers a hands-on computer clinic for members wanting to learn more about what Microsoft Office programs — Outlook, PowerPoint, Excel, and Word, as well as Adobe Acrobat — can do for a lawyer. Are you a total beginner? No problem. The clinic teaches helpful tips you can use immediately. Computers are provided, and seating is limited to 15 members. There is no charge, and no CLE credits are offered. The November 12 clinic will focus on Microsoft Word, PowerPoint, and Adobe Acrobat. Sessions are held from 10 a.m. to noon at the WSBA office. For more information or to RSVP, contact Julie Salmon at 206-733-5914, 800-945-9722, ext. 5914, or juliesa@wsba.org.

Job Seekers Discussion Group
Looking for a job or making a transition? Join us at the Job Seekers Discussion Group the second Wednesday of each month from noon to 1:30 p.m. The next meeting is November 14 at the WSBA office. The group discusses where to look for jobs, how to grow your network of contacts, strategies for résumés and cover letters, and how to keep yourself organized and motivated.

Exchange information and ideas with other lawyers looking to make a change. Come as you are — no need to RSVP. Bring your business cards and practice networking skills. For more information, call 206-727-8269 or 800-945-9722, ext. 8269, or e-mail rebeccan@wsba.org. Please note the WSBA’s new address: 1325 Fourth Ave., Ste. 600, Seattle.

Problem Getting a Client to Pay?
Dispute with another lawyer or an expert witness? The WSBA offers two programs to aid in the resolution of disputes involv-

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425-688-1700 • 425-450-9990 FAX

Contract Lawyer Meeting
Discuss the issues with other contract lawyers on November 13 from noon to 1:30 at the WSBA office. Bring your lunch — coffee is provided — and network with other contract lawyers. For more information, contact Julie Salmon at 206-733-5914, 800-945-9722, ext. 5914, or juliesa@wsba.org. Please note the WSBA’s new address: 1325 Fourth Ave., Ste. 600, Seattle.

LAP Solution of the Month: Boundaries
Do you have trouble saying no when you should? Are you struggling with cases your gut told you to avoid? If so, you may have trouble setting and maintaining good boundaries. Figure out what your limits are, then practice saying “no.” If you’d like help, call the Lawyers Assistance Program at 206-727-8268 to schedule a free, confidential consultation. Enjoy feeling in control again.

LOMAP and Ethics on the Road: The 2007 Traveling Seminars
Plan to attend in Oak Harbor on December 4, Bellingham on December 5, or Marysville on December 6. Registration is $89. This seminar has been approved for four CLE ethics credits. For more information and a complete calendar of fall seminars, contact Julie Salmon at 206-733-5914, or 800-945-9722, ext. 5914, or juliesa@wsba.org. Please note the WSBA’s new address: 1325 Fourth Ave., Ste. 600, Seattle.

Computer Clinic
The WSBA offers a hands-on computer clinic for members wanting to learn more about what Microsoft Office programs — Outlook, PowerPoint, Excel, and Word, as well as Adobe Acrobat — can do for a lawyer. Are you a total beginner? No problem. The clinic teaches helpful tips you can use immediately. Computers are provided, and seating is limited to 15 members. There is no charge, and no CLE credits are offered. The November 12 clinic will focus on Microsoft Word, PowerPoint, and Adobe Acrobat. Sessions are held from 10 a.m. to noon at the WSBA office. For more in-

Job Seekers Discussion Group
Looking for a job or making a transition? Join us at the Job Seekers Discussion Group the second Wednesday of each month from noon to 1:30 p.m. The next meeting is November 14 at the WSBA office. The group discusses where to look for jobs, how to grow your network of contacts, strategies for résumés and cover letters, and how to keep yourself organized and motivated.

Exchange information and ideas with other lawyers looking to make a change. Come as you are — no need to RSVP. Bring your business cards and practice networking skills. For more information, call 206-727-8269 or 800-945-9722, ext. 8269, or e-mail rebeccan@wsba.org. Please note the WSBA’s new address: 1325 Fourth Ave., Ste. 600, Seattle.

Problem Getting a Client to Pay?
Dispute with another lawyer or an expert witness? The WSBA offers two programs to aid in the resolution of disputes involv-
Disciplinary Notices

These notices of imposition of disciplinary sanctions and actions are published pursuant to Rule 3.5(d) of the Washington State Supreme Court Rules for Enforcement of Lawyer Conduct, and pursuant to the February 18, 1995, policy statement of the WSBA Board of Governors.

For a complete copy of any disciplinary decision, call the Washington State Disciplinary Board at 206-733-5926, leaving the case name, and your name and address.

Note: Approximately 30,000 persons are eligible to practice law in Washington state. Some of them share the same or similar names. Bar News strives to include a clarification whenever an attorney listed in the Disciplinary Notices has the same name as another WSBA member; however, all discipline reports should be read carefully for names, cities, and bar numbers.

Resigned in Lieu of Disbarment

Robert Louis Butler (WSBA No. 448, admitted 1958), of Seattle, resigned in lieu of disbarment, effective May 7, 2007. This resignation was based on his conduct between 1996 and 2006 involving failure to complete work in a probate matter, lack of diligence, failure to provide an accounting, failure to deliver estate records to a successor personal representative, failure to comply with court orders, commission of a criminal act, and non-cooperation with a disciplinary investigation. Robert Louis Butler is to be distinguished from Robert David Butler, of Bellingham.

Mr. Butler held a power of attorney for an individual who died in March 1996. In November 1996, Mr. Butler, who was named in the decedent’s will as personal representative, filed a probate petition to be appointed as personal representative for the estate. Between 1996 and 2006, Mr. Butler engaged in the following conduct that established grounds for discipline:

• Failing to provide a full accounting and reach an ethically sound decision. Calls made to the Ethics Line are confidential, and most calls are returned within one business day. Any advice given is intended for the education of the inquirer and does not represent an official position of the WSBA. Call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

Learn More About Case-Management Software

The WSBA Law Office Management Assistance Program (LOMAP) maintains a computer for members to review software tools designed to maximize office efficiency. The LOMAP staff is available to provide materials, answer questions, and make recommendations. To make an appointment, contact Julie Salmon at 206-733-5914, or 800-945-9722, ext. 5914, or juliesa@wsba.org.

Upcoming Board of Governors Meetings

December 7-8, Everett • January 17-18, 2008, Olympia • March 7-8, 2008, Tacoma

With the exception of the executive session, Board of Governors meetings are open, and all WSBA members are welcome to attend. RSVPs are appreciated but not required. Contact Donna Sato at 206-727-8244, 800-945-9722, ext. 8244, or donnas@wsba.org. The complete Board of Governors meeting schedule is available on the WSBA website at www.wsba.org/info/bog/schedule.htm.

