We look forward to assisting you in your pursuit of justice.
PROTECT YOUR FIRM. HELP MORE PEOPLE.
BE THE LAWYER YOU WANT TO BE.

Find out more about your WSBA-endorsed carrier at [www.alpsnet.com/nwlawyer](http://www.alpsnet.com/nwlawyer)

MALPRACTICE INSURANCE FOR THE LAW FIRM
WORTH PROTECTING

THE NATION’S LARGEST DIRECT WRITER OF LAWYERS’ MALPRACTICE INSURANCE.

(800) 367-2577 • [www.alpsnet.com](http://www.alpsnet.com) • [learnmore@alpsnet.com](mailto:learnmore@alpsnet.com)
ON THE DOCKET

FEATURES

24
An Inconvenient CLE Requirement
Mandatory ethics credits and why the MCLE Board proposed them
BY ASIA N. WRIGHT

26
The Power of Pro Bono
The WSBA celebrates members who reported the most pro bono hours

45
The Curious Case of the Missing WSBA President
BY KYLE D. SCIUCHETTI
PLUS > A visual guide to past presidents of the WSBA

COMING IN APRIL
The WSBA Board of Governors voted in November 2019 to return NWLawyer to its former title, Washington State Bar News. The change will take effect with the next issue.

29-41
LEGAL EDUCATION IN FOCUS

Scaling Langdell’s Wall
A practitioner’s unlikely journey into full-time law school teaching
BY WILLIAM S. BAILEY

Filling a Need in the South Sound
Q&A with the director of UW Tacoma’s Legal Pathways program
BY LISA MANSFIELD

Words of Wisdom From 3 Law School Deans
BY LISA MANSFIELD

Washington’s Alternative to Law School

ESSENTIALS

4 Inbox
8 NWSidebar: There’s More on the Blog
50 Need to Know
53 In Remembrance
54 Discipline & Other Regulatory Notices
56 Announcements
57 Professionals
60 Classifieds
64 Beyond the Bar Number: Joel Matteson
Legal Education: Past, Future, Traditional, and Alternative

When I started doing research into this month’s theme—legal education—I came across some pretty dramatic headlines: an Above the Law article entitled “Is There Any Point to Law School Anymore?”; a Wall Street Journal article entitled “New Lawyers Are Swimming in Debt”; an American Academy of Arts & Sciences bulletin called “The Crisis in Legal Education”; and two New York Times articles, “An Expensive Law Degree and No Place to Use It” and “Is Law School a Losing Game?”

On first glancing at these headlines, you might wonder if law schools are indeed in some kind of crisis. But in Washington at least, the legal profession is growing. According to ABA data, the number of active attorneys in the state has increased 17 percent over the past decade (2008-2018). So what’s going on?

In this issue, we tackle the topic of legal education from several different perspectives. On page 37, the deans of Washington’s three law schools—Jacob H. Booksby of Gonzaga University, Annette E. Clark of Seattle University, and Mario L. Barnes of the University of Washington—respond to questions prelaw advisors are frequently asked by undergraduates thinking about law school.

On page 29, University of Washington School of Law Professor From Practice William S. Bailey shares what it’s like as an experienced practitioner to plunge into full-time teaching while “the enormously influential 19th-century architect of the law school curriculum, case method, and Socratic method—Christopher Columbus Langdell” looks on in judgment.

Hear from Patricia Sully, the director of the University of Washington Tacoma’s new Legal Pathways program, on page 34. The program aims to address some of the ways in which the legal profession might not be growing fast enough, by reaching out to students “who have been traditionally underrepresented in the Bar.”

And on page 40, learn more about Washington’s alternative to law school—information not just for prospective students but also for long-time lawyers, because the Law Clerk Program can be a great way to train a future law firm successor. Also in this issue: “The Curious Case of the Missing WSBA President” on page 45, and a nostalgic, yearbook-style list of past Bar presidents dating back to the organization’s 1888 founding on page 48.
Let us hear from you! We welcome letters to the editor on issues presented in the magazine. Email letters to nwlawyer@wsba.org.

NWLawyer reserves the right to select letters for publication and to edit letters for length, clarity, and grammatical accuracy. NWLawyer does not print anonymous letters, or more than one submission per issue from the same contributor.

The Protection is for the Public

In the December/January NWLawyer, Lisa Mansfield reviews *Robotica*, a recent book about robot “speech.” Someday soon, a robot will be able to read the *New York Times*, the *Wall Street Journal*, and the Berkeley *Barb* and write an article telling us how to vote—smart robot. Is it speech? Well, humans program the robot and choose the input the robot processes, so it is the product of human design. Speech sounds awfully lingual but the robot is protected either as exercising free speech or a free press—not Gutenberg’s wine-press press, pressing ink to paper, but neither is television a “press.”

But in Part III of their work, the authors stray from proper First Amendment interpretation. Mansfield summarizes with “the norm of utility operates as a justification for First Amendment protection.” No, no, no.

In my opinion, the purpose of the First Amendment is to keep the hands of government off the press and the speaker. This includes courts as part of government. Many people today believe the purpose is to balance the scales and facilitate different groups in sharing the power of the press. Way too much power for courts and government. Reading the first amendments—speech, religion, press; right to bear arms; freedom from excessive search and seizure; right to a fair trial [and the] right to nothing less than “life, liberty, and property” and protection of private property—one sees that the purpose of the Bill of Rights is to protect the public from government,
Don’t Let Government Off So Easy

In the February 2020 NWLawyer, the editor notes that Texas textbooks do not mention racial discrimination in housing. While this is shameful, a much larger issue is not addressed. In The Color of Law: A Forgotten History of How Our Government Segregated America, Richard Rothstein explodes the myth that America’s cities came to be racially divided through de facto segregation—that is, through individual prejudices, income differences, or the actions of private institutions like banks and real estate agencies. Rather, The Color of Law incontrovertibly makes clear that it was de jure segregation—the laws and policy decisions passed by local, state, and federal governments—that actually promoted the discriminatory patterns that continue to this day. I suggest that this should be discussed in a future issue of NWLawyer.

Government policies led to the creation of officially segregated public housing and the demolition of previously integrated neighborhoods. While urban areas rapidly deteriorated, the great American suburbanization of the post-World War II years was spurred on by federal subsidies for builders on the condition that no homes be sold to African Americans. Finally, Rothstein shows how police and prosecutors brutally upheld these standards by supporting violent resistance to Black families in white neighborhoods. The stark differences in the accumulated wealth of Black and white families today is attributable in significant part to these government policies.

Paul Majkut
Portland, OR

‘Just Hop On the Bus, Gus’

Like a kid in a legal aid candy store, I read with glee (in February’s NWLawyer) about the Benefits Law Center’s Mobile Justice Bus. Volunteering for many years, almost weekly, at local legal aid clinics, and previously sitting on local bar association committees that serve them, I’ve dreamed up “wish lists,” submitted informal proposals, and attempted to identify and obtain local resources to better serve those who need so much more of our services, but can’t afford or access them. But I felt like Don Quixote chasing windmills.

Real-life Alex Doolittle, the executive director of Benefits Law Center (BLC), reminds me of a childhood hero: Doctor Doolittle, the fictitious gifted veterinarian who took the time to learn how to truly talk to and understand his diverse clients, who also had “access and language barriers.” Doctor Doolittle, however, surpassed previously insurmountable barriers to better learn about his clients’ communities, and take epic journeys to assess and treat their needs.

“[T]he Justice Bus is the physical manifestation of a deeper BLC philosophy that attorneys need to reframe their perspective, not just on how they should solve a client’s legal issues, but on the realities of life that prevent people from accessing legal aid in the first place. ... [T]he question is: How can [the legal system] be better built for clients? ... [And] BLC attorneys are constantly looking for new ways to better understand their clients’ unique lived experiences.” (From the NWLawyer article).

In my humble opinion, our (non-mobile) Bar Association and other sponsored pro bono neighborhood legal clinics provide a wealth of free services almost daily to numerous and thankful clients. But many of those clinics have logistical and technological barriers that prevent more comprehensive and follow-up services. The Justice Bus “cleared roadblocks” to help folks who are in survival mode. Many of our current neighborhood legal clinics still lack computers, laptops, printers, Wi-Fi, and the ability to either share, draft, or fill out forms or “ghost” letters for our clients. Attorneys’ personal smartphones have been helpful, but at best provide some research and a website that clients can go to if they have access to the internet, a printer, and know how to fill out and file the forms, etc. In contrast, the Housing Justice Project is an example of attorneys located in the courthouse who can actually help and represent tenants during eviction hearings.

Alex Doolittle showed [that] we have the ability to change the landscape of legal aid and continue to shift resources. She’s hoping her bus will be a catalyst for other projects. Our neighborhood pro bono clinics are a wonderful resource and blessing. I’m grateful to volunteer there. Let’s use the Benefit Bus as a catalyst to figure out how we can equip our stationary volunteer clinics with access to computers, printers, and Wi-Fi. Let’s equip our clinics so that (non-handwritten) legal forms and draft “ghost” letters can actually accompany a client out the door. Let’s staff our clinics with family attorneys or Limited License Legal Technicians (LLLTs) who are provided the necessary time and can assist by filling out and providing hard copy family law forms. Let’s begin every CLE with a request for pro bono volunteers, in which the attendees can take out their cellphone, then and there, and text “hell yes,” to the number provided, before the CLE even begins.

As Paul Simon sang: “Just hop on the bus, Gus.” There must be 50 ways to improve our clinics.

Respectfully submitted and with appreciation for all we do!

Michael B. Goldenkranz
Seattle

CALL TO READERS

Book Reviews Needed

What’s that one book you can’t shut up about; the thing that everyone just has to read? We want to help you spread the word. Use this form (https://forms.gle/BZkjMxsPcmtajHgY7) to submit a review of no more than 150 words on any genre (law-related books welcome but not mandatory) by May 1 and it may be included in the Bar News summer reading list. You can also email your book review to nwlawyer@wsba.org.

GET SOCIAL!

- twitter.com/wastatebar
- facebook.com/wastatebar.main
- youtube. com/washingtonstatebar
McKinley Irvin is pleased to announce that Mark Arend, Brent Bohan, and Lindsay Camandona have been named partners of the firm.

These attorneys are known for their relentless pursuit of successful results and exemplify our firm’s most steadfast commitment—to protect what our clients value most.
As we start our second decade, **Kubik Mediation Group** is proud to announce the addition of Chris Anderson, Mediator.

Chris is available for mediations throughout the Pacific Northwest. His practice emphasizes medical negligence, catastrophic injury and emotionally charged cases.

Please contact us to schedule your next mediation.

(425) 518-9490 • www.KubikMediation.com
Why is Alyssa Milano Tweeting About the Equal Rights Amendment?

When I was about 6 years old, my mother (an early feminist) took me to a support rally for the Equal Rights Amendment (ERA), which was sponsored by the [...]

[Link to article]

Legislative Disclosure: Impacts and Implications of AP v. Washington Legislature

Strong “sunshine” laws like the Washington State Public Records Act (PRA) are crucial toward assuring government accountability and transparency, hallmarks of our [...]

[Link to article]

The Best Depictions of Lawyers on the Big and Small Screen

Few jobs are featured more prominently on big and small screens than that of the lawyer. So we reached out to WSBA members on Facebook to learn about [...]

[Link to article]
NEW DINING & TASTING EXPERIENCE IN FOUR NORTHWEST LOCATIONS

Let us host your next private event!

maryhillwinery.com

LOCATED IN: GOLDENDALE | SPOKANE | VANCOUVER | WOODINVILLE
Lawyers as Teachers

“When a young person, even a gifted one, grows up without proximate living examples of what she may aspire to become—that is, whether lawyer, scientist, artist, or leader in any realm—her goal remains abstract. Such models as appear in books or on the news, however inspiring or revered, are ultimately too remote to be real, let alone influential. But a role model in the flesh provides more than inspiration; his or her very existence is confirmation of possibilities one may have every reason to doubt, saying, ‘Yes, someone like me can do this.’”

— Sonia Sotomayor

The most important thing any one of us can do for our profession is to share our unique perspectives, failures, and lifetimes of professional and personal experiences. Teaching others and sharing our collective experiences with each other enriches us and improves the ability of our entire profession to solve problems. The most important thing we can do for ourselves and our clients is to seek mentors with different perspectives and experiences.

Mentorship and our legal profession have been tied together since time immemorial. Until law school became all the rage in the mid-20th century, reading for the law under the supervision of another lawyer was de rigueur for becoming a lawyer. Indeed, almost a quarter of all U.S. presidents have been lawyers who never went to law school.¹

Have you come to notice how much I like history and historical trivia? My love of the lessons of history is one of the many reasons I was drawn to the law, which is in itself often a very intellectual excavation of precedential history. So, for me, learning from the wisdom and personal histories of the lawyers around me is a natural dovetail to the profession.

Frankly, if I had my druthers, we would adopt the system of articling that our attorney siblings across the border to the north in British Columbia use, wherein being called to the bar requires nine months of actual working apprenticeship under an experienced lawyer (as well as taking a practice management course!)