Usury Rate

The average coupon equivalent yield from the first auction of 26-week treasury bills in October 2007 was 4.151 percent. Therefore, the maximum allowable usury rate for November is 12 percent. Information from January 1987 to date is on the WSBA website at www.wsba.org/media/publications/barnews/usury.htm.

Facing an Ethical Dilemma?

The WSBA Ethics Line can help members analyze a situation involving their own prospective conduct, apply the proper rules, and reach an ethically sound decision. Calls made to the Ethics Line are confidential, and most calls are returned within one business day. Any advice given is intended for the education of the inquirer and does not represent an official position of the WSBA. Call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

Search WSBA Ethics Opinions Online

Formal and informal WSBA ethics opinions are available online at http://pro/wsba.org/io/search.asp, or from a link on the WSBA homepage, www.wsba.org. You can search opinions by number, year issued, ethical rule, subject matter, or keyword. Ethics opinions are issued by the WSBA to assist members in interpreting their ethical obligations in specific circumstances. The opinions are the result of study and analysis in response to requests from WSBA members. For assistance, call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

Speakers Available

The WSBA Lawyers Assistance Program offers speakers for engagements at county, minority, or specialty bar associations, or other law-related organizations. Topics include stress management, life/work balance, and recognizing and handling problem-personality clients. Contact Jennifer Favell, Ph.D., at 206-727-8267 or 800-945-9722, ext. 8267.

Assistance for Law Students

The Lawyers Assistance Program offers counseling to third-year law students attending Washington schools. Sessions are held in person or by phone. Treatment is confidential and available for depression, addiction, family and relationship issues, health problems, and emotional distress. A sliding-fee scale is offered ranging from $50-30, depending on ability to pay. Call 206-727-8268, or 800-945-9722, ext. 8268, or visit www.wsba.org/lawyers/services/lap.htm.

Help for Judges

The WSBA Judges Assistance Program provides confidential assistance to judges experiencing personal or professional difficulties. Telephone or in-person sessions are available on a sliding-scale basis. For more information, call the program coordinator at 206-727-8268 or 800-945-9722, ext. 8268.

Assistant for Law Students

The Lawyers Assistance Program offers counseling to third-year law students attending Washington schools. Sessions are held in person or by phone. Treatment is confidential and available for depression, addiction, family and relationship issues, health problems, and emotional distress. A sliding-fee scale is offered ranging from $50-30, depending on ability to pay. Call 206-727-8268, or 800-945-9722, ext. 8268, or visit www.wsba.org/lawyers/services/lap.htm.

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file to the lawyer representing the successor personal representative;
• Failing to comply with two court orders requiring Mr. Butler to pay $2,625 and $1,575 in attorney's fees to the lawyer representing the successor personal representative;
• Using a power of attorney to withdraw funds from the decedent's bank account prior to conversion of the bank account to an estate account and prior to being appointed as personal representative of the estate, and failing to account for $15,000 of those funds in the probate; and
• Failing to respond to a grievance or to cooperate with the Bar Association's disciplinary investigation.

Mr. Butler's conduct violated RPC 1.3, requiring a lawyer to act with reasonable diligence and promptness in representing a client; RPC 1.4, requiring a lawyer to keep a client reasonably informed about the status of a matter, promptly comply with reasonable requests for information, and explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation; former RPC 1.14(b)(3), requiring a lawyer to maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and to render appropriate accounts to his or her client regarding them; RPC 8.4(b), prohibiting a lawyer from communicating a criminal act (here, theft) that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; RPC 8.4(j), prohibiting a lawyer from committing an act involving moral turpitude, or corruption, or any unjustified act of assault or other act which reflects disregard for the rule of law; RPC 8.4(j), prohibiting a lawyer from willfully disobeying or violating a court order directing him or her to do or cease doing an act which he or she ought in good faith to do or forbear; and RPC 8.4(l), prohibiting a lawyer from violating a duty or sanction imposed by or under the Rules for Enforcement of Lawyer Conduct in connection with a disciplinary matter (here, ELC 5.3).

Nancy Bickford Miller represented the Bar Association. Mr. Butler represented himself. Craig C. Beles was the hearing officer.

Disbarred

John B. Jackson III (WSBA No. 5208, admitted 1973), of Bremerton, was disbarred, effective April 18, 2007, by order of the Washington State Supreme Court following a stipulation approved by the Disciplinary Board. This discipline was based on his conduct in multiple matters involving unreasonable fees, trust account irregularities, commission of criminal acts, lack of diligence, failure to communicate with clients, and misrepresentation of facts.

Between December 2001 and March 2004, Mr. Jackson engaged in the following conduct that established grounds for discipline:
• Issuing 33 trust account checks disbursing funds which he was not entitled to disburse and without direction or authorization from the clients who owned the funds, thereby constituting the crime of theft in the first degree in violation of RCW 9A.56.030-040;
• Failing to account for the distribution of settlement funds and failing to promptly pay the funds to a client;
• In two matters, failing to pay or promptly pay funds that third parties were entitled to receive;
• Removing $18,605.66 from his trust account in distribution of a client settlement after having deposited only $17,000 of the client's funds into the trust account;
• Failing to obtain release of a client's settlement funds from the superior court registry for over nine months;
• Failing to expedite a client's post-settlement dissolution proceeding;
• Misrepresenting to a client's medical provider that he would reduce his fee by more than 50 percent in order to induce the medical provider to reduce her own fee;
• Failing to advise a client about the status of payments to her medical providers and the status of her settlement funds; and
• In two matters, failing to communicate and respond to the clients' attempts to obtain information about their cases.

Mr. Jackson's conduct violated RPC 1.3, requiring a lawyer to act with reasonable diligence and promptness in representing a client; RPC 1.4, requiring a lawyer to keep a client reasonably informed about the status of a matter, promptly comply with reasonable requests for information, and explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation; RPC 1.5(a), requiring a lawyer's fee to be reasonable; former RPC 1.14(a), requiring that all funds paid to a lawyer or law firm be deposited in one or more identifiable interest-bearing trust accounts and that no funds belonging to the lawyer or law firm be deposited therein; former RPC 1.14(b)(3), requiring a lawyer to maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer which the client is entitled to receive; former RPC 1.14(b)(4), requiring a lawyer to promptly pay or deliver to the client as requested by a client the funds, securities, or other properties in the possession of the lawyer which the client is entitled to receive; RPC 8.4(b), prohibiting a lawyer from committing a criminal act (here, theft) that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; and RPC 8.4(c), prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Christine Gray represented the Bar Association. Brett A. Purtzer represented Mr. Jackson. Kelby D. Fletcher was the hearing officer.

Disbarred

Mark A. Panitch (WSBA No. 12393, admitted 1982), of Seattle, was disbarred, effective February 12, 2007, by order of the Washington State Supreme Court following a default hearing. This discipline was based on his conduct involving lack of diligence, lack of communication, failure to expedite litigation, charging an unreasonable amount for expenses, false statements, dishonesty, trust account irregularities, failure to take reasonably practicable steps to protect client interests upon termination of representation, and failure to cooperate with disciplinary investigations.

Between 2000 and 2004, in three matters, Mr. Panitch engaged in the following conduct that established grounds for discipline:
• Charging a client unreasonable and unnecessary travel expenses;
• Failing to respond to client requests for information;
• Failing to inform a client that a summary judgment motion had been filed and noted for hearing, failing to file a response to a motion for summary judgment, failing to inform a client about a scheduled summary judgment hearing, and failing to inform a client that he did
not intend to respond to a summary judgment motion or to be present at a summary judgment hearing:

- In two instances, failing to inform a client that the client’s case had been dismissed, and failing to take remedial action following the dismissal;
- Failing to inform a client that a judgment for attorney fees had been entered against the client;
- Falsely stating to opposing counsel that he had not received a summary judgment motion;
- Providing false information to a client about the status of her case;
- Vacating his office without providing forwarding information to the client, the court, or opposing counsel;
- Failing to respond to inquiries from the court concerning his participation in a case;
- Failing to comply with a court’s order to show cause;
- Failing to render an appropriate accounting of a $3,000 cost advance he had received from a client, failing to maintain complete records of the advance, and failing to return the unused portion of the advance upon termination of the representation;
- Failing to safeguard and return property and papers that clients had placed in his possession;
- Failing to provide the client file to a client’s new lawyer and failing to cooperate with the new lawyer in seeking to vacate an order of dismissal; and
- Failing to cooperate with disciplinary investigations and falsely testifying at a disciplinary deposition.

Mr. Panitch’s conduct violated RPC 1.3, requiring a lawyer to act with reasonable diligence and promptness in representing a client; RPC 1.4(a), requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information; RPC 1.5(a), requiring a lawyer’s fee to be reasonable; former RPC 1.14(b)(2), requiring a lawyer to identify and label securities and properties of a client promptly upon receipt and place them in a safe deposit box or other place of safekeeping as soon as practicable; former RPC 1.14(b)(3), requiring a lawyer to maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accounts to his or her client regarding them; former RPC 1.14(b)(4), requiring a lawyer to promptly pay or deliver to the client as requested by the client the funds, securities, or other properties in the possession of the lawyer which the client is entitled to receive; former RPC 1.15(d), requiring a lawyer to take steps to the extent reasonably practicable to protect a client’s interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee that has not been earned; RPC 3.2, requiring a lawyer to make reasonable efforts to expedite litigation consistent with the interests of the client; RPC 4.1(a), prohibiting a lawyer, in the course of representing a client, from making a false statement of material fact or law to a third person; RPC 8.4(c), prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; RPC 8.4(d), prohibiting a lawyer from engaging in conduct that is prejudicial to the administration of justice; and RPC 8.4(l), prohibiting a lawyer from violating a duty or sanction imposed by or under the Rules for Enforcement of Lawyer Conduct (here, ELC 5.3(e) and 5.5(e)), in connection with a disciplinary matter.

Scott G. Busby represented the Bar Association. Mr. Panitch represented himself. Stephen D. Funderburk was the hearing officer.

**Suspended**

Margita Dornay (WSBA No. 19879, admitted 1990), of Selah, was suspended for three years, effective June 21, 2007, by order of the Washington State Supreme Court following a hearing. This discipline was based on her conduct in 2002 involving falsely testifying in a court proceeding. For more information see In re Discipline of Dornay, 160 Wn.2d 671, 161 P.3d 333 (2007).

In 2001, Ms. Dornay began an extramarital affair with a King County Deputy Sheriff (hereinafter “Deputy”). When the affair began, Ms. Dornay, a partner with a law firm and a contract prosecutor for the city of Kenmore, was living with her husband and daughters. The Deputy was in the process of divorcing his wife. During the course of the affair, the couple took trips out of town together. During a trip in November 2001, the Deputy became enraged after an argument and slammed his head on a nightstand, cutting open his forehead. On another occasion, the Deputy put his service revolver in Ms. Dornay’s hand and told her to pull the trigger because if she did not love him, he wanted to die. Ms. Dornay’s relationship with the Deputy continued.

In February 2002, Ms. Dornay testified under oath at the Deputy’s divorce trial. She was called to testify regarding the child visitation exchanges she had witnessed between the Deputy and his wife. The Deputy’s lawyer did not know about Ms. Dornay’s ongoing affair with the Deputy. Ms. Dornay testified and answered a series of background questions about how well
she knew the Deputy. While on the stand, Ms. Dornay was asked whether she had ever seen the Deputy “rageful at any time” or whether she had seen him “rant and rave” or “berate.” Ms. Dornay answered no to these questions. In its opinion, the Supreme Court found that: “If the judge had the benefit of Dornay’s truthful testimony at the time she testified on [Deputy’s] behalf, her testimony could have affected the judge’s decision regarding the parenting plan for [Deputy]’s three-year-old child.”

In March 2002, Ms. Dornay broke off relations with the Deputy. Soon after, she informed members of her family about the affair. At this time, she confessed that she was not truthful when she testified in court that she had never seen the Deputy in a rage.

In May 2002, Ms. Dornay petitioned for an order of protection against the Deputy, alleging he was abusive and threatening to her and her family. At the protection order hearing in June 2002, Ms. Dornay testified under oath that the Deputy had screamed at her, raged at her, and ranted and raved during the course of their relationship, including the time period prior to the February 2002 dissolution trial. After the hearing, Ms. Dornay signed a sworn declaration that she “made the decision to perjure” herself at trial in February 2002. This sworn declaration was filed by the Deputy’s former wife’s lawyer in superior court in support of a petition to suspend the Deputy’s visitation rights with his child. In 2003, during a deposition taken in the course of the Bar Association’s disciplinary investigation, Ms. Dornay testified under oath that she February 2002 trial testimony was false.

In its opinion, the Supreme Court held “[t]he Washington Legislature and the courts of this state have recognized the profound impact of intimate partner violence. While the nature of Dornay’s relationship with [Deputy] does not excuse Dornay’s actions, it is a mitigating factor that merits substantial weight.”

Ms. Dornay’s conduct violated former RPC 3.3(a)(1), prohibiting a lawyer from knowingly making a false statement of material fact or law to a tribunal; RPC 8.4(b), prohibiting a lawyer from committing a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects; RPC 8.4(c), prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; and RPC 8.4(d), prohibiting a lawyer from engaging in conduct that is prejudicial to the administration of justice.

Kevin M. Bank and Jean K. McElroy represented the Bar Association. Kurt M. Bulmer and Robert F. Noe represented Ms. Dornay. Lawrence R. Mills was the hearing officer.