Unsurprisingly, I am a huge proponent of an almost unique aspect of the WSBA—the Rule 6² clerking program. Our state is one of the few places in the world in which one can avoid law school altogether and focus on mentorship learning. The Law Clerk Program is an alternative form of law school authorized under Washington Supreme Court Admission and Practice Rule (APR) 6. It is a four-year program designed to provide educational and practical experience through a combination of work and study with an experienced lawyer or judge. (See page 40 for more information.) It is a demanding path to follow. In fact, I think that many people might find our clerking program harder than law school. For others, however, it may be a very natural fit, and it allows one to earn money while studying, as opposed to handing over hefty sums one may not have access to. I have practiced with many lawyers, and I have always been impressed with my opposing counsel who were called to the bar through the Rule 6 program, and I can’t say that about everyone. I suspect that learning by doing—and from a mentor who can pass on lessons learned from their own practical mistakes—offers huge advantages for some, as opposed to dusty tomes in lecture halls.³

For most of us, our colleagues are our greatest source of potential education. I love unexpectedly finding new sources of wisdom and learning within our profession, and assuming the presidency of our Bar has only multiplied such chance occurrences. I was fortunate enough to have former Washington Supreme Court Justice Faith Ireland⁴ reach out to me after she read my inaugural article, and she regaled me with some wonderful legal history about our state and our profession. In particular I had a chance to learn about the challenges women lawyers face and the early years of Washington Women Lawyers (WWL). My very good friend, Lisa Keeler,⁵ was just finishing up her WWL presidency around the time I started corresponding with Justice Ireland, and I thought it would be an amazing collaboration to connect one of the early leaders of WWL with one of the most recent. Since I was in a position to do so, I connected both people, and as a result Lisa volunteered to educate us all about WWL, including all the amazing mentoring they invest in our bar association’s members. (See page 14.)

Learning more about WWL and the
challenges that can come with being a woman in the profession from Justice Ireland was very educational, because there are things about my experience as a lawyer and law student that leave big gaps in my knowledge base. When I went to law school, women were already a majority of the class, and the percentage of law school classes made up of women has only increased since. These statistics, which suggest full participation in the profession, might bias my perception, despite the fact that I know empirically—based on other statistics—that although women make up 47 percent of associates in big law firms, they make up only 20 percent of equity partners, and that in 93 percent of firms men are the most highly compensated attorneys. Because I work in a community mostly made up of solo practitioners, I don’t hear about this or other aspects of firm life very often, which can also keep me uninformed about what it’s like for women practicing in firms where they don’t have management power. Thus while I may understand the historical struggle, I acknowledge that my personal, lived experiences may prevent me from fully appreciating the discrimination against women that still exists in our profession on the eve of the 100th anniversary of the 19th Amendment to the U.S. Constitution.

It is also sometimes difficult for me to see discrimination toward women practitioners in terms of attaining leadership roles because most of my mentors in the law have been women; based on my professional development experience I probably naturally imbue them with authority. And where would I be without my mentors? In Whatcom County where I practice, Judge Deborra Garrett, Betsy Brinson, and Kirsten Barron are the people most responsible for inspiring me in regard to my professional responsibilities and community involvement. In addition, they taught me hard technical skills when I had them as opposing counsel, appeared before them, or just by having their door open for me to consult with them on difficult problems. I’ve been lucky, in a historical sense, to be influenced by these brilliant women in particular, and by women in the legal profession in general, because the introduction of women to the practice of law is a relatively new development in the grand scheme of things. And without the change to bring women into the practice of law, which was considered radical at the time but is now a clearly obvious and excellent shift for the profession, my own opportunities to learn and grow would have been stifled.

It is hard for me to imagine that my practice would have been as well informed without my greatest teachers if I had practiced in the era prior to acceptance of women into this profession, when these types of attitudes abounded:

To nineteenth century jurists, the “natural and proper timidity and delicacy which belongs to the female sex” disabled it from legal practice; the “peculiar qualities of womanhood, its gentle graces, its quick sensibility, its tender susceptibility, its purity, its delicacy, its emotional impulses, its subordination of hard reason to sympathetic feeling, [were] surely not qualifications for forensic strife.”

And yet more statistics reflect the challenges that persist today for our female colleagues: while only 8 percent of men experienced demeaning comments, stories, or jokes, 75 percent of women attorneys reported they had, according to an ABA study of attorneys in the workplace. While only 1 percent of men felt they were treated as a token representative for diversity, 53 percent of women attorneys felt they were. More important to my topic of lawyers as educators, while 3 percent of men felt they lacked access to sponsors, 46 percent of women felt they did. And while I know full well that men can also experience these same challenges, the statistical contrast in representation and educators, but the best ones of any gender have fairly dealt me hard truths. And without the once-considered-radical changes that have made our profession more gender-inclusive, I would have been deprived of valuable perspectives, insights, and hard truths that have made me a better lawyer and a better person. Which is why I know our profession needs to continue to change and adapt to bring new perspectives to the table. The more perspectives we can harvest from each other and bring to bear on the problems we face, the higher the probability of finding that elusive best answer.

While I believe that teaching is an inherent part of our professional obligations as lawyers, I am thankful for the existence of organizations like WWL that make the sponsorship of education part of their mission, and I am also deeply proud that the WSBA provides opportunities to connect potential mentors and mentees. The WSBA is invested in connecting you to each other and to other organizations based on geography, community affiliation, alumni status, practice area, or interest in pro bono work. If you didn’t know about this, you should check out the opportunities you
have to learn and teach as a way to enhance our profession and your own life: www.wsba.org/connect-serve/mentorship/find-your-mentor. Teaching and being taught is a way in which we can all strengthen our association.

NOTES:
4. OK, I suppose none of the tomes I lugged around in law school were actually dusty.
5. WSBA #159
6. WSBA #39463
8. “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.” Adopted Aug. 26, 1920, after being ratified by 36 states.
9. WSBA #9505
10. WSBA #12190
11. WSBA #23536
14. WSBA #8748
15. WSBA #40659
16. WSBA #10653
17. WSBA #33500
18. WSBA #42074
19. Which is not an infrequent occurrence, but I rely on my family, advisors, staff, and governors to give me direct and honest advice in helping me to find the right course to chart in representing our association.
20. Special thanks to my colleagues Judge Deborah Garrett, Lisa Keeler, and Jennifer Slattery (WSBA #40448) for feedback on improving both our WSBA and my article.
WSBA Budget: Moving Forward with Accuracy and Confidence

The Board of Governors is meeting frequently and working diligently in preparation for this fall, when we will develop and approve next year’s budget. The budget-setting process, discussions, and decisions are important—they will determine WSBA services, programs, and your member license fees for several years into the future. So this is an ideal time for an update and glimpse into that budgeting process.

The WSBA Board of Governors is charged with the stewardship of license fees and other Bar revenue, which is a fiduciary task that we do not take lightly. The WSBA wrapped up its last fiscal year (FY) on Sept. 30, 2019 (the Bar’s fiscal year runs Oct. 1 through Sept. 30). As previously reported, due to sound and prudent fiscal management by the Board of Governors and WSBA staff, we ended with about $1 million more in reserves than budgeted for in FY 2019. These savings were accomplished all while increasing the Bar’s robust services to its members and to the public. We were also able—for the second year in a row—to not increase license fees for most members, with a modest fee increase for Limited License Legal Technicians this year in addition to a decrease in the contributions required for the Client Protection Fund. It was not happenstance—the Board of Governors is focused on demonstrating the value of your license dollars.

In ongoing attempts to increase efficiency and reduce costs, the Board voted in January to purchase new and innovative financial software for the Bar’s finance department. This software has allowed the financial team to restructure with one fewer full-time employee, and we expect it will generate a significant return on investment as it helps us create even more accurate financial models and advanced cost-center analyses. I am very excited to continue to work with WSBA Chief Financial Officer Jorge Perez and his team, using our expanded financial capabilities, to look for even more efficiencies in operations and services in the future.

As part of the FY 2021 budgeting process, we are conducting a “deep dive” financial audit for the first time in many, many years (perhaps the first time ever); we are also doing a “reforecast” for this current fiscal year. As I explained in previous NWLawyer columns, these are two foundational steps for budgeting. The audit will give us assurance that we have best-practice financial policies and procedures in place and—just as important—that we are actually following them. The reforecast will allow us to align our budget projections with actual spending and revenue midway through the year. With the results of both processes in hand, we will be in a very good position to move forward into FY 2021 and beyond with accuracy and confidence.

As usual, we will construct the FY 2021 budget by rigorously and extensively examining anticipated costs and revenue. As treasurer, I’ll work closely with WSBA staff and the Budget and Audit Committee throughout the spring and summer, looking at every service and program account. We set financial, operational, and mission-critical goals, and we make decisions—sometimes hard ones, requiring tradeoffs—to structure the budget around them. In the spirit of prudent fiscal management, the Bar must also always maintain a responsible financial reserve to account for unplanned expenses and capital needs; for example, we have set up a dedicated capital improvement fund to provide flexibility when the WSBA’s current office lease expires in 2026.

The Budget and Audit Committee ultimately develops a draft budget that is reviewed by the Board of Governors, typically at its July meeting. The Budget and Audit Committee then refines the draft budget based on the Board’s feedback and returns the budget to the Board of Governors in September for final adoption. The newly adopted budget takes effect Oct. 1.

Throughout the year, Chief Financial Officer Perez and I report regularly on the WSBA’s actual revenue and expenditures; that information is accessible to all. Our written updates to the Board of Governors are contained in the posted meeting materials, and we spend a portion of each meeting providing an oral update. We also post monthly financial information on the WSBA’s finance page at www.wsba.org/finances.

In closing, the goal of the WSBA, the Board of Governors, and myself as treasurer is to maximize our member financial resources and to continue to ensure strong financial internal controls. All Budget and Audit Committee meetings and Board of Governors meetings are open to the public, and I encourage you to attend. Please contact me if you have any questions, comments, or concerns about WSBA financial matters.
Washington Women Lawyers: Promoting Equal Rights and Connecting Women Statewide

BY LISA KEELER

Washington Women Lawyers (WWL), which will celebrate its 50th anniversary in 2021, is the largest organization in the state dedicated to furthering the full integration of women into the legal profession. Its mission is to promote equal rights and opportunities for women and to prevent discrimination against them. In furtherance of that mission, and in honor of the 100th anniversary of the 19th Amendment, guaranteeing women the legal right to vote, WWL has adopted a 2020 theme of “Voting Rights.”

A CLE is being organized for Women’s History Month (March) in conjunction with the National Association of Women Judges and its president-elect, King County Superior Court Judge Karen Donohue. For information about the CLE and other opportunities WWL is exploring for service, education, and celebration around the state, go to www.wwl.org.

Before telling you more about WWL’s present and future advocacy, I’d like to share with you a little about its past.

WHERE DID WWL COME FROM?

WWL was founded in 1971 in Seattle as a way to support women lawyers and law students. This was 70 years after Othilia G. Carroll Beals and Bella Weretnikove Rosenbaum became the first women to graduate from the University of Washington School of Law. WWL’s original stated goals were:

• to promote the implementation of equal rights for women;
• to help qualified women secure positions of leadership within the legal system;
• to interview and rate candidates for judicial office; and
• to serve as a watchdog to prevent discrimination against women within the
legal system, the private sector, government, and wherever else discrimination against women may arise.

One of WWL’s earliest initiatives was helping to pass the Equal Rights Amendment to the Washington Constitution. Thanks to WWL’s successful efforts toward that initiative, Amendment 61 to the Washington Constitution ensures that “[e]quality of rights and responsibilities under the law shall not be denied or abridged on account of sex.” Wash. Const. Art. XXXI, §1.

The first WWL chapter formed in 1977 in Spokane. Other chapters soon followed, and in 1978 WWL became unified under formal statewide leadership. Jane Nolan was the first president of WWL. The organization became a nonprofit corporation in 1989.

WWL now has 12 chapters throughout the state, with representation from 24 counties—as well as chapters/caucuses at all three Washington law schools. Each chapter is membership-supported and supervised by its own board of directors. Each chapter also arranges its own activities and events, in addition to those organized at the state level. Creating localized support is how WWL began.

WHAT DOES WWL DO?
Starting as a group of fewer than 20 women, WWL now has over 500 members. It connects and serves members throughout the state through opportunities for networking, education, and social activities, which include the following:

- Holding true to one of its founding goals, “to interview and rate candidates for judicial office,” WWL conducts confidential and impartial evaluations of candidates for judicial office, providing a qualification rating for each candidate based on consistently applied principles.
- WWL sponsors a series of public roundtable discussions, launched in 2013, called “Plugging the Leaky Pipeline,” that are aimed at finding solutions to the problem of disproportionate attrition of women in the legal profession.
- WWL’s Legacy Project archived interviews of pioneering women judges and lawyers in Washington and compiled portions into a film called “Her Day in Court” (based on a previous film of the same name produced by the Gender and Justice Commission and the Northwest Women’s Law Center—now Legal Voice). WWL received a Member of the Year award for this work from the National Conference of Women’s Bar Associations (NCWBA).
- WWL partners with and supports the other Minority Bar Associations (MBAs) of Washington. As so many of WWL’s members are also served by MBAs, the combined resources and efforts can lead to even more opportunities and success for all lawyers in Washington.
- WWL has co-sponsored events throughout the state, including the Legal Foundation of Washington Goldmark Luncheon, the WSBA Access to Justice Conference, the Washington Judicial Institute Fellows Clinic, the Washington Initiative for Diversity Legal Executives Diversity Summit, and the YMCA Youth in Government Mock Trial Competition.
- The WWL Foundation works to support and enhance the charitable and educational purposes of WWL, primarily through scholarships and grants.
- At the local level, chapters organize social events—from speed-dating-type networking events to picnics and sporting events—and also host CLEs, arrange service opportunities, and more. The Skagit and Southeastern Chapters wisely take advantage of Washington viticulture by hosting events at wineries. The Whatcom and Snohomish Chapters and others host professional clothing drives to help members dress for success at job interviews and at work. Both the Spokane and Capitol Chapters combine parties with fundraisers for local charities that serve women. King County, our largest chapter, provides a grant to a new solo or small firm practitioner whose work benefits women directly or improves access to justice for women in Seattle/King County; it also provides a scholarship to a second-year law student at both the University of Washington and Seattle University.
- WWL’s student law caucuses provide opportunities for students and help connect them to WWL members throughout the state.

HOW TO JOIN WWL
For more information about becoming a WWL member, visit www.wwl.org. Find WWL on Facebook, or connect with your local chapter. Membership is not limited to women, and there are special rates for students, judicial officers, and nonprofit/government employees.

Lisa Keeler is a trial and appellate attorney with Carmichael Clark, P.S., in Bellingham. Prior to joining the firm she served as an assistant attorney general with the Washington Attorney General’s Bellingham office. She also serves as a pro tem commissioner and MAR arbitrator for Whatcom County Superior Court, is on the board for LAW Advocates, and is the immediate past president of Washington Women Lawyers. She is a proud double graduate of Gonzaga University and its School of Law. She can be reached at LKeeler@CarmichaelClark.com.
Among the developments in law practice over the past quarter century has been the advent of businesses owned or controlled by law firms that offer non-legal services to both law firm clients and others. The services vary widely and range from large firms having lobbying affiliates to solo practitioners operating a law practice and a real estate brokerage under the same roof. The economics also vary widely—in some cases the aim is to increase overall revenue by offering a blend of services related to the firm's core legal practice, and in others the goal of combining diverse services is to generate a combined income that the separate areas would not generate standing alone.

Washington Rule of Professional Conduct (RPC) 5.7 addresses "law-related services," which are defined as "services that might reasonably be performed in conjunction with and in substance are related to the provision of legal services, and that are not prohibited as unauthorized practice of law when provided by a nonlawyer." Although the American Bar Association (ABA) Model Rule on which the Washington RPC is based has generated much scholarly commentary, it is comparatively "unplumbed" by either ethics opinions or court decisions. In fact, as of this writing, only two WSBA advisory opinions have cited the rule and no Washington appellate court has touched on it.

In this column, we'll focus on the risk management aspects of the rule for firms that are thinking of expanding into an associated business. We'll first briefly discuss the history and structure of the rule for context, and then turn to some of the sharper edges of the rule in practice.

HISTORY

The ABA Model Rule had an unusual initial trajectory. It was not part of the original ABA Model Rules adopted in 1983. Rather, as firms began to explore in the late 1980s what were then called "ancillary" services, the ABA created a special committee to examine whether the rules should be amended to address this development. After dueling proposals and much debate, the ABA in 1991 narrowly adopted a predecessor version of the current rule. That version, however,
One court concluded that a lawyer’s side business as a toy train auctioneer was not a ‘law-related service.’

was not adopted by any state and was repealed the following year. The ABA adopted a replacement version in 1994 that was then amended in 2002 as a part of the broader “Ethics 2000” review of the Model Rules.

Washington, in turn, adopted RPC 5.7 in 2006 in a package of amendments that updated the Washington RPCs in light of the Ethics 2000 changes to the ABA Model Rules. Washington’s version is patterned directly on the corresponding ABA Model Rule. The report of the WSBA special committee that developed what were known as the “Ethics 2003” amendments noted that “[t]he Committee’s recommendation to adopt proposed Rule 5.7 was uncontroversial.” Since then, the text of the Washington rule has remained the same and the accompanying comments have been amended only once, in 2015, to reference Limited License Legal Technicians (LLLTs).

STRUCTURE

RPC 5.7 addresses three broad questions:

1. **What are “law-related services”?**
   - RPC 5.7(b) sets the outer boundary of the rule by limiting the definition of “law-related services” to those “that might reasonably be performed in conjunction with and in substance are related to the provision of legal services[.]” Activities that have no connection to a lawyer’s legal practice, therefore, do not fall within the rule. In *Bauer v. Pennsylvania State Board of Auctioneer Examiners*, 154 A.3d 899, 905 (Pa. Commw. Ct. 2017), for example, the court concluded that a lawyer’s side business as a toy train auctioneer was not a “law-related service.”

   By contrast, Comment 9 to RPC 5.7 includes a list of services that ordinarily fall within the rule: “Examples of law-related services include providing title insurance, financial planning, accounting, trust services, real estate counseling, legislative lobbying, economic analysis, social work, psychological counseling, tax preparation, and patent, medical or environmental consulting.” It is important to note, however, that this list is not exclusive and whether a particular service is considered “law-related” may ultimately turn on its relationship to the lawyer-owner. Vermont Ethics Opinion 2011-1 (2011), for example, concludes that an online data storage company owned by a lawyer was a “law-related service” because it was oriented toward organizing and saving personal information relevant to the lawyer’s estate planning practice.

2. **Do “law-related services” extend to separate entities?**
   - Under Comment 1 to RPC 5.7, “law-related services” include both those provided by a lawyer or law firm directly, and those provided by any separate organization that the lawyer or firm owns or controls.

3. **When do the RPCs apply?**
   - RPC 5.7(a) states that all of the RPCs apply to “law-related services” if they are provided:
     1. by the lawyer in circumstances that are not distinct from the lawyer’s provision of legal services to clients; or
     2. in other circumstances by an entity controlled by the lawyer individually or with others if the lawyer fails to take reasonable measures to assure that a person obtaining the law-related services knows that the services are not legal services and that the protections of the client-lawyer relationship do not exist.

   With respect to RPC 5.7(a)(1), New York State Bar Ethics Opinion 1135 (2017), for example, concludes that the RPCs would apply to a lawyer-CPA who planned to offer both services as an integrated package. With respect to RPC 5.7(a)(2), by contrast, New York State Bar Ethics Opinion 938 (2012) concludes that the RPCs would not apply to a separate claims-handling service owned by a law firm that planned to use a written disclaimer advising customers that the services involved were not legal services.

   Comment 5 to RPC 5.7 notes that regardless of the circumstances, RPC 1.8(a)—the “business transaction rule”—always applies if the customer of the law-related service is also a client of the lawyer or law firm involved. In *In re Spencer*, 330 P.3d 538 (Or. 2014), for example, a lawyer-realtor was disciplined under Oregon’s version of RPC 1.8(a) for acting as broker in a real estate transaction for a legal client without an appropriate conflict waiver.

SHARPER EDGES

Difficult consequences can follow when law firms and their law-related service providers fail to maintain adequate “separation” between the two or don’t integrate their conflict systems.
Inadequate “Separation.” In most instances, a primary objective with a related service is to structure the business to avoid the full application of the RPCs. It is critical, therefore, to maintain adequate “separation” between the law firm and the law-related service provider—typically through a combination of physical separation of facilities and personnel and the use of disclaimers.

The practical consequences of failing to maintain adequate “separation” are twofold.

First, the resulting application of all of the RPCs may render key portions of a business plan unenforceable. In *LK Operating, LLC v. Collection Group, LLC*, 181 Wn.2d 48, 85, 331 P.3d 1147 (2014), the Supreme Court observed: “We have previously and repeatedly held that violations of the RPCs ... in the formation of a contract may render that contract unenforceable as violative of public policy.” Consulting contracts in many industries, for example, contain provisions limiting liability to the cost of the services provided. That kind of clause, however, is generally prohibited by RPC 1.8(h)(1).

Second, if the law-related service provider is found to be functionally indistinguishable from its law firm owner, then the provider may be subject to a broader spectrum of civil damage exposure. In *Metro Sales, Inc. v. Core Consulting Group, LLC*, 275 F. Supp. 3d 1023 (D. Minn. 2017), for example, a customer of a law-related service pursued a claim for breach of fiduciary duty against the provider—arguing that a disclaimer of legal services was inadequate. The court concluded that dueling expert opinions on that point created a fact issue requiring jury resolution.

Conflicts. Integrating the conflict systems between the law-related service and the law firm is equally critical.

As noted earlier, the “business transaction rule”—RPC 1.8(a)—applies whenever a customer of the law-related service is a client of the law firm. Beyond the risk of lawyer discipline, doing business with law firm clients may—depending on the carrier involved—trigger exclusions from legal malpractice insurance coverage. If the law-related service and the legal work occur in the same matter without an accompanying waiver, then at least the “law side” may also be subject to a fee disgorgement claim for breach of fiduciary duty. The lawyer in *Spencer*, for example, was also ordered to disgorge his legal fee because the real estate brokerage transaction occurred in the course of representing the client involved.13

A law firm and its law-related service provider, therefore, need to integrate their conflict systems so that they will know whether a prospective customer is also a law firm client and, if they decide to proceed, can obtain an appropriate waiver.

Beyond the risk of lawyer discipline, doing business with law firm clients may—depending on the carrier involved—trigger exclusions from legal malpractice insurance coverage.

Similarly, integrating conflict systems should alert—and hopefully prevent—a law firm handling a matter for a client from being on the other side of a matter involving a law-related service customer without first obtaining appropriate waivers. In *United States ex. rel. Luke v. HealthSouth Corp.*, 2017 WL 5346385 (D. Nev. Nov. 10, 2017) (unpublished), for example, a law firm was disqualified from representing a plaintiff against a defendant that was a customer of the law firm’s lobbying affiliate. The court in *Luke* treated the conflict as a multiple-client conflict under Nevada’s version of RPC 1.7(a)(1). Even if it had not, the fact that a law firm is deriving income from a litigation opponent would ordinarily be the kind of information that a law firm would want to disclose to its client—and obtain a waiver—under RPC 1.7(a)(2), which governs “material limitation” conflicts.

Mark J. Fucile of Fucile & Reising LLP handles professional responsibility, regulatory, and attorney-client privilege matters, and law firm-related litigation for lawyers, law firms, and legal departments throughout the Northwest. He is a former chair of the WSBA Committee on Professional Ethics and is a past member of the Oregon State Bar Legal Ethics Committee. He also teaches legal ethics as an adjunct for the University of Oregon School of Law. He can be reached at 503-224-4895 and mark@frilp.com.

NOTES:
1. RPC 5.7(b). LLLT RPC 5.7 addresses this topic within the context of LLLT practice.
5. ABA Legislative History, supra n.3, at 671-88.
6. Id.
7. Id. at 699-704.
10. Comment 12 addressing LLLTs was added in 2015.
11. Although Oregon has not adopted ABA Model Rule 5.7, the Oregon Supreme Court described the lawyer’s real estate brokerage business as “ancillary” to his law practice. Id. at 542.
12. This is not intended as an exhaustive catalog of risks. Depending on the circumstances, others include assisting in the unauthorized practice of law (see, e.g., Sneed v. Board of Professional Responsibility of Supreme Court, 301 S.W.3d 603 (Tenn. 2010)), loss of privilege (see, e.g., SEC v. Alderson, 390 F. Supp. 3d 470 (S.D.N.Y. 2019)), or marketing-related issues (see RPC 7.1, et seq.).
PARIS K. KALLAS
Former King County Superior Court Judge

LARRY A. JORDAN
Former King County Superior Court Judge

LINDA LAU
Former Appellate and Superior Court Judge

PALMER ROBINSON
Former King County Superior Court Judge

CHARLES S. BURDELL JR.
Former King County Superior Court Judge

GEORGE FINKLE
Former King County Superior Court Judge

STEVE SCOTT
Former King County Superior Court Judge

BRUCE HELLER
Former King County Superior Court Judge

ADR Solutions

• All panelists are former Washington State Superior Court judges

• Mediation, arbitration, hearing officer, special master and litigation consultation

• Talented and responsive staff

• Comfortable mediation conference rooms

• Arbitration courtroom with audio/visual technology and party breakout rooms

Joshua Green Building · 1425 Fourth Avenue · Suite 300
Seattle, Washington 98101 · 206.223.1669 · jdrllc.com
Back when you were a law student, you might have spent a lot of time perfecting your citations with *The Bluebook*. Maybe you were a journal editor and you demanded proper comma italicization in the *See, e.g.*, signal. Or maybe your 1L writing professor penalized you for not using proper abbreviations in case names. You probably don’t worry so much about that stuff anymore.

Let me start with some good news: That’s OK. You’re right not to worry about *The Bluebook* as much as you did as a law student. For one thing, to the extent you learned citation formatting in law school, what you learned back then is probably good enough for what you need today. For another, though clients surely appreciate a neat and professional work product, they’d likely balk at substantial time entries for citation formatting.

*The Bluebook*, in its infinite wisdom, recognizes the difference between law students and practicing lawyers. You might not know this if you haven’t cracked open a *Bluebook* in a while, but recent editions contain two separate parts, one for lawyers and one for student journal editors, each reflecting the different needs of the different groups.

The lengthy citation guide starts with 27 “Bluepages” that contain simpler and less-demanding rules for practitioners. As a practicing lawyer, the Bluepages are probably all you need to know. If, however, you want to rely on all the detailed extra rules in the rest of the book—rules designed for law journal editors—then *The Bluebook* won’t stop you. As an optional complement to the practitioner-focused introduction, a lawyer “may use the other rules in *The Bluebook* to supplement the Bluepages.” But you certainly don’t have to.