Suspended

Mary Ebel Johnson a/k/a Mary W. John- son (WSBA No. 15175, admitted 1985), of Oregon City, Oregon, was suspended for 30 days, effective July 3, 2007, by order of the Washington State Supreme Court imposing reciprocal discipline in accordance with an order of the Supreme Court of the State of Oregon following a hearing. This discipline was based on her conduct involving the practice of law while suspended. For more information, please see the October 2006 Oregon State Bar Bulletin, available at https://www.osbar.org/publications/bulletin/06oct/discipline.html. Mary Ebel Johnson is to be distinguished from Mary Ann Johnson of Bismarck, Mary Jean BeJohnson of Tacoma, Mary White Johnson of Spokane, and Mary Lou Johnson of Spokane.

Ms. Johnson’s conduct violated former Oregon Disciplinary Rule (DR) 3-101(B), prohibiting a lawyer from practicing law in a jurisdiction where to do so would be in violation of regulations of the profession in that jurisdiction; and Oregon Revised Statute (ORS) 9.160, prohibiting a person from practicing law unless that person is an active member of the Oregon State Bar.

Felice P. Congalton represented the Bar Association. Ms. Johnson was not represented by counsel.

Suspended

Bradley R. Marshall (WSBA No. 15830, admitted 1986), of Seattle, was suspended for 18 months, effective May 10, 2007, by order of the Washington State Supreme Court following an appeal. This discipline was based on his conduct between 1996 and 2000 involving conflicts of interest, failure to communicate with clients, failure to maintain complete records of client funds and to provide clients with an accounting, filing an appeal without client authority, charging excessive costs, and instructing a third party to create a deceptive invoice to conceal the nature of a fee arrangement. For additional information, see In re Discipline of Marshall, 160 Wn.2d 317, 157 P.3d 859 (2007).

Commencing in 1996, Mr. Marshall represented a number of longshoremen clients in a federal district court action alleging racial discrimination against several local unions. During the course of and following the representation, Mr. Marshall engaged in the following conduct that established grounds for discipline:

• Mr. Marshall did not explain to each of the clients the implications of, or the advantages and risks involved in, common representation, and he did not obtain written consent from the clients to multiple representation;

• Mr. Marshall filed an appeal of the dismissal of one of the defendants without the knowledge or authorization of several of his clients, and following commencement of the appeal he did not provide the clients with a meaningful explanation of the facts of the appeal and its consequences for each of them;

• Mr. Marshall instructed a nonlawyer who had initially referred the case to his office, and to whom the clients owed 10 percent of the final settlement proceeds as a consultant’s fee, to create an hourly invoice in an attempt to conceal the appearance of fee-sharing [Note that because the nonlawyer had a pre-existing agreement with the clients to pay a 10 percent fee, the Supreme Court concluded that Mr. Marshall did not split a fee in violation of RPC 5.4(a)];

• Mr. Marshall improperly charged contract attorney fees as costs in violation of the written fee agreement and treated a refund of a $41,000 cost advance as an expense chargeable to the client; and

• Mr. Marshall did not maintain complete records of the receipt and disbursement of settlement proceeds or provide an appropriate accounting to the client regarding the distribution of the funds.

Mr. Marshall violated RPC 1.2(a), requiring a lawyer to abide by a client’s decisions concerning the objectives of representation and to consult with the client as to the means by which they are to be pursued; former RPC 1.2(f), prohibiting a lawyer from willfully purporting to act as a lawyer for any person without the authority of that person; RPC 1.4(b), requiring a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation; RPC 1.5(a), requiring a lawyer’s fee to be reasonable; RPC 1.7(b), prohibiting a lawyer from representing a client if the representation of
that client may be materially limited by the lawyer's responsibilities to another client or to a third person, or by the lawyer's own interests, unless the lawyer reasonably believes the representation will not be adversely affected and the client consents in writing after consultation and full disclosure of the material facts; former RPC 1.14(b)(3), requiring a lawyer to maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accounts to his or her client regarding them; former RPC 1.14(b)(4), requiring a lawyer to promptly pay or deliver to the client the funds, securities, or other property in the possession of the lawyer which the client is entitled to receive; and RPC 8.4(c), prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Special Disciplinary Counsel Carolyn Cairns represented the Bar Association at the hearing. Scott G. Busby represented the Bar Association on appeal. Kurt M. Bulmer represented Mr. Marshall at the hearing. Philip A. Talmadge represented Mr. Marshall on appeal. Robert M. Scales was the hearing officer.

Suspended

Christopher C. Meleney (WSBA No. 11123, admitted 1980), of Everett, was suspended for six months, effective April 13, 2007, by order of the Washington State Supreme Court following a stipulation approved by the Disciplinary Board. This discipline was based on his conduct in 2004 involving failure to communicate with clients, taking action without client authority, conflict of interest, and filing a bankruptcy petition in violation of the federal bankruptcy rules.

In July 2004, Mr. Meleney met with two principals of a company that operated a casino, restaurant, and inn (hereinafter "Company A") and that was an operating subsidiary of an LLC. Company A was experiencing serious financial difficulties and a hearing concerning the revocation of its business license was scheduled to take place the following day.

Mr. Meleney advised the principals that he would not represent Company A in filing a voluntary petition. Furthermore, it was unlikely that the consent of all of the owners could be obtained in time to stop the license revocation hearing. One of the principals agreed to make contact with Company A's creditors regarding filing an involuntary petition.

On the morning of the license revocation hearing, Mr. Meleney met with the two principals, and they decided to pursue the filing of an involuntary bankruptcy petition. One of the principals paid Mr. Meleney $2,500 as attorney's fees and costs to file the involuntary petition.

Representatives from three of Company A's creditors telephoned Mr. Meleney. He did not adequately explain to these creditors that they would be the petitioning creditors initiating bankruptcy proceedings against Company A. In July 2004, Mr. Meleney filed an involuntary bankruptcy petition against Company A on behalf of these three creditors. In the petition, and later in an amended petition, Mr. Meleney stated that he was attorney for the petitioning creditors. In September 2004, Mr. Meleney filed a motion for an order of default and default judgment against the debtor, Company A, for failure to file schedules. In the motion, Mr. Meleney again indicated that he was the attorney for the petitioning creditors. The company's bankruptcy case was dismissed in October 2004 for failure to file schedules. Other than the telephone conversation that took place before the bankruptcy petition was filed, Mr. Meleney had no contact with the petitioning creditors until he sent them a letter in November 2004 advising them that the bankruptcy had been dismissed.

In January 2005, in response to a United States trustee's motion for sanctions, Mr. Meleney stipulated, in order to settle pending hearings, that he had violated Bankruptcy Rule 9011 by filing the bankruptcy petition. Rule 9011 provides that by presenting a petition to the court, an attorney certifies that to the best of his knowledge, formed after reasonable inquiry, the petition is not being presented for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation. Mr. Meleney also agreed to pay $2,161 to the State of Washington, to be distributed to former employees of Company A whose ability to collect owed wages was negatively impacted by the filing of the bankruptcy petition.