Moreover, even when the Bluepages say that you “must” do something, courts are almost never bothered by small, stylistic deviations. For example, do you remember Table T6? Of course you don’t. It’s the table with rules for abbreviating various terms in case names. According to *The Bluebook*, even lawyers are supposed to follow the abbreviation rules in Table T6. That means you should know the correct way to abbreviate “Environmental.” (Is it Envi-ro.? Envtl.? Envt’l?) And you should know that “Computer” is abbreviated as Comput.

But do you really need to take the time to look up those abbreviations before filing a motion? Probably not. I’ve searched for cases across all jurisdictions in which a court chided an attorney for not following Table T6. I didn’t find a single one.

That doesn’t mean, however, that you can just do whatever you want. I did find two cases in which courts expressed frustration with an attorney’s use of nonsensical abbreviations. In one example, the attorney had cited—well, it’s unclear what the attorney was citing. The attorney used the citation format “C @ 93-94.” The court had no idea what “C” referenced, and the court wasn’t happy about it.

In other words, if you’re so wrong that the court gets distracted and can’t understand what you’re saying—or where to find the reference you’re citing—then you’re in trouble. But as long as you’re consistent and helpful,
you’ll probably be OK, even when you accidentally write out “Village” in a case name.6

So if you work with a Bluebook stickler, then by all means, let them properly abbreviate “Commissioner” as “Comm.” It can’t hurt to be right. But don’t let them judge you too harshly when you just use “Comm.”7

Caring less about citation format, however, doesn’t mean you shouldn’t care about your citations. Instead of focusing on format, your writing can benefit from a focus on the communicative power of your citations. For example, consider this (fictional) citation:

_Cantor v. Aleph_, 199 Wn.2d 34, 38, 499 P.3d 78 (2020).

Just by glancing at that citation, you already know a lot about the case. You know it’s from the Washington Supreme Court because “Wn.2d” indicates the opinion was published in the second series of _Washington Reports_, which only contains opinions from the Washington Supreme Court. And you know that the case is recent. The date parenthetical gives you the exact year.

All this information makes legal citation different from other fields. Sure, the added complexity might sometimes be a source of frustration. But lawyers can’t get away with citing ( _Cantor_ 2020) or some other simplified form.8 A lawyer’s audience—the judge and other lawyers—needs more information from the citation. They don’t just need a reference for the authority; they need information about the weight and precedential force of that authority. All that information gets absorbed by the reader when they scan over the citation.

Including this additional information makes a citation more complex, but it also provides opportunities for strategic writing. Going back to the _Cantor v. Aleph_ example, the communicative power of the citation gives you various options when explaining the case’s holding:

1. In _Cantor v. Aleph_, the Washington Supreme Court held that liquidated damages provisions are enforceable unless they are a penalty. 199 Wn.2d 34, 38, 499 P.3d 78 (2020).
2. The Washington Supreme Court recently held that liquidated damages provisions are enforceable unless they are a penalty. _Cantor v. Aleph_, 199 Wn.2d 34, 38, 499 P.3d 78 (2020).
3. _Cantor v. Aleph_ holds that liquidated damages provisions are enforceable unless they are a penalty. 199 Wn.2d 34, 38, 499 P.3d 78 (2020).
4. Liquidated damages provisions are enforceable unless they are a penalty. _Cantor v. Aleph_, 199 Wn.2d 34, 38, 499 P.3d 78 (2020).

All those sentences, together with the citations, contain the exact same information. The first three options just choose to emphasize some authority-related information in the text, whether that’s the case name and the court (Option 1), the court and the date (Option 2), or just the case name (Option 3). Option 4 provides all that information in the citation.

None of the options is wrong. Nor is any one of the sentences better than any of the others. But you need to make a choice. And that choice should be strategic. It will depend on context, the information you want to emphasize, your opposing counsel’s arguments, the particular strengths and weaknesses of your case, and how you are using the authority to support your argument. The important point is this: Think strategically about which aspects of the authority you emphasize in the text, as opposed to which aspects you let the reader absorb implicitly through the citation. And don’t waste the reader’s focus on specific information best left to more passive absorption.9

I’ll concentrate here on just one aspect of that choice: Should you include the case name in the sentence? That’s not a question citation rules or the _Bluebook_ can answer. Rather, it’s a strategic question that depends on where you want to draw the reader’s attention. Should the reader focus only on the substantive legal standard? Or does the reader need to remember that the legal standard came from a case captioned _Cantor v. Aleph_?

Based on my (admittedly unscientific) review of filed motions, many lawyers tend to drown the judge in a tidal wave of case names. This focus on individual sources of authority can distract from what should be the focus of your writing: the substantive law itself. Your goal isn’t to impress the judge with a list of cases; your goal is to provide the judge a coherent explanation of the law and why, based on that law, your client should prevail. A focus on case names forces the judge to wade through nomenclature in search of legal substance.

My advice: Save the in-text case names for your best cases—the cases you would mention during oral argument, the cases that form the basis of your strongest analogies, or the cases that you desperately need to distinguish. Less is more. If all your cases are important, then none is important.

But regardless of whether you decide to emphasize a case name or a court or a date in the text, these are the sorts of citation-related questions that should occupy your time. Congratulations, you’ve graduated from _Bluebook_-centered concerns. As a lawyer, however, the strategic presentation of legal authority should always be a concern. And you’ll never graduate from that.10

---

David J.S. Ziff is a senior lecturer at the University of Washington School of Law. You can follow him on Twitter at @djsziff.

---

NOTES:

1. The first comma should be italicized. The second one should not. See The Bluebook: A Uniform System of Citation 58 (Columbia Law Review Ass’n et al. eds., 20th ed. 2015).
2. _Id._ at 3 (emphasis added).
3. The “correct” answer is “Envtl.” See _id._ at 497. In my view, however, it should be “Envtl.” with no period at the end. But nobody asked me.
4. Yes, seriously. See _id._ at 496.
6. You’re supposed to abbreviate it as “Vill.” See _Bluebook_, supra note 1, at 498.
7. “Comm.” is actually the abbreviation for “Committee.” But you’ll be OK. _Id._ at 496.
9. The idea of citation as communication has been explored extensively and entertainingly by Professor Alexa Chew. See Alexa Z. Chew, “Citation Literacy,” 70 Ark. L. Rev. 869, 869 (2018), https://scholarship.law.unc.edu/working_papers/7/; Alexa Z. Chew, “Stylish Legal Citation,” 71 Ark. L. Rev. 823, 823 (2019), https://scholarship.law.unc.edu/working_papers/3/.
JOIN THE DISCUSSION at NWSidebar

The blog for Washington’s legal community

nwsidebar.wsba.org

Smith Goodfriend P.S.
CIVIL APPEALS

We congratulate our partner Howard Goodfriend on being elected President of the American Academy of Appellate Lawyers

206-624-0974
www.washingtonappeals.com

Available for referral, consultation and association in state and federal appeals

Our Focus Groups Made a Difference in Cases Across the Country in 2019

9 States: Washington, Idaho, Oregon, Hawaii, South Carolina, Michigan, California, Missouri, Colorado

Subjects: Medical Malpractice • Dram Shop • Bicycle/Truck Crash • Commercial Class Action • Bicycle/Highway Defect • Premises Liability • Negligent Security/Mass Shooting • Truck Crash • Motorcycle Crash • Medical Malpractice/Suicide • Racial Discrimination/Civil Rights • Intellectual Property • Breach of Contract • Insurance Bad Faith • Train Derailment • Estate/Breach of Fiduciary Duty • Car/Pedestrian Crash • Criminal - Sexual Assault • Motor Vehicle Crash • Accounting Malpractice/Fraud • Governmental Liability/Failure to Care for Inmate • Criminal – 1st Degree Murder • Fire/Commercial Insurance

Jeff Boyd, Esq.
411 University St, Ste 1200 | Seattle, WA 98101
206.971.7601 | boydtrialconsulting.com

NOW BOOKING SPRING & SUMMER DATES.
Book Your Focus Group Now.
ASK A LAW LIBRARIAN

Google Scholar: A Free Tool for Legal Research

BY ASHLEY SUNDIN

Legal research can be expensive, so it’s no wonder that I am often asked for tips on how to research using free or low-cost tools. One free and easy-to-use platform that is useful for basic legal research is Google Scholar (https://scholar.google.com). If you are new to using this feature, this article will provide a few tips to get you started.

Google Scholar works in much the same way as the main Google search engine; however, the search results will be limited to either scholarly articles or Google’s database of case law. The default for Google Scholar is the article search, and while this setting will include scholarly articles from a variety of disciplines, it can be used to specifically locate law review or journal articles. To search for cases, click the radio button for “Case Law” under the search bar.

LEGAL ARTICLES

Searching for journal articles on any subject in Google can be frustrating, as the full-text articles are often locked behind a pay-wall. However, Google Scholar can retrieve links to these articles through library or academic institutions. In the upper left corner of Google Scholar, click the three lines to open the menu and then on the gear symbol to access the settings. Click on “Library links” at the top, which will bring you to a page where you can search for libraries of which you are a patron. These might be your local city or county libraries, or they can be universities where you are employed or attended as a student. Enter up to five libraries and click save. Now, when you run your search for articles in Google Scholar, a separate link will appear to the right of each result that will bring you to your library’s database or allow you to sign in with your credentials to access the article. I have found that Google Scholar does not catch every article that your library may provide, so you may need to do some searching directly with your library; however, this can still be a good starting point to locate relevant articles before looking elsewhere for full-text access.

CASE LAW

When you toggle to “Case Law” in Google Scholar, you are provided with additional options to select specific courts. You can filter these either before you search or from the results screen. Clicking on the “Select courts” link will show you the full list of all state and federal court options. On the results list, you can also sort by date and filter your results based on year. With Google Scholar, you will have access to the case opinion as well as a “cited by” tab that will show you other cases that cite to your case. While the number of citations is indicated beneath each result, you will need to read through the citing documents to see how the case is treated. Another nice feature of Google Scholar is that you can save cases and articles you have located as well as set up Google Alerts to be notified of any updates to a case or overall search.

It is important to note that Google Scholar includes a disclaimer that its legal opinions “are provided for informational purposes only” and that “Google does not warrant that the information is complete or accurate.” Therefore, it may be prudent to use Google Scholar in conjunction with other platforms or resources. Despite its limitations, Google Scholar can be a good tool to conduct very basic legal research or to begin your research before using more robust and costly platforms.

With Google Scholar, you will have access to the case opinion as well as a “cited by” tab that will show you other cases that cite to your case.

EDITOR’S NOTE: The WSBA provides free access to Casemaker and Fastcase as a member benefit.

Ashley Sundin is the head of public services librarian at the Gonzaga University School of Law, Chastek Library. She holds a J.D., M.L.I.S., and an M.B.A., and is a member of the Washington State Bar Association. She can be reached at sundin@gonzaga.edu.
An Inconvenient CLE Requirement

Mandatory ethics credits and why the MCLE Board proposed them

BY ASIA N. WRIGHT

As legal professionals, we enjoy some freedoms: the freedom to choose our clients, what area of law to practice, and the hours we will work. However, in exchange for those freedoms, and to remain eligible to practice law in Washington state, a legal professional must maintain a minimum number of Continuing Legal Education (CLE) credits, including six ethics credits. Usually, ethics credits are something a practitioner scrambles to take at the eleventh hour of the reporting period and frankly, at that time, for many practitioners any ethics topic will do. Thus, it was unexpected that last year’s proposal by the Mandatory Continuing Legal Education (MCLE) Board—to amend Admission and Practice Rule 11 to require three of the six required ethics credits to be on specifically tailored topics—would spark so much discussion among the Washington State Bar Association (WSBA) membership.

The proposed amendment would have required licensed legal professionals to take one ethics credit per reporting period in each of the following categories: (1) equity, inclusion, and the mitigation of bias; (2) mental health, addiction, and stress; and (3) technical education focusing on digital security. Requiring these three ethics credits did not mean that practitioners had to forgo three hours of ethics CLEs that they would normally take. Practitioners could still take those credits and have the hours count towards their total credit requirement for the reporting period.

Some comments posted online and made during the Board of Governors’ September 2019 meeting reflected misconceptions about each of the proposed substantive subject areas that I would like to respond to in this piece.

EQUITY, INCLUSION, AND MITIGATION OF BIAS

One perspective expressed is that our Washington legal community is currently diverse with “a lot” or a “fair number” of women, people of color, and openly gay practitioners enjoying the same opportunities and respect as historically non-marginalized, culturally dominant groups. While there has been great progress in inclusion, our law firms and judicial benches still do not reflect the diversity of the population of our state and legal field. Although women make up 41.9 percent of the WSBA membership, only 18.7 percent are equity partners in firms.1 Data from the American Constitution Society show people of color make up 31 percent of Washington’s population and yet only 10 percent of state court judges are people of color.2 CLE programming in the areas of equity, inclusion, and mitigation of bias show how our current legal institutions and systems can encourage these disparities and can educate practitioners on what they can do to promote equitable policies, practices, and procedures to close existing gaps.

In addition, the tenor of some comments

Asia N. Wright is the chair of the Mandatory Continuing Legal Education Board. After law school, she represented fishing boat companies, dock facilities, and cruise lines in personal injury cases. She currently works in the maritime travel industry handling environmental matters. She can be reached at asianoelwright@hotmail.com.

The views and opinions expressed are those of the author and not of the MCLE Board, WSBA, or its Board of Governors.
demonstrated that many members assume that considerations of diversity, equity, and inclusion are limited to gender and race. While the statistics highlighted above focus on the gaps in gender and race equity, diversity is not limited to only those identifying human characteristics and distinctions. Age, religious beliefs, education, and disability are just some characteristics that impact our perspectives. Implicit bias (implicit social cognition) relates to attitudes or stereotypes that affect our understanding, actions, and decisions in unconscious ways. Without awareness of these thought patterns, we are incapable of interrupting behaviors and decision-making that can result in discriminatory treatment. Consequently, this perpetuates unequal outcomes and social inequities and contributes to interpersonal and systemic oppression of individual members and entire communities in the very public we serve.

No one is immune from bias. To be human is to be biased. Our workplaces and communities have all have biases. Minority and marginalized groups have biases just like everyone else. The assumption, then, is that the proposed “diversity” credit is aimed at eradicating our personal biases. Or that non-minorities who undergo diversity training will be openly shamed and made to feel guilty for the privileges they enjoy. This is patently false—the aim of the proposed CLE ethics credit is not to pass judgment on the biases we have or to ostracize people. The goal of the proposed CLE ethics credit is to increase awareness of best practices to identify bias, to understand how bias can jeopardize the fair execution of justice, and to work toward mitigating any negative impact on the legal practice as well as promoting inclusion and equity. By encouraging self-awareness and inclusion, we create and nurture systems and processes that empower us to assert more persuasive arguments and form just decisions.

MENTAL HEALTH, ADDICTION, AND STRESS

Learning about mental health, addiction, and stress is equally important for our members. One in five adults in the United States experiences mental illness each year \(^\text{3}\) and, because of stressful working conditions, the likelihood of recurring mental disorders is higher within the legal community than other professions. \(^\text{6}\) Mental illness and drug abuse are often found together, with one study reporting that 60 percent of attorneys in substance-abuse treatment had a co-occurring disorder such as depression, stress, or anxiety. \(^\text{5}\) Nearly 21 percent of lawyers and others in the legal field are considered problem drinkers. \(^\text{6}\) It is difficult to recognize whether someone you know is experiencing problems with substance usage, and even harder to recognize it in yourself. With one in eight adults in America, or 12.7 percent of the U.S. population, meeting the diagnostic criteria for an alcohol use disorder \(^\text{7}\) and statistics from 2018 showing that nearly one in three people know someone who is or has been addicted to opioids or prescription painkillers, \(^\text{8}\) learning how to recognize the early signs of addiction is vital.

TECHNICAL EDUCATION FOCUSED ON DIGITAL SECURITY

Another significant statistic is that one in five law firms were hacked in 2017. \(^\text{9}\) The false assumption is that if you have a firewall and a contract with an IT professional, you meet all your ethical obligations. One attorney learned an expensive lesson after mistakenly assuming the client’s data was secure and was later sued by the client after falling for an elaborate $2 million wire fraud. \(^\text{10}\) Firewalls and technological protections may not protect you from a sophisticated email scam, a misplaced USB drive, or an attack launched via your clients’ unprotected devices. Phishing strategies are continually evolving and growing, and the legal community needs to be educated on the current threat landscape in order to service our clients.

Members of the WSBA are very knowledgeable in some or all of the three proposed ethics credit areas, and their knowledge in some instances draws upon lived experiences. But it is impossible to know everything, especially in the complex, evolving areas covered by the proposed ethics credits. There is always more to learn.

Although the Washington Supreme Court rejected the amendments proposed by the MCLE Board, these substantive areas are still critical for improving our profession and growing our self-awareness. The WSBA Board of Governors decided at its September meeting that the WSBA will commit to providing members with three credit hours of free, live, and on-demand CLEs on each of the three proposed ethics topics annually. Soon, the only inconvenience for members will be finding the time to attend or watch these CLEs. An hour of our time is a small price to pay each year if it ensures equity, saves a life, or prevents the theft of client funds and secrets. \(^\text{11}\)

NOTES:


5. Id.

6. Id.


The WSBA celebrates members who reported the most pro bono hours

In 2018, more than 3,000 WSBA members reported a combined 234,691 hours of pro bono work, and about half reported more than 50 hours each. Yet the two members who reported the highest number of pro bono hours managed not only to astound with their selflessness, but to tie at 2,000 hours each—that's a full-time job minus a two-week vacation and, of course, a paycheck.

The WSBA is starting a new tradition of honoring the top pro bono reporter of the year, beginning with these two WSBA members for 2018: Benjamin Flick and Heather Kirkwood.

Flick amassed his marathon of pro bono service by literally working a full-time job for more than a year and a half without pay. A Cashmere native and graduate of The George Washington University Law School, Flick clerked for the district court in Washington, D.C., received a fellowship to work in the Harvard Legal Aid Bureau, then another for the Federal Public Defender’s Office in Spokane before returning to his home in the other Washington to pursue his passion: a career in public defense, specifically his dream job with the Federal Public Defender for the District of Columbia. With no openings available, he offered to work for free—something he could only do thanks to his wife, Jessica Arco, who agreed to be the sole income earner until he landed a job.
Flick sees pro bono service as an opportunity for any lawyer to do the type of work that drove them to become lawyers in the first place, even if they can’t through their day job.

“I invite and encourage a lot of people to take advantage of pro bono just so you can pursue your passions,” Flick said in a phone interview. His passion is driven by the negative impact that incarceration has on communities. “Just the notion that we’re putting people in cages for really long periods of time, I think for me that has been the biggest motivating factor.”

Kirkwood is originally a native of British Columbia; she moved to Washington when her father came here for dental school. After earning her bachelor’s from the University of Washington and J.D. at Harvard Law School, Kirkwood kicked off her legal career as a litigator for the Federal Trade Commission specializing in antitrust and commercial litigation. That was a far cry from the work she does now, after essentially falling into criminal law by taking pro bono cases. Kirkwood is now a sought-after legal expert in cases involving abuse allegations and shaken baby syndrome, a condition that she and other experts claim is medically suspect, if not completely invalid, the diagnosis of which has destroyed families when doctors misinterpreted medical symptoms and injuries as definitive signs of abuse.

During a phone interview, Kirkwood said she doesn’t go out looking for pro bono work, but it always finds her, whether for friends, family, or even strangers she meets out in the world: “This was part of my upbringing: when people have a need and you could fill it, you did so. It wasn’t that you sought it out, but you were morally obligated to address issues that arose where you had special skills and expertise.”

On Jan. 31, WSBA President Rajeev Majumdar, Interim Executive Director Terra Nevitt, staff, friends, and family came together to give thanks to Flick and Kirkwood for their admirable achievements.

“We believe the integrity of the legal profession, and of society as a whole, is measured by equitable access to the rule of law—to its protections, restitutions, and freedoms,” Majumdar said.

First was a surprise video call to Flick’s office in Washington, D.C., where his colleagues at the Federal Public Defender for the District of Columbia, former coworkers, his wife, and even his mother-in-law squished around a computer screen to help celebrate remotely.

“This is amazing and—hey grandpa, hey mom and dad,” a surprised Flick said to his family gathered at the WSBA offices in Seattle; in fact, his parents put off a planned trip to be there.

“Hey, Ben, we’re so proud we each postponed our trips just for you,” Flick’s mother, Linda, chided playfully.

“Congratulations and best wishes,” added his father, Kyle, also a lawyer. “You’re my hero.”

Next, the WSBA presenters hightailed it to Seattle University for a celebration of Kirkwood’s pro bono achievement at the School of Law, where her family members, colleagues, university staff, and many others were excitedly waiting. Kirkwood, however, had caught wind of the surprise and seized the opportunity to speak to her cause and raise awareness about wrongful cases of shaken baby syndrome.

“First of all, this isn’t about me,” Kirkwood said, though she thanked her family for their support, as well as other lawyers with whom she’s worked to seek justice for wrongly accused parents. “We know that parents are being coerced into taking plea bargains and we know the legal system is complicit,” Kirkwood said in front of the gathering at Seattle University.

WSBA members can truly make a difference. Lawyers and Limited License Legal Technicians who aspire to render at least 30 hours of pro bono service per year can start by reviewing the Public Service and Pro Bono Opportunities available at www.wsba.org/connect-serve/volunteer-opportunities/psp, and by checking the directory of Qualified Legal Service Providers in their area.

The WSBA again wants to offer huge congratulations and thanks to Flick and Kirkwood for their generosity and the outstanding example they set for the legal profession.
WASHINGTON STATE BAR ASSOCIATION
Office of the President

Nominations for the 2020 APEX Awards

Colleagues:

The nomination process for the 2020 APEX Awards has begun. APEX stands for Acknowledging Professional Excellence, and these awards are an opportunity for those of us in the legal profession to honor the heroes among us—those who knock down barriers every day to ensure and protect the right to justice for all. Please take the time to nominate an individual or group that is deserving of statewide recognition. Those who work for justice do so tirelessly and passionately, but often behind the scenes; I believe it is absolutely important to spotlight and celebrate such work as a way to inspire and ignite others, to show the true nature of lawyers’ work to the public, and to provide a much deserved-thank you to our legal luminaries.

Now is the time to nominate. You can find more information and the nomination form at: www.wsba.org/awards. The APEX Awards are by the legal community for the legal community, and your nominations help us recognize colleagues who are making lives better in every community throughout the state. Your voice matters.

In service,

Rajeev D. Majumdar
WSBA President

► Deadline for APEX Award nominations: March 23, 2020

- Angelo Petruss Award for Lawyers in Government Service for a significant contribution to the legal profession, the justice system, and the public
- Award of Merit for a recent, singular achievement
- Justice Charles Z. Smith Excellence in Diversity Award for a significant contribution to diversity in the legal profession
- Legal Innovation Award for programs, processes, or technology that advances or streamlines delivery of legal services
- Lifetime Service Award for a lifetime of service to the legal community and the public
- Norm Maleng Leadership Award (presented jointly with the Access to Justice Board) for leadership characterized by love of the law and commitment to access to justice
- Outstanding Judge Award for outstanding service to the bench and for special contribution to the legal profession at any level of the court
- Outstanding Young Lawyer Award for significant contributions to the professional community, especially the community of young lawyers, within their initial years of practice
- Pro Bono and Public Service Awards (Individual & Group) for outstanding cumulative efforts in providing pro bono services or for giving back in meaningful ways to others, to the community, or to the profession
- Professionalism Award for professionalism in the practice of law, as defined in the WSBA’s Creed of Professionalism
- Sally P. Savage Leadership Award in Philanthropy (presented jointly with the Washington State Bar Foundation) for donors, volunteers and supporters who focus on advancing justice and diversity

www.wsba.org/awards
Scaling Langdell’s Wall

A practitioner’s unlikely journey into full-time law school teaching

By William S. Bailey
I
t never crossed my mind in law school that I might teach there one day. Intent on trying to change the world, my main goal in law school was to get in, and get out with a license to practice.

After moving to Seattle, taking the bar exam, and starting at The Defender Association, I was in court every day. I worried that my skills weren’t up to the challenge of the demanding caseload; I constantly sought feedback from judges and colleagues and studied trial advocacy techniques. It bothered me that so little of law school had prepared me for the actual work I was doing. There had been far too much Socratic method and far too little hands-on practice of the actual skills of lawyering. The conventional wisdom at the time, that “you learn how to be a lawyer after you get out,” made no sense to me. I expected law school, like medical school, to be more skills-based.

As I scrambled to fill the gaps in my practical skills, I continued to think about how law school could have been more useful. With youthful arrogance, I became convinced that I could help structure a better curriculum than the one I had known as a law student.

APPROACHING THE WALL

My musings about law school curriculum took a more serious turn when I learned that the University of Puget Sound (UPS) School of Law (now Seattle University School of Law) was looking for a few trial advocacy instructors. I was fired up. My wife, on the other hand, was justifiably skeptical, given everything else on my plate.

“You have no time as it is,” she said.

I downplayed the impact: “It’s only two nights a week; I can do this.”

Aware that a number of judges I appeared before knew the UPS dean at the time, Fred Tausend, I asked them to write him letters of recommendation in support of my application. A few weeks later, I got a call from a fast-talking man with an animated New York City accent: “Bailey, I don’t know who the hell you are, but you seem to know a lot of the same people I do. And they are bombarding me with letters about what a swell fellow you are. OK, no more letters. You got the job.” This short exchange with the dean seemed like a dream. I would actually get my Rocky shot at teaching. I was over the moon for the next few days. Then reality gradually set in as I considered all the extra work I had signed up for.

My UPS teaching debut that fall was not a thing of beauty. An icy impostor-syndrome wind hit me full blast as I drove south on I-5 to my first class. My inner critic admonished, “Bailey, you have got to be kidding. You? Teaching law school? What do you know?” I was so gripped by stage fright that first night that I didn’t even introduce myself to the class. I managed to get through it somehow, thanks to the combination of the adrenaline boost and the ridiculous amount of preparation I’d put in.

As the weeks went on, I gradually stumbled into a greater degree of comfort and competence in the classroom. Teaching was, I realized, something I really wanted to do. It was one of the most concentrated learning experiences of my life. I came to love the classroom and the connection to my students. Being a good teacher required me to know everything about trial practice at least twice as well as a practitioner, which gave me greater poise and confidence in my day job in the courtroom.