Mr. Meleney's conduct violated RPC 1.2(a), requiring a lawyer to abide by a client's decisions concerning the objectives of representation and to consult with the client as to the means by which they are to be pursued; RPC 1.2(d), prohibiting a lawyer from counseling a client to engage, or assisting a client, in conduct that the lawyer knows is criminal or fraudulent; former RPC 1.2(f), prohibiting a lawyer from willfully purporting to act as a lawyer for any person without the authority of that person; RPC 1.4(a), requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information; RPC 1.4(b), requiring a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation; RPC 1.8(f), prohibiting a lawyer from accepting compensation for representing the client from one other than the client unless the client consents after consultation and there is no interference with the lawyer's independence of professional judgment or with the client-lawyer relationship, and information relating to the representation of a client is protected as required by RPC 1.6; and RPC 8.4(d), prohibiting a lawyer from engaging in conduct that is prejudicial to the administration of justice.

Debra Slater represented the Bar Association. Leland G. Ripley represented Mr. Meleney. James C. Lawrie was the hearing officer.

Suspended

Stephen J. Plowman (WSBA No. 21823, admitted 1992), of Bellevue, was suspended from the practice of law for three years, effective April 13, 2007, by order of the Washington State Supreme Court following a stipulation approved by the Disciplinary Board. This discipline was based on his conduct in 2005 involving the commission of a criminal act.

In 2005, one of Mr. Plowman's clients, who has since been convicted of narcotics trafficking in federal court, became interested in acquiring a laundromat located in Seattle. The laundromat's negotiated price was in excess of $150,000. Mr. Plowman provided legal assistance to the client in purchasing the laundromat. Mr. Plowman received two cashier's checks from the client, which were in the names of third parties and totaled approximately $56,000. Mr. Plowman deposited these checks in his client trust account to be used in partial payment for the
Mr. Plowman brought the money to his Bellevue law office and stored it in a safe. The currency was proceeds derived by the client from his participation in cocaine trafficking in Seattle. Mr. Plowman did not document his receipt of this currency in any way and willfully failed to file a “Report of Cash Payments Over $10,000 Received in a Trade or Business” with the Internal Revenue Service, as required by law, indicating the identity of the individual from whom the cash was received, the person on whose behalf the such transaction was conducted, and a description of the transaction and the method of payment.

In June 2005, Mr. Plowman met with the seller of the laundromat and delivered a check drawn on his client trust account in the amount of approximately $60,000. Mr. Plowman also delivered approximately $100,000 of the cash received from his client to the seller to pay the balance due on the laundromat. The purchase and sales agreement reflected a total sales price of $60,000, whereas the true sales price was approximately $160,000. Of the remaining cash, some was used to pay laundromat expenses and some was taken by Mr. Plowman as his fee.

In October 2006, Mr. Plowman pleaded guilty to the felony crime of failure to file a currency transaction report (Form 8300), in violation of 31 U.S.C. §§ 5531(a) and 5322(b).

Mr. Plowman’s conduct violated RPC 8.4(b), prohibiting a lawyer from committing a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects.

Francesca D'Angelo represented the Bar Association. Mr. Plowman represented himself.

Reprimanded

Craig S. Jepson (WSBA No. 25154, admitted 1995), of Austin, Texas (formerly of Concord, New Hampshire), was ordered to receive a reprimand on April 4, 2007, by order of the Washington State Supreme Court imposing reciprocal discipline in accordance with an order of the New Hampshire Professional Conduct Committee following a stipulation to a public censure. This discipline was based on his conduct in 2006 involving filing a false report with a law school committee.

In January 2005, Mr. Jepson was admitted to practice law in the state of New Hampshire. Mr. Jepson worked full-time as a tenured professor of law at the Franklin Pierce Law Center in Concord (Pierce Law). For the academic year 2005-2006, Mr. Jepson was appointed to serve on a faculty committee charged with assessing the performance and qualifications of another law professor in connection with that professor’s application for tenure. As part of his committee responsibilities, Mr. Jepson was required to attend classes conducted by the professor and to submit a report of his observations to the committee chair. Mr. Jepson prepared and submitted a report describing two of the professor’s classes in detail. The report was a fabrication. Mr. Jepson had not attended any of the professor’s classes. In response to initial informal inquiries of other committee members, Mr. Jepson reiterated falsely that he had attended the professor’s classes. Once it was established that the report was a fabrication, Mr. Jepson admitted his misconduct and apologized to the faculty. Mr. Jepson’s misconduct did not prejudice the professor’s candidacy for tenure. Mr. Jepson resigned from the law school faculty.

Mr. Jepson’s conduct violated New Hampshire RPC 8.4(a), prohibiting a lawyer from violating the Rules of Professional Conduct; and New Hampshire’s RPC 8.4(c), prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Joanne S. Abelson represented the Bar Association. Mr. Jepson represented himself.

Reprimanded

Jeffrey G. Poole (WSBA No. 15578, admitted 1986), of Everett, was ordered to receive a reprimand on February 5, 2007, following a stipulation approved by a hearing officer. This discipline was based on his conduct between 2002 and 2004 involving a conflict of interest.

In March-April 2002, Mr. Poole requested and obtained a personal loan from a private lender. At that time, Mr. Poole was representing a client in a litigation matter involving property on which the lender held a secured interest. Mr. Poole was in regular contact with the lender on his client’s behalf. In April, Mr. Poole executed a promissory note and deed of trust to secure a loan from the lender, which required him to make monthly interest payments and then a balloon payment that would pay the loan in full after one year. Mr. Poole, on his own behalf, subsequently proposed another business transaction with the lender related to property in Bothell that he wanted to develop. At that time, his client’s litigation matter involving the lender had not been completely resolved. Mr. Poole’s client was not involved in nor informed about the Bothell property proposal. The lender did not make a loan to Mr. Poole in connection with the Bothell property.

Mr. Poole’s loan payments became past due. A representative of the lender wrote to Mr. Poole and left telephone messages, but received no answer. In September 2003, the lender filed for bankruptcy. During the time that Mr. Poole’s loan was outstanding, he continued to communicate and negotiate with the lender on his client’s behalf in regard to financing other projects and in an attempt to delay foreclosure of the lender’s security interests in his client’s properties. In October 2003, Mr. Poole communicated with the lender about its bankruptcy and its effect on the lender’s business relationship with his client. In April 2004, on his client’s behalf, Mr. Poole communicated with the lender regarding a loan secured by his client’s boat. At the time, Mr. Poole was delinquent on his own loan from the lender.

Mr. Poole never disclosed to the client his independent business relationship with the lender or explained to the client the implications of this relationship, and he failed to obtain consent in writing from the client.

Mr. Poole’s conduct violated former RPC 1.7(b), prohibiting a lawyer from representing a client if the representation of that client may be materially limited by the lawyer’s responsibilities to another client or to a third person, or by the lawyer’s own interests, unless the lawyer reasonably believes the representation will not be adversely affected and the client consents in writing after consultation and a full disclosure of the material facts.