In my personal life, fatherhood beckoned a second time. Clearly, there were not going to be enough hours in the day for practice and teaching. Something had to give, and that something was teaching. Over the next decade, I kept in touch with teaching colleagues and made a few guest appearances at the University of Washington (UW) School of Law Trial Advocacy Program.

By the time my career shift into plaintiff’s trial work had settled into place, our older two children were in middle school and our youngest was in day care. When my mentor and friend Professor Jack Sullivan retired from UW’s Trial Advocacy Program, he put in a good word for me and I was hired as a trial advocacy instructor. For the next 17 years, I taught a section of trial advocacy, first as a solo and then in a team alongside Karen Kehler. In 2006, I also started teaching pretrial practice and later forensics at Seattle University School of Law. Once again I found myself juggling a full-time practice with teaching.

HITTING THE WALL

Over lunch one day with a former UW Law dean, I explored the possibility of becoming a full-time practitioner in residence. It was then that the sweeping expanse of what I came to call “Langdell’s wall” was revealed.

The enormously influential 19th-century architect of the law school curriculum, case method, and Socratic method—Christopher Columbus Langdell—had been emphatic about keeping people like me out of teaching.
to me. The enormously influential 19th-century architect of the law school curriculum, case method, and Socratic method—Christopher Columbus Langdell—had been emphatic about keeping people like me out of teaching. A 1920 retrospective on Langdell’s life in the *Harvard Law Review* made his philosophy clear: “Being a distinguished lawyer or judge does not prove an ability either to teach law or even to learn how. Success in practice is a disqualification for the functions of a professor of law.”

The former UW Law dean was kind, but discouraging about my teaching prospects: “You know that I like and respect you, so don’t take this personally, but law schools don’t hire practitioners as full-time faculty.”

“What about Alan Dershowitz?” I asked.

“He’s a special case. He started out as an academic and then took on outside cases. Sorry, you went in the wrong order.”

Case closed. It seemed that my patchwork arrangement teaching part-time at both UW and Seattle University was as good as it could get, so I just kept on with it.

**PICKING THE LOCK ON THE LEGAL ACADEMY DOOR**

A few years later an interesting development changed everything. I had a good working relationship with Dean Kellye Testy, built during her time at Seattle University. We stayed in touch after she became UW Law’s new dean. During lunch in the summer of 2011, she asked: “How would you feel about teaching a section of 1L Torts next year?”

With the firm rejection of her predecessor in mind, I was initially incredulous. “What about the no-practitioners-allowed rule?”

She smiled, “I have a plan, so just leave that part to me.” Then she added, “There are changes in the works at the ABA. They are coming out with a mandatory experiential learning requirement. We need practitioners like you now.”

It was like I suddenly had been swept up in a wave, magically taking me to where I long had wanted to be. My big concern was finishing up my cases in progress. That didn’t bother Dean Testy as long as it didn’t get in the way of showing up on teaching days. This was reassuring, as I had successfully juggled practice and teaching for years. So when my wife supported the move, the deal was done. When I told a longtime lawyer friend what had happened, he laughed and said, “I’ll be damned, Bailey, you managed to pick the lock on the legal academy door.”

**GETTING COMFORTABLE WITH BEING UNCOMFORTABLE**

Despite my enthusiasm for full-time teaching, it was more of a mental challenge than I thought to leave behind a successful 40-year career in practice and go to the bottom of the heap again. But I never have wanted to look back on my life and say, “What if?” I forged on. I posted a graphic by my desk that became my new mantra: “Get comfortable with being uncomfortable.”

After the expected lag period, my experiential courses were approved by the UW Law Curriculum Committee and eventually students started signing up. As this momentum developed, I received support, encouragement, and advice from the UW faculty. Getting comfortable with being uncomfortable had been exactly the right thing to do.

I had expected my yearly work-planning conference with Associate Dean Sanne Knudsen in the fall of 2017 to be perfunctory. But she surprised me at the end by asking, “How would you feel about teaching a section of 1L Torts next year?” It would be a big load to add, meaning I’d have to drop one of my usual classes.

A week later, I returned to Knudsen’s office and told her, “If you think I can do it, I’ll give it a shot.” I was flattered to be asked, knowing the high importance placed on 1L courses. And it pleased me to no end to have this opportunity to prove Langdell wrong, teaching one of the very courses he deemed critical to legal education. However, I could already feel a knot in my gut as an eddy of doubt swirled around inside. The appraising critic within said, “Stick to what you know, dude. You are experiential, not doctrinal; real world, not Socratic. Don’t embarrass yourself by becoming a low-rent Professor Kingsfield.”

I did my best to ignore these doubts, going on with my other work. But colleagues came by my office from time to time as the year progressed, asking, “What’s this about you teaching torts next year?” I just shrugged, “I said I’d do it, but haven’t heard anything.”

**UP AND OVER THE WALL**

The fall 2018 class schedule came out and there was my name next to 1L Torts. And to up the stakes, the person on sabbatical I would be replacing was the legendary Professor Elizabeth Porter, former law clerk to “the Notorious RBG,” top-ranked scholar and charismatic teacher, winner of the UW Distinguished Teaching Award. Yikes!

My first stop was to talk with Porter, hoping she could give me some needed direction and a pep talk. She did not disappoint, holding forth with characteristic verve, passion, and insight: “Torts is a great course, useful, and fun to teach. The cases are interesting and sometimes humorous, too; a real plus. It’s a fantastic way to teach both legal reasoning and the evolution of the common law.”

Her positive energy did wonders to assuage my doubts. But confidence is good for the soul and I told her, “I’m worried I’m going to mess this up. I’ve never done a doctrinal course before, particularly with all the theory.”

“I don’t obsess over theory,” she said. “Torts does not have to be presented in a complicated way. Many torts profs at top schools don’t do the basic prep, teaching an esoteric, highly theoretical course that has rather little to do with actual torts.”

“I’m glad to hear you say that. I’ve got this idea still knocking around in my head that Professor Kingsfield from *The Paper Chase*
Scaling Langdell’s Wall

CONTINUED >

is the enduring role model. Part of me feels like an idiot for thinking I can do this.”

“Forget about Kingsfield!” she urged. “A lot of students feel like the amount of material in torts is overwhelming. They want to hear your voice talking to them, respecting who they are as individuals. And they don’t like it if they feel that they are not getting the real information. You have practiced in the area for years, you really know it.” As I rose to leave, she cheerily said, “Torts is like a combination of sprinting and yoga. You’ll love it!”

With Porter helping propel me forward, it was time to come up with a game plan. Necessity is the mother of invention and I had big-time necessity. There was no way I could fill Porter’s shoes, but I wanted to at least make a decent showing.

PREPARATION FOR THE OTHER SIDE

Years ago, I bought The American Heritage History of the Law in America by New York University Professor Bernard Schwartz. What I particularly liked about this book oriented to lay people was Schwartz’s easily accessible narrative voice explaining how historical events in America helped shape both social policy and the law. It made much more sense to me than asking vague Delphic oracle riddles. I made a photocopy of the section on torts and gave it to our ace UW Law research librarian Mary Whisner, asking if she could come up with three torts hornbooks like it. She could indeed. I had the works of Kenneth Abraham, Robert Rabin, and Marshall Shapo on my desk the next day. I would become well acquainted with each over the summer, going through them page by page.

My next move was to set up a lunch with my dear friend Professor Emeritus Robert Aronson—UW evidence, ethics, and professional responsibility guru. He is one of the most creative teachers I have known, widely beloved by his students, and I wanted his take on how to keep a big doctrinal class interesting. One of Aronson’s ideas, which he said he never found a way to carry out in his own classes, particularly resonated: Break big classes into smaller groups; that way everyone participates, even students who are reluctant to raise their hands and don’t like being cold called.

I also reached out to two former star students who had the special insight that comes from having other careers before attending law school. Now in demanding law practices, they could give me candid, well-considered, street-level “consumer” views of their experiences in torts. One told me that since most UW students practice in Washington after graduation, I should blend in good Washington cases that illustrate the same concepts from the casebook. The other said to be sparing in assigning “those little picky notes at the end of the main cases in the book,” which are often contrary and confusing.

The input from these “focus group” meetings with Aronson and my former students really helped advance my thought process. How could I use it to make a better course design? It finally came to me. I would find a good Washington “case of the day” on every assigned topic and have a group of four students take over the last 20 minutes of class to teach the others. In order to cut back on the reading to accommodate these extra Washington cases, I eliminated many of the “little picky notes” from the assigned readings as well.

The appraising critic within said, ‘Stick to what you know, dude. You are experiential, not doctrinal; real world, not Socratic. Don’t embarrass yourself by becoming a low-rent Professor Kingsfield.’

But constructing a doctrinal course initially cramped my natural style to go in this direction. Was this really academic and serious enough for a doctrinal course? The other faculty teaching 1L courses certainly did not do it. Would this detract from my students getting all the hardcore black letter law they needed to pass the torts section of the bar exam?

As a predominantly common law course, torts places heavy emphasis on how judges think and interpret precedent, focusing on legendary judges like Holmes, Cardozo, and Traynor. But what about the modern-day judges students are likely to encounter in practice? Shouldn’t students have some exposure to them as well? And so much of torts is shaped by the strategies of trial attorneys,
I circulated the video, which did not show dent was recorded by the patrol car camera. This highly publicized inci
golf club at her. The charges against Wingate were ultimately dismissed, and, represented by Sargent, he
to the right decision in coming to law school, "I wasn’t sure I made my
gave his presentation a rare depth.
And what about those difficult subjects that make all teachers uncomfortable? Race is at the top of this list. The history of the United States is filled with affronts to the dignity of racial minorities that often do not get addressed. Yet torts is all about protecting the dignity of the individual. Though it scared me as a rookie teacher of a first-year
tort concepts. While the general idea was easy to understand, the law is not so clear-cut. The lack of any graphics in the
to the right decision in coming to law school, “I wasn’t sure I made my
gave his presentation a rare depth.
And what about those difficult subjects that make all teachers uncomfortable? Race is at the top of this list. The history of the United States is filled with affronts to the dignity of racial minorities that often do not get addressed. Yet torts is all about protecting the dignity of the individual. Though it scared me as a rookie teacher of a first-year
tort concepts. While the general idea was easy to understand, the law is not so clear-cut. The lack of any graphics in the

Shaffer filled this role splendidly, fielding a flood of great questions from the students.

Thankfully, my colleague Craig Allen has been one of the greatest honors of my career. While I am my own most severe critic, the work I had put in instilled confidence, and I actually believed I could teach a doctrinal course. I was ready.

Picking a case book was difficult. They’re expensive, dense, and almost painfully difficult to digest. By comparison, I’ve inherited several college psychology textbooks from my daughter (now a family therapist); although about the same price as law casebooks, psychology textbooks are filled with photos, illustrations, graphs, charts, and text boxes, all of which assist the learning process. Not so with law books—just walls of gray text. Tradition, tradition, tradition.

Thankfully, my colleague Craig Allen pointed me toward a book written from more of a practitioner’s perspective. But the plaintiff’s trial lawyer in me, used to thinking through how to convey legal concepts visually to juries, could not passively accept the lack of any graphics in the book. I turned to another former colleague, who had created a series of drawings for use in the classroom to help visualize and explain fundamental tort concepts. While the general idea was great, to me there was still too much information and clutter in these. So I hired the longtime graphics provider I had used in my trial work, Aaron Weholt, to help me create a new streamlined set, filling the visual hole in the very expensive textbook.

With the game plan mostly in place, I started plowing through the three hornbooks that Mary Whisner found for me. This was like training for a marathon—following the schedule every day without fail, my butt in the seat, my brain getting a workout. In addition to studying the material, I was putting together PowerPoint presentations that combined visual content and core information.

I thought back to Porter’s comment about how many students feel overwhelmed—I did, too. It just seemed like too much material to get my arms around and teach effectively. But something shifted as September approached, the work I had put in instilled confidence, and I actually believed I could teach a doctrinal course. I was ready.

The first day of class was very much like giving an opening statement in a jury trial, after a long haul of pretrial preparation. That first day teaching also brought me back to my first day as a law student. I felt a strong connection to my students as fellow travelers. I had been in their place, full of the same hopes, dreams, and uncertainties. Honoring all they had done to get here was important. I did not know all the answers in torts, but I had put myself in a position to compete and shape the search for them. As a wise colleague once told me, a class is like the course of a river. You prepare diligently for it, but then follow wherever it flows.

The opportunity to play this kind of role has been one of the greatest honors of my career. 😊
Seattle has two great law schools: the University of Washington School of Law and Seattle University School of Law. However, if you live in the greater Tacoma area, wish to stay local, and are interested in a career in law, what are your options? There is no law school in the South Puget Sound area; however, Legal Pathways, an exciting new program (launched in the 2018-2019 academic year) at the University of Washington Tacoma (UWT), may be growing a critical mass of students raring—and well prepared—to pursue careers in the legal field.

Patricia Sully, director of Legal Pathways, was kind enough to speak with me for this article and to explain more about the program. The following is an excerpt of our recent conversation.

Q. Patricia, would you tell me a little about your background and how you came to this work?
A. Absolutely. I graduated from Seattle University School of Law in 2011. After I graduated, I joined the staff at the law school. At first, I was employed as the special assistant to Mark Niles, the dean at that time, and then I transitioned into being the assistant director of the Access to Justice Institute. I spent several years there working with students who were interested in social justice and public-interest work. In 2014, I moved over to the Public Defender Association (PDA) in Seattle as a staff attorney. After a number of years, I became director of public policy at PDA. In August 2019, I left PDA and became the director of Legal Pathways.

Q. How did you choose the South Sound as your home?
A. It was something of a winding road. I applied to law school when I was in the Peace Corps in Botswana, Africa, where I was working with pregnant women in an HIV-prevention program. I resided in the desert at that time, and the idea of ferry boats and rain sounded wonderful. So I chose Seattle sight unseen hoping that I would like it, and as luck would have it, I did very much. Then, at a 2011 conference in Tacoma, I looked around and thought, “Oh! This is where I...”
belong!” I grew up in Pittsburg, and Tacoma just felt like home in a way that Seattle never quite did. So in 2012 I moved to the Hilltop neighborhood and began to commute to Seattle for work. I am very happy now to be living and working in the same community.

Q. Can you tell me more about the Legal Pathways program? How did it begin, what are the current programs, and where would you like to see it go in the future?

A. Legal Pathways came out of a great deal of community work and support from the Washington Legislature. There had been keen interest from many community members in Tacoma [about the city] having its own law school. Out of that work came a feasibility study a few years back, which found that it was not the right time for a law school. However, the Legislature funded, and the UWT and the community proceeded with, the Legal Pathways program to help prepare South Sound [undergraduate] students for law school and law-related careers. This program supports students who have been traditionally underrepresented in the Bar. Additionally, the program is grounded in diversity, equity and inclusion, and social justice. The response from the student body and the community has been stellar. Our students are very diverse and many of our students are committed to giving back to their communities, whether as lawyers or in other law-related professions.

Q. Can you share a close-up view of how the program assists students who aspire to be lawyers and legal professionals?

A. Currently there are three core components: student programming, individual mentoring and assistance, and community connections. Right now, the program is co-curricular. Students do not apply but rather opt in through attending events that are relevant to them. We have a number of programs for students interested in law school to help them prepare for the application process, think through financial aid, and [learn] how to craft a personal statement. In addition, we host programs that expose students to the type of day-to-day work that people in law and law-related fields do. For example, in the fall quarter, members of the Seattle-based organization Collective Justice came to campus to present on their restorative justice work. Similarly, we hosted an attorney from the ACLU-WA who shared about his work in drug policy, and a panel of [UWT] alumni in law and law-related fields who discussed their practice areas. In the 2020-2021 academic year, we hope to launch a Legal Pathways Fellows program that students would apply to and that would involve both curricular and co-curricular elements.

Finally, the program works closely with community partners to help connect students to the broader legal community. This happens through informational interviews, volunteer opportunities, and networking events. It is crucial that the students have actual contact with those working in the field. Many of the students have had very limited access to legal practitioners, and our job is to help bridge that gap. When I have a student who says that they want to go to law school, my first question is, “Have you spoken with a lawyer?” And most of the time the answer is no, so I work to link that student with an attorney. The same process applies to those who are interested in policy or other law-related fields.

Q. Strong mentoring relationships are important not only to the students but to the legal professionals as well. What local legal support has come forward to work with Legal Pathways?

A. The program has had an enormous amount of support from the local bar and bench. The founding Community Advisory Board, comprised of James Curtis, Sara Kendall, and Valarie Zeeck, along with the Tacoma office of Gordon Thomas Honeywell, has been incredibly supportive. On the bench, Federal Magistrate Judge Theresa Fricke has been a fabulous partner. She has welcomed students to observe in her courtroom and ask questions after the proceedings. … Saranda Ross, a new attorney and a member of Pierce County Minority Bar Association, has been a wonderful mentor for students and an enthusiastic supporter of Legal Pathways. The community has been so very supportive that I can’t actually name everyone who has supported us! We also have an alumni network of UWT students who have made themselves available to aid us in our work.

Q. Community support is always critical to success. May I ask about your future goals for the program?

A. Our program is centered on supporting students who have been underrepresented in the legal field, and I am placing great emphasis on partnering with groups like Pierce County Minority Bar Association, the Washington State Bar Association Diversity Committee, and working with attorneys of color and diverse communities to make sure that our students are able to connect to professionals who will resonate with them. I want the students to be able to find professionals whose journeys reflect their own so that they feel comfortable reaching out so that real mentoring can happen. We know that all law school experiences are not identical and we understand that the outcomes aren’t the same either. One of our goals is to not only help underrepresented students enroll in the accredited schools of their choice, but to [help them] do so with as much support and as little debt as possible.

Q. What can the members of the WSBA do to help support the work of Legal Pathways?

A. Volunteer! We always welcome attorneys who are willing to be on our list of folks who are open to being contacted for an informational interview or who would allow a student to job shadow for an afternoon. In addition, we are grateful to firms and attorneys who have internship opportunities for our students, particularly paid internships. I hope that firms and lawyers who are hiring consider supporting local students by partnering with the UWT Legal Pathways program. People can contact the program at lpathway@uw.edu.

Lisa Mansfield is a parent's attorney in Tacoma. She is president of the Pierce County Minority Bar Association and community outreach vice president for Washington Women Lawyers. She is proud of her work on Washington’s only Safe Babies Court Team. She can be reached at crycketmansfield@gmail.com.
THE BEST OF BOTH WORLDS

INTRODUCING SEATTLE U LAW’S NEW, PART-TIME FLEXIBLE JD PROGRAM
➔ Combines schedule-friendly online classes with concentrated campus-based sessions
➔ Innovative format makes legal education accessible for those with work and family commitments
➔ What’s unchanged is our exceptional faculty, rigorous curriculum, and commitment to justice

LAUNCHING FALL 2021
Learn more: law.seattleu.edu

Bring a Seasoned Mediator to the Table
Kenneth E. Brewe
Facilitating settlements in family law matters from Mt. Vernon to Seattle... and everywhere in between.

206.971.5555  Seattle
425.252.5167  Everett
360.419.9191  Mount Vernon

Brewe Layman P.S.
Attorneys at Law | Family Law
brewelaw.com

Visit brewelaw.com/mediation
or contact us for a brochure
Every year, U.S. law schools receive over 60,000 applications. Before those applications are sent, undergraduate prelaw advisors receive a wide variety of questions about law school as they guide candidates through the application process, LSAT testing, acquiring letters of recommendation, crafting personal statements, and other requirements.

We approached two prelaw advisors—Soazig Le Bihan, professor of philosophy, prelaw program director at the University of Montana; and Mariella Mecozzi, senior assistant director of pre-professional services at the University of Michigan—and asked them about the most common questions they receive from prospective law students. In order to get a Washington perspective, we posed those questions to the deans of each of Washington’s law schools.

Here is what they had to say in response.

NOTES:
I think I want to go to law school. How can I make sure this is a good career choice/fit for me?

A. Start with answering the question, “why,” and then ask that question again and again as you peel through the layers to determine what, in your experiences, leads you to this decision. For example, if you want to go to law school to “help people” — why is that? What specific experiences in your life have made “helping people” important to you? If you are interested in “business innovation and technology” — why is that? Identify where the excitement for those fields stems from by looking at your life experiences. Be as specific as possible for any reasons you list. You may want to help people and be involved in business innovation. Both are possible. Next, talk with lawyers who do the work that you are interested in. Ask them questions about what they do each day, whether it is what they expected to be doing, and how satisfied they are with what they are doing. If you don’t know any lawyers to ask (which is common), reach out to the law schools you are interested in attending and ask them to put you in touch with their alumni. Lawyers are usually very happy to talk with students considering a legal career.

A. Law school has traditionally been understood to be a great choice for people interested in both legal practice and policy work. More recently, law school has been touted as helpful preparation for individuals who desire to enter any profession where critical thinking and problem solving are greatly valued. My own additional belief is that the legal profession is largely service driven. If students have a desire to develop skills to meaningfully enable them to assist persons, institutions, and communities with addressing significant challenges, then law school may be for them.

Prospective students should do their research: reach out to attorneys doing the type of work they are considering and shadow an attorney to get an idea of the day-to-day work. Many attorneys in the community are very willing to sit down with students to discuss the profession. Also, visit a law school and talk with students and professors, or sit in on a class.
Rooksby: Unlike other graduate and professional programs, the study of law does not require a particular major. Students from all academic disciplines can apply to law school, and we encourage you to pursue an undergraduate degree that interests you. Throughout your undergraduate studies, taking courses that focus on research, writing, and critical thinking skills are good preparation for law school.

Clark: While many candidates pursue a more traditional political science or prelaw degree, still more come from a wide array of academic backgrounds, including philosophy, biology, engineering, economics, business, theater, music, history, and public policy. Diversity of experience is an important aspect of the overall diversity that law schools seek when recruiting their incoming classes.

Pursue a major that you feel passionate about. The more you enjoy your education, the more likely it is that you will perform well and engage with both your faculty and your peers. If your course of study does not emphasize writing or research, it's a good idea to take electives that require a good amount of both.

In addition to choosing a stimulating major, consider any student leadership or community engagement opportunities that interest you. Law school admission committees are always enthusiastic about candidates who have reached beyond the classroom to engage with their larger communities.

Barnes: I have had stellar students from amongst every educational discipline. I do not believe there is one major that will best prepare a student for law school. We recommend students select a major in an area about which they are truly passionate. Then choose courses within the major that allow them to develop research and critical thinking skills. Students for whom extensive reading and writing assignments—and/or analysis of texts or problems—were required as part of their prior education or work life have an easier transition to the demands of law school.

Rooksby: Most importantly, the personal statement is an opportunity for schools to get a sense of your humanity, in a way that entries on a résumé cannot match. Questions you may ask yourself to inspire your writing are the following: What are you passionate about? What challenges have you overcome? How do you anticipate putting your J.D. to use? The personal statement can be a challenging part of the application process for many. I recommend writing no more than two to three pages. Be sure your statement is well written, error-free, and concise. Ask for feedback from people you trust, make revisions, and have a final piece that reflects you as a person.

Clark: Most law schools will provide prompts in their personal statement instructions, which will offer guidance on how to construct your essay. Regardless of the topic(s) addressed, it's important that you maintain your authentic voice throughout. No one is a better expert on your lived experiences than you! Don’t be afraid to share the aspects of your life that have challenged and inspired you. Showing a willingness to learn from your setbacks and demonstrating a mature self-awareness is the key to a successful personal statement. Recognize your shortcomings, but don’t let the fear that you are “bragging” keep you from touting your accomplishments or sharing the skills that you think will contribute to your success in law school. We’re interested in learning about your values, your thoughts about the world, what drives you, how you've navigated your life and the obstacles you’ve faced, what you’re most passionate about, and how becoming a lawyer fits in with your life plans and dreams.

Barnes: The personal statement gives a student an opportunity to share with admissions personnel how their past experiences inform their decision to attend law school. Given that there are few opportunities for students to distinguish themselves, applicants should also be certain that their statements effectively communicate their values, goals, and worldview. From that statement, then, admissions officials should not only be provided with information that supports the merits of the individual’s application, but also a sense of the contributions that person could make to a law school community and the legal profession. Prospective students should remember to answer the most basic question: Why do they want to go to law school? Then discuss how they came to understand that law school is the next step. They should think about the story their application tells about them. What are the parts of the story that the transcripts [and] LSAT score don’t tell? 🤔
WASHINGTON’S ALTERNATIVE TO LAW SCHOOL

**LAW CLERK PROGRAM**

**A Nontraditional Legal Education**

The Law Clerk Program is Washington’s affordable alternative to a traditional law school education, in which the classroom is replaced by on-the-job legal education and training. The four-year program is available anywhere in the state and allows tutors—lawyers or judges with at least 10 years of experience—to open career pathways to aspiring lawyers and potentially train a future law firm successor (70 percent of former law clerks consider the program a good succession-planning tool).

Authorized under Washington Supreme Court APR 6, the Law Clerk Program allows those who successfully complete it to sit for Washington’s lawyer bar exam (the Uniform Bar Exam). To qualify for the program, applicants must have a bachelor’s degree and regular, paid, full-time (at least 32 hours per week) employment in Washington with a primary tutor.

**Curriculum:** With the help of their tutor, law clerks follow a course study in combination with employment. Each year, law clerks are required to study six subjects, pass 12 exams, and submit three book reports. The tutor develops, administers, and grades the exams; provides at least three hours each week of personal supervision, which includes discussion of the law and cases and critical analysis of the law clerk’s written assignments; and evaluates the law clerk’s progress.

**Quote from a former law clerk tutor:** “This is a win-win; I get an attorney for my firm, and she got to become an attorney without the hardship and expense of law school.”

I decided to enroll in the Law Clerk Program because I was unhappy with my current profession and have always aspired to become an attorney. I chose the program for many reasons, cost being the chief motivator; financially it would have been impossible to stop life in its tracks and absorb the sky-high debt required to attend law school.

… Currently I am a partner in the firm that I clerked in that my father founded in the late ’80s. My practice is focused on debt collection for banks and credit unions, bankruptcy, estate planning, and probates.

I would highly recommend the program, but it is definitely not for everyone. If you are used to being in a highly structured environment and need that to succeed, the Law Clerk Program is not a good fit for you. It is tailored to those who are truly self-motivated learners.”