M. Craig Bray and Christine Gray represented the Bar Association. Mr. Poole represented himself. David W. Wiley was the hearing officer.

Reprimanded

G. Thomas Ryan (WSBA No. 9634, admitted 1979), of Puyallup, was ordered to receive a reprimand on March 13, 2006, following a
In January 2005, Mr. Ryan was hired by clients who wanted to petition for custody of their grandchild. According to the clients, they asked Mr. Ryan to file the petition by January 24, 2005, and he agreed to do so. The clients paid Mr. Ryan $2,700 for advance fees and costs. Between January 24 and January 27, the clients called Mr. Ryan’s office many times. He did not take or return any of their telephone calls.

In early February, the biological father, who had custody of the child, took the child out of state to visit his parents. On February 9, Mr. Ryan filed the clients’ nonparental custody petition, noted a hearing on the petition for February 28, 2005, and obtained an ex parte temporary restraining order (TRO) immediately restraining the parents from having contact with the child and placing him in the clients’ custody. Mr. Ryan had the child’s mother served with the petition, but the process server could not personally serve the child’s father because he was out of state visiting his parents. Mr. Ryan had not obtained an order authorizing peace officers to remove the child from either of the parents’ custody (a pick-up order). Without a pick-up order, the TRO was unenforceable. The clients asked Mr. Ryan to obtain a pick-up order. Mr. Ryan declined to do so. He met with the clients and informed them that Child Protective Services (CPS) had filed a recommendation that the mother be awarded custody of the child. Mr. Ryan recommended that the clients strike the hearing date based on the CPS letter. The clients disagreed with his recommendation.

A lawyer for the mother entered a notice of appearance in the proceeding and filed responsive pleadings, which were voluminous and contained several declarations refuting the allegations set for in the clients’ nonparental custody petition. The mother asked the court to dismiss the petition and to award her the child. Mr. Ryan did not extensively review the responsive pleadings before the hearing. At the hearing, the commissioner determined that the nonparental custody petition could not be considered because Mr. Ryan had not provided the court with the clients’ DCFS/CPS background checks or criminal background checks as required by statute.

The commissioner entered an order placing the child with his mother, directing Mr. Ryan to file the background checks, and ordering a new hearing to take place within 60 days. The mother’s motion to dismiss and request for attorney’s fees was also to be heard at that time.

After the hearing, the clients waited outside the courtroom to speak with Mr. Ryan, but they could not locate him. After waiting a week for Mr. Ryan to contact them and discuss the next steps, the clients made several attempts to contact Mr. Ryan. He did not return any of their telephone messages. During one attempt, Mr. Ryan answered the telephone, and the client expressed dissatisfaction with the representation and told Mr. Ryan to do the job correctly or refund the fee. Mr. Ryan told the client he would discuss the case with her after she calmed down. During the following week, he did not return any of their calls.

In March 2005, the clients filed a grievance with the Bar Association. In Mr. Ryan’s written response to the grievance, he stated that he intended to withdraw from the case. Mr. Ryan did not tell the clients he intended to withdraw and did not file a notice of withdrawal. He did not obtain the DCFS/CPS background checks or the criminal background checks as required by the commissioner’s February 28 order.

On June 2, the child’s mother filed a motion to dismiss the case and for attorney’s fees, noting the motion for a hearing on June 10, 2005. Mr. Ryan did not immediately notify his clients about the pending hearing. On the afternoon of June 8, he mailed them a copy of the motion to dismiss and supporting documentation. Included in the mailing were Mr. Ryan’s notice of intent to withdraw and his response to the motion to dismiss. The response consisted of a motion for a three-week continuance on grounds that Mr. Ryan was withdrawing as counsel of record. Under the terms of notice, Mr. Ryan’s withdrawal was effective on July 22, 2005, although he did not intend to do any further legal work for the clients. The clients received this information the evening before the hearing.

Meanwhile, on June 7, 2005, disciplinary counsel informed the clients about the hearing on June 10. The clients called several lawyers listed in the Yellow Pages, asking if any of them would represent them at the hearing. A lawyer agreed to accompany the clients to the hearing, although she told them she could not file a notice of appearance, as Mr. Ryan was still the attorney of record. Mr. Ryan did not appear at the June 10 hearing, at which the commissioner entered an order continuing the motion to dismiss in order to give the new lawyer time to respond. The order indicated that the court would grant the mother’s request for attorney’s fees. In August 2005, the commissioner entered an order dismissing the nonparental custody petition and awarding the mother $3,510.50 for attorney’s fees and costs incurred in defending against the petition.

Mr. Ryan’s conduct violated RPC 1.3, requiring a lawyer to act with reasonable diligence and promptness in representing a client; RPC 1.4(a), requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information; and RPC 1.4(b), requiring a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Leslie C. Allen represented the Bar Association. Mr. Ryan represented himself, James M. Danielson was the hearing officer.

Admonished

Isak D. Bressler (WSBA No. 31747, admitted 2001), of Seattle, was admonished by a review committee of the Disciplinary Board. This discipline was based on his conduct in 2005 involving lack of diligence and noncooperation with a disciplinary investigation.

In 2005, Mr. Bressler was hired to represent a client in a bankruptcy matter. Because of a calendaring error, Mr. Bressler neglected to attend the client’s first meeting of creditors. He also failed to provide information requested by the trustee.

Mr. Bressler and the client reached an agreement that he would refund $200 in August 2005, but he did not mail the check to the client until October 2005. During the ensuing disciplinary investigation, Mr. Bressler failed to respond fully to disciplinary counsel’s requests for information.

Mr. Bressler’s conduct violated RPC 1.3, requiring a lawyer to act with reasonable diligence and promptness in representing a client; and RPC 8.4(l), prohibiting a lawyer from violating a duty or sanction imposed by or under the Rules for Enforcement of Lawyer Conduct (here, ELC 1.5).

Nancy Bickford Miller represented the Bar Association. Mr. Bressler represented himself.
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Mark Demaray is Of Counsel with Beresford ♦ Booth PLLC and has a long standing relationship with our firm. Mark is also the principal of the Law Offices of Mark M. Demaray, Inc., P.S., that focuses exclusively in adoption law. Mark, himself an adoptive parent, has helped families and children unite in the adoption field for nearly 25 years. He represents adoptive parents, birth parents, and adoption agencies and has assisted families in thousands of adoptions. Mark helped form the Washington State Adoption Council in 1986; he was a member of the Washington State Senate's Interim Adoption Study in 1989; and he was appointed to the Washington State Legislature's Adoption Study Panel in 2004. Mark is a credit to the legal profession, particularly his service in the adoption field.

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has joined the firm as Of Counsel.
Mr. Hanken's practice consists of environmental law, real estate, and business transactions.
The firm is also pleased to announce that

Marissa A. Alkhazov

has joined the firm as an Associate.
Mr. Alkhazov's practice emphasizes toxic torts, insurance law, and litigation.

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Are pleased to welcome new associate attorneys

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Rhianna M. Fronapfel
Paul Edwards-Kevin
Bree D. Kelly
Angela N. Marshlain
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Sarah S. Mack

Ms. Alvarado previously clerked for the Honorable C.C. Bridgewater, Washington State Court of Appeals, Division II.
Ms. Fronapfel previously clerked for the Honorable Stephen J. Dwyer, Washington State Court of Appeals, Division I.
Mr. Edwards-Kevin is a 2006 graduate of Gonzaga University School of Law, cum laude.
Ms. Kelly previously externed for the Honorable Charles Johnson, Washington State Supreme Court.
Ms. Marshlain previously clerked for the Honorable David A. Kurtz, Snohomish County Superior Court.
Ms. Mack previously clerked for the Honorable Ricardo Martinez, United States District Court.

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For when they insure it is sweet to them to take the money; but when disaster comes it is otherwise and each man draws his rump back and strives not to pay.
— Francesco di Marco Datini — Florentine businessman, letter to his wife, 14th century.

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Tom Fender, formerly Vice Chair of the Intercity Transit Authority, has 35 years of active bar participation in Washington and Oregon. He has served as a public official, municipal manager, naval aviator, government relations director, tax administrator, assistant professor, and counsel to the Washington Senate Judiciary Committee. Mr. Fender’s formal education includes naval aviation, industrial processes, science, and engineering.

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Information must be received by the first day of the month for placement in the following month’s calendar.

Antitrust

The 24th Annual Antitrust and Consumer Protection Seminar
November 2 — Seattle. 6 credits. By the WSBA Antitrust, Consumer Protection and Unfair Business Practice Section and WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Business Law

New Rules for Business Litigators: Keeping Ahead of the Curve
November 13 — Seattle. 6 credits pending, including 1 ethics. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Working with and Advising High-Tech Companies
November 16 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Estate Planning for Business Owners
December 3 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics

Ethical Dilemmas
November 5 — Seattle. 4 ethics credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Ethics for General Practitioners
November 13 — Tele-CLE. 1.5 ethics credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Modern Technology and Ethical Dilemmas
November 14 — Tele-CLE. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Ethics for Estate Planners
November 27 — Tele-CLE. 1.5 ethics credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Negotiation Ethics: Winning Without Selling Your Soul

Construction Law

Construction Law Year End: Selections from the Construction Law Midyear and Mike M. Johnson Decision Programs
November 6 — Spokane. 6 credits, including 1 ethics. By the WSBA Construction Law Section and WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Copyright/Patent Law

European Patent Practice Seminar: An In-Depth Seminar Covering Recent Developments
November 5-6 — Seattle. 12 credits pending. By UW School of Law: 206-543-0059 or 800-CLE-UNIV.

Debtor-Creditor

Judgments: You Won! What’s Next?
December 4 — Seattle; December 11 — Spokane. 6.25 credits, including .5 ethics. By Debtor-Creditor Section and WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Estate Planning

Drafting and Using FLPs, LLCs, and PLLCs
November 8 — Seattle. 6.25 credits, including .75 ethics. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Ethics for Estate Planning
November 27 — Tele-CLE. 1.5 ethics credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Ethics for Employment Lawyers
December 10 — Tele-CLE. 1.5 ethics credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Law of Lawyering

Day One, December 12 — Seattle; Day Two, December 13 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Family Law

Alternative Dispute Resolution for Family Law Cases: Staying out of Court, Featuring Stuart G. Webb
December 17 — Seattle. 6 credits, including .75 ethics pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

General

Best of CLE
December 6 — Spokane. 6 credits, including 1.5 ethics. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Best of CLE
December 14 — Seattle. 6 credits, including up to 3 ethics. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Movie Magic
December 20 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Movie Magic
December 21 — Spokane. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Last Chance Video Roundup
December 28 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Labor and Employment Law

7th Annual Labor and Employment Law Conference
November 9 — Seattle. 6 credits, including .75 ethics. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.
ethics. By the WSBA Labor and Employment Law Section and WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Ethics with Ease: Ethics for Employment Lawyers
December 3 — Tele-CLE. 1.5 ethics credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Law Practice Management

Time Mastery for Lawyers: Over 100 Ways to Maximize Your Productivity and Satisfaction
November 1 — Vancouver, WA; November 2 — Seattle. 6 credits. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Litigation

New Rules for Business Litigators
November 13 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Mold, Mildew and Moisture
November 15 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Deposition Techniques
December 18 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Movie Magic
December 20 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Movie Magic
December 21 — Spokane. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Real Property Land Use

Mold, Mildew and Moisture
November 15 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Fall Real Estate Conference
December 7 — Seattle. CLE credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

Taxation

Lawyer’s Toolbox: Tax Issues for Business Transactions
December 19 — Seattle. Credits pending. By WSBA-CLE; 800-945-WSBA or 206-443-WSBA.

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For Sale

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Positions

Hillis Clark Martin & Peterson, P.S. is seeking an attorney to join its Lender Services Group. We are looking for an attorney with at least five years’ experience dealing with bankruptcy and creditors’ rights issues. Primary responsibilities will include representing financial institutions in complex bankruptcies as well as in litigation matters involving secured transactions, creditor-debtor law, commercial landlord-tenant and receiver-ship issues. Prior Chapter 11 experience including single-asset cases as well as post-petition financing work is important. Some familiarity with loan origination and documentation would be helpful. The applicant will be expected to have exceptional academic credentials and excellent writing and advocacy skills. Please submit a cover letter, résumé, and a copy of your law-school transcripts to Eileen Kraabel, Recruiting Administrator, 1221 Second Ave., Ste. 500, Seattle, WA 98101-2925, or e-mail your application materials to ejk@hcmp.com. We are an equal opportunity employer and are committed to a culturally diverse workplace.

Eisenhower & Carlson, PLLC is seeking an associate attorney in its Seattle office. The ideal candidate will have an outstanding academic background and the ability to complement both the commercial litigation and business transaction practices of the office’s members. Eisenhower is a collegial firm that values work-life balance, and offers a competitive salary and excellent benefits. Please forward résumé and cover letter to Eisenhower & Carlson PLLC, Executive Director, 1201 Pacific Avenue, 12th Floor, Tacoma, WA 98402.

Construction attorney. Spokane AV-rated law firm is seeking a Washington-licensed attorney (and preferably also licensed in Idaho) with a minimum of three years’ experience in construction litigation, contract drafting, and contract review to support the firm’s construction practice group. Persons interested, please reply with résumé and cover letter to: Winston & Cashatt P.S. Lawyers, Attn: R. Joe Alleman, Legal Administrator, at rja@winstoncashatt.com.

The Shiers Law Firm is a well-established, general practice law firm, founded in 1916, seeking to bring aboard another capable and motivated lawyer for civil, personal injury, and commercial litigation. Candidates shall have strong interpersonal skills and outstanding academic credentials. Please send résumé, law-school transcript, and brief writing sample to Cynthia Samuels, Shiers Law Firm, 600 Kitsap St., Ste. 202, Port Orchard, WA 98366 or via e-mail to samuels@shierslaw.com.

Rush, Hannula, Harkins & Kyler, a plaintiffs’ personal injury firm in Tacoma, is
interested in welcoming an additional lawyer. Candidates should have a minimum of three years of litigation experience. We are interested in someone who has superior legal and jury trial skills, who is congenial, and who is interested in growing a practice with our firm on a long-term basis. Please submit a cover letter and résumé by e-mail to vharkins@rhhk.com and jwilson@rhhk.com.

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**Real estate/land use attorney. Cairncross & Hempelmann, PS. is seeking an attorney**

with at least six years of trans- actional real estate and significant land use experience. Candidates should have superior academic credentials, excellent written and verbal communication skills, and current WSBA membership. We offer competitive salary, friendly people, and a wonderful working environment. Check us out at www.cairncross.com. EOE. Send cover letter, résumé, and law-school transcript to: Director of Human Resources, Cairncross & Hempelmann, PS., 524 Second Ave., Ste. 500, Seattle, WA 98104, or slavin@cairncross.com.

**Bellingham AV-rated PI firm**

looking for an associate with minimum three years’ experience in PI/litigation/trials. Please send response to classifieds@wsba.org referencing WSBA Blind Box #123, or mail to WSBA Bar News Blind Box #123, 1325 Fourth Ave., Ste. 600, Seattle, WA 98101-2539.

**We are seeking a business attorney**

with an LLM in taxation and at least two years of business experience. In addition, it is important that you have a strong desire to excel and commitment to community involvement. Your initial focus will be in the areas of business tax, acquisitions, entity formations, and contract preparation. As a 17-attorney firm located in Vancouver, Washington, we are the largest law firm in southwest Washington. This area offers a superior quality of life, excellent schools, affordable housing, and numerous opportunities for community involvement. Vancouver is the fastest-growing city in the state and is part of the fastest-growing county in the Northwest. With that growth, there are excellent opportunities for intellectual, financial, and organizational advancement. Please send your résumé to rhonda.kates@landerholm.com, or to Director of Operations, Landerholm, Memovich, et al, 805 Broadway St., Ste. 1000, Vancouver, WA 98660.

**Fury Bailey (www.furybailey.com), a two-lawyer Seattle plaintiffs’ personal injury firm located on Capitol Hill,**

seeks to hire a lawyer with at least two years of substantial deposition and/or trial experience and strong research and writing skills. The work will include both support (brief writing, depositions, discovery, and other projects) of the other lawyers in the firm in trial preparation, and handling a small personal caseload. The position also requires the ability and desire to take the initiative to work independently and build a law practice. Salary depends on experience and ability. Apply (with résumé and writing sample) via e-mail only to steve@furybailey.com.

**Established AV-rated Bellingham firm seeks an associate**

with a minimum of two years of civil litigation experience. The successful candidate must possess exceptional research and writing skills, a strong work ethic, and a desire to contribute to the community. Please direct your cover letter and résumé to Adelstein, Sharpe & Serka LLP, Attn: Jeff Fairchild, Esq., PO Box 5158, Bellingham, WA 98227-5158. Full consideration will be given to applications received prior to November 20.

**Associate attorney sought to join busy and growing Everett law firm.**

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Inslee, Best, Doezi & Ryder, P.S., a prominent, mid-sized downtown Bellevue law firm, seeks an exceptional associate attorney with three-plus years’ experience in general civil practice. Successful candidates will have excellent academic credentials, outstanding research and writing skills, and a commitment to delivering superior client service. Please send résumé and list of professional references to: Hiring Coordinator, Inslee, Best, Doezi & Ryder, P.S., PO Box 90016, Bellevue, WA 98009.

Lateral / partner — business transactions: A highly regarded and well-established Northwest law firm is seeking exceptional partner-level business transactional attorney(s) to join its team. This strategic growth-oriented firm desires top talent attorneys who have predominantly represented private businesses for at least a decade. Attorneys here are guided by an abiding respect for each other and professional excellence. This law firm has experienced significant growth in its profits per partner-level attorney over the past several years. In addition to enjoying financial success, the firm’s culture and people are one of its most appealing attributes. The compensation structure is innovative and fair, as well as highly competitive. The attorneys in this office enjoy a cooperative work environment and are focused on the development of the business practice group and the firm as a whole. Additionally, the firm has an attractive rate structure that enables it to maintain numerous clients and attract others. Business magazines report that the firm is one of the “Most Admired Companies” to work for. The firm represents owners and operators of healthcare businesses, seeks a contract attorney for a long-term temporary position. You must have a minimum of 5-plus years of transactional real estate experience, including experience with: (1) multi-state commercial real estate acquisitions; (2) management and knowledge of real estate financing; (3) purchase and sale; (4) leasing; (5) healthcare; and (6) general business law, including entity structuring and restructuring, contracts, and corporate re-organization. Experience working on large multi-state transactions is preferred. For serious and immediate consideration, please e-mail your résumé to Marcia McCraw, Esq., at mm@qpplegal.com at Quid Pro Quo immediately if you have the above experience. Also, please provide a brief description of your transactional real estate and real estate financing experience and the number of years of your related experience. We look forward to hearing from you.

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Corporate / intellectual property associates — Exceptional opportunities for business/corporate transactional and intellectual property associates are available. Quid Pro Quo is currently seeking corporate transactional associates for two highly regarded and well-respected Northwest law firms. You should have two-plus years of
corporate transactional experience or intellectual property transactional experience. Experience in mergers and acquisitions, securities, or IP is preferred. You should have excellent communication skills and writing skills. Please e-mail your résumé for immediate and serious consideration. This is an outstanding opportunity to grow and excel with a supportive firm with great management. For initial inquiries, please contact Marcia McCraw, Esq., at Quid Pro Quo at 206-224-8269 or MM@QPQLegal.com. Please visit our website at www.QPQLegal.com.

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Downtown Kirkland law firm office space. Attorney and secretary offices with shared conference room in the Marina Park area. Please call 425-828-9509 for more information.

Will Search

Seeking the original will and estate planning documents of Lillian M. Roberts, Seattle. DOB: May 7, 1923. DOD: June 25, 2007. Please contact attorney Mark G. Olson, 425-388-5516.
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Callahan Law is inspired to give our clients the peace of mind and confidence that only experience, skill, and knowledge can ensure. We offer accomplished trial and appellate lawyers, an in-house investigator, and client specialists dedicated to extraordinary service. We are focused. We seek the winning strategies necessary for every client’s case.

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