Ben Phillabaum
Attorney, Law Clerk Board Chair, Spokane

**INTERESTED IN LEARNING MORE?** Visit www.wsba.org/for-legal-professionals/join-the-legal-profession-in-wa/law-clerk or email lawclerks@wsba.org.
RULE 9 LICENSED LEGAL INTERNSHIP

Limited Practice Under the Supervision of a Lawyer

Washington Supreme Court Admission and Practice Rule (APR) 9 grants a limited license to law students, APR 6 law clerks, and recent law school graduates to practice law under the supervision of a lawyer who has at least three years of active legal experience. Supervising lawyers are able to increase their capacity while providing “Rule 9” Licensed Legal Interns with valuable supervised practice and courtroom experience. Lawyers in private practice can supervise one legal intern at a time, while those working with public and non-profit programs can supervise up to four legal interns at a time.

To qualify to become a Rule 9 intern, applicants must be enrolled and in good academic standing at an ABA-approved law school with two-thirds of a three-year program completed or five-eighths of a four-year program completed or be enrolled in the Law Clerk Program and have completed five-eighths of a four-year program. Applicants may apply up to nine months after graduation from an ABA-approved law school.

INTERESTED IN LEARNING MORE? For the application and more information, visit www.wsba.org/for-legal-professionals/join-the-legal-profession-in-wa/rule-9-licensed-legal-interns or email rule9@wsba.org.

A VALUABLE STEP ON THE WAY TO A J.D.

The Rule 9 internship was an opportunity for me to gain valuable experience working with vulnerable communities that needed immediate assistance, while studying for the bar exam at night. ... [Currently,] I am an Equal Justice Works Fellow sponsored anonymously and hosted at the Northwest Immigrant Rights Project in Wenatchee. Under my fellowship, I, alongside my supervising attorney, help provide direct legal representation to undocumented youth. I hope to continue my two-year fellowship and continue working alongside the undocumented community as a future immigration attorney.

I would highly recommend the [Rule 9] Legal Intern License to others because this opportunity offers a foundation of courtroom experience that allows one to be successful upon becoming a licensed attorney.”

Alex Romero
Rule 9 Licensed Legal Intern, Wenatchee

MORE ONLINE >
Find admissions and licensing information for lawyers, international applicants, law students, and more at www.wsba.org/for-legal-professionals/join-the-legal-profession-in-wa
A WORLD OF DIFFERENCE

Law Street Media
Legal News

AI Sandbox
Legal Data Analysts

Full Court Press
Expert Treatises

Docket Alarm
Pleadings + Analytics

NextChapter
Bankruptcy Petitions + Filing

Fastcase
Legal Research

START YOUR JOURNEY
Fastcase is one of the planet’s most innovative legal research services, and it’s available free to members of the Washington State Bar Association.

LEARN MORE AT
www.wsba.org

DOWNLOAD TODAY
Elizabeth Hanley  Kelli Carson

AREAS OF FOCUS:  Class Actions  |  Consumer Protection  |  Employment Law  |  Personal Injury & Wrongful Death

ELIZABETH’S CLIENTS SAY IT BEST:

“She is an absolute gem who delivered outstanding results on my behalf.”

IN KELLI’S WORDS:

“I am continually inspired by people who speak out against injustice.”

sgi-law.com
TRUSTS FOR SPECIAL NEEDS FAMILIES

Your clients with special needs beneficiaries face unique concerns. At BECU Trust Services, we don’t shy away from the complex fiduciary duties that come with special needs trusts. The philosophy of people-helping-people is what gives meaning to our mission.

Our full-service team is well-versed in the finer points of special needs trust administration. We can help your client preserve Medicaid and SSI by creating a customized trust for their specific circumstances.

Trust Administration, Beneficiary Protection, Personalized Trusts

“The people at BECU Trust Services care about their clients, are completely supportive, and go above and beyond the call of duty.”

—Michelle Lynn Graunke, Attorney

BECU Trust Services is a trade name used by MEMBERS® Trust Company under license from BECU. Trust services are provided by MEMBERS® Trust Company, a federal thrift regulated by the Office of the Comptroller of the Currency. Trust and investment products are not deposits of or guaranteed by the trust company, a credit union or credit union affiliate, are not insured or guaranteed by the NCUA, FDIC or any other governmental agency, and are subject to investment risks, including possible loss of the principal amount invested. This is for informational purposes only and is not intended to provide legal or tax advice. For legal or tax advice, please consult your attorney and/or accountant.

HOLMES & COMPANY PG
Certified Public Accountants and Consultants

is pleased to announce successful completion of litigation support re MINORITY SHAREHOLDER v. FAMILY-OWNED BUSINESS

Plaintiff for Minority Shareholders in preliminary injunction hearing intended to block sale of a family-owned business to an out-of-state third party buyer. Analyzed competing offers, discovered unrecorded intangible value of real estate lease, and provided testimony on fiduciary duties of Board of Directors involved in entity sale decisions.

William N. Holmes, CPA / ABV / CVA / CFE

Forensic Accounting ● Economic Damages ● Business Valuation
Commercial Litigation ● Accounting and Tax Malpractice Litigation
Full Service Public Accounting

7128 SW Gonzaga Street, Suite 100 ● Portland, OR 97223
503.270.5400 ● www.pdxcpas.com
This September, I will begin my term as the 132nd president of the Washington State Bar Association (WSBA). I am a partner with Miller Nash Graham & Dunn LLP and have lived in Vancouver for the past 20 years. When I first considered running for the position, I wondered how long it had been since an attorney practicing in Vancouver, or even Clark County, had served as president of the WSBA. After all, as I remind my colleagues from across the state, Vancouver is Washington’s fourth largest city and Clark County is the fifth most populated county.

Just before my election, the WSBA Board of Governors was considering bylaw amendments (since adopted) that slightly altered the requirement that every four years the president must be selected from candidates practicing in Eastern Washington. There were strong feelings throughout Washington that the bylaws of our organization should ensure that presidents come from different geographic locations so that all areas of the state are appropriately represented.

But when was the last time an attorney from Southwest Washington was elected and given the honor to serve? For me, this unanswered question began a journey to identify the names and hometowns of all of the WSBA’s past presidents. Fellow hobbyist historians WSBA President Rajeev Majumdar, District 4 Governor/Treasurer Dan Clark, and WSBA Chief Disciplinary Counsel Doug Ende joined me in this endeavor. Along the way, we discovered that one of the WSBA’s presidents had been forgotten and overlooked for 80 years!

By way of background, our research reveals that WSBA presidents have come from 29 cities in Washington. By far, Seattle has supplied the most presidents over the past 131 years, with 40 hailing from Washington’s largest city. Spokane comes in second with 19, and Tacoma a close third at 17. The WSBA has been led by presidents from Kent, Tieton, Pullman, Aberdeen, Colfax, Hoquiam, Richland, Edmonds, Poulsbo, Medina, Blaine, and other cities across the state. But there has never been a president from Vancouver or Clark County, and less than a handful have come from the southwest corner of the state.

Until recently, the WSBA’s list of past presidents only went back to 1932 and made no effort to identify the city each president called home. To identify all of the presidents going back to the Bar’s establishment in 1888, we scour the internet and long-forgotten publications dating back more than 100 years. We found that in the early 1900s, the WSBA published its annual meeting minutes along with a roster of WSBA officers and members. Later, the Washington Law Review devoted a portion of its publication to highlighting the WSBA’s work, and many of the WSBA’s presidents could be located by reading through segments from the “Bench and Bar.”

In the course of this research, I was pleas-
The Curious Case of the Missing WSBA President

Continued...

antly surprised to see two former presidents from Chehalis: Grant Armstrong (1964-65) and James A. Vander Stoep (1989-90). Wanting to know more about what appeared to be the only two presidents to reside and work south of Olympia, I dug further and found out that both men came from the same Lewis County firm: Vander Stoep, Blinks, Jones & Unzelman. On its website, the firm outlines its 138-year history. As soon as I read it, an apparent—and mysterious—omission presented itself. The site boasts that three of its partners had served as the president of the WSBA—Armstrong, Vander Stoep, and a third member of the firm I had not encountered in my research thus far—attorney A.A. Hull, who served as WSBA president in 1939.1

On the walls of the WSBA’s headquarters in downtown Seattle, you can view photographs of every president of the organization going back to 1932. Most of the photographs are black-and-white portraits of austere gentlemen sitting in their offices, wearing ties, and scowling into the camera. Over the course of the 20th century and into the new millennium, the black-and-white photos turned to color and the presidents started having their photographs taken outdoors—in front of courthouses, tall buildings, and lakes. The photographs on the wall also became more diverse with the election of women and people of color, and, although we still have a long way to go, the wall of presidents began to look more like the diverse organization we continue to strive to be today.

Yet there was no grainy, black-and-white photograph, nor mention of, a president by the name of A.A. Hull. I reached out to J. Vander Stoep (son of President James A. Vander Stoep) who still practices with the firm. Vander Stoep informed me that Alanson A. Hull, a senior partner with the firm, hired Vander Stoep’s father around 1950. J. Vander Stoep has some early memories of seeing Hull, but not much more. However, he recalls his father once saying that “as of the time of his Bar presidency, no [other] firm in the state had had three partners become Bar presidents.”

While J. Vander Stoep did not have much information about Hull, he was able to point me to Gordon Alanson Hull—Alanson A. Hull’s grandson. Gordon Hull is very proud of his grandfather and namesake, and provided me with a photograph that will be added to the wall at WSBA headquarters.

During our research, we learned that Hull was born in St. Paul, Minnesota, in 1884 and was admitted to the Minnesota Bar Association in 1907 and the WSBA in 1908, and he began his practice in Chehalis.2 Upon the passage of the State Bar Act, which integrated the WSBA, he served on the very first Board of Governors, from 1933 to 1939. When Hull died in 1961, The Daily Chronicle of Centralia-Chehalis ran a front-page story notifying its readers of his passing.3 Hull was active in the business, civic, and fraternal affairs of the area and served as a director of Coffman-Dobson Bank and Trust Co. and as a director of the National Bank of Washington in the 1950s. Pallbearers at his funeral included his partners and future WSBA presidents Vander Stoep and Armstrong.

Further research revealed that sometime in 1939, Hull became the 50th president of the organization. In its July 1, 1939, edition, the State Bar Journal lists Hull as president and an officer of the State Bar Association.4 The “Prospect and Retrospect” portion of the publication noted “[t]he members of the Board of Governors express their gratitude for the valuable and conscientious services of Mr. Hull who is retiring after six years’ membership on the board. He has given unstintingly of his time and his sound judgment and counsel have been of untold help in solving the many perplexing problems that constantly confront your Board of Governors.”5

The periodical continued with the announcement of the upcoming annual convention to be held in Spokane where Associate Justice W.O. Douglas “may be on hand.”6 In a painfully outdated reflection of the times, the announcement included a quote from Governor Philip S. Brooke of Spokane: “For the ladies, there will not be an idle minute so bring them along and make a real vacation of it.” The announcement concluded: “Spokane—the Friendly City—not only invites, but really wants you to come!” Spokane was hundreds of miles away from the big city of Seattle (population 368,302 in 1940)7 and I-90 had not yet been built. In those days, you literally had to beg people to come to Spokane.8

While it remains unclear when exactly Hull began his presidency, we culled through the Washington Law Review, and found that Robert E. Evans had been elected president in 1938 and served in that capacity until he tendered his resignation to take effect at once on April 1, 1939.9 We discovered that on March 31, 1939, Evans was...
appointed by Governor Clarence D. Martin to the Superior Court of Pierce County to fill the position vacated after the resignation of Judge W.O. Chapman.10

We do know that Hull served as president of the WSBA until the election of Thomas E. Grady of Yakima, who presided over his first WSBA Board of Governors meeting in Seattle in September 1939.11 While perhaps one of the shortest presidential terms, Hull may have been one of the more interesting presidents. Thanks to J. Vander Stoep for passing along another article from The Daily Chronicle—this one originally from 1934.12 It seems that during Hull’s first year of service on the WSBA Board of Governors, he was driving north of Tenino on the Pacific Highway when he passed a hitchhiker. The article reports that when Hull failed to stop, he “was greeted by a large rock through his windshield.” Not one to allow justice to go unseved, Hull stopped and pursued the hitchhiker as he made “his way across the prairie.” That’s when Hull spotted a nearby service station and “borrowed a gun from the proprietor.”

Hull then drove up the highway and headed the hitchhiker off “near a wood.” After his order to stop went unheeded, Hull shot over the head of the hitchhiker, who then hightailed it into the woods. It was only then that Hull called the Highway Patrol. A determined Hull and three officers searched the area for several hours, eventually capturing the suspect “by the use of tear bombs.” According to the service station proprietor, three other motorists suffered broken windshields that same day when they ignored the hiker’s thumb. While others resigned themselves to a trip to the local service station for repairs, Hull (approaching 50 years of age and by all indications a noted attorney and volunteer in the community) took action, determined to bring the hiker to court.

I can’t say that I would have done what Hull did that night in 1934, but times were different then and pursuing an angry, dejected, rock-throwing, hitchhiking vandal “across the prairie” with a gun and “tear bombs” was cause for celebration in the local newspaper. I do hope, however, that when I look back on my term as president, I can say that I represented the WSBA membership and members of the public of our state, well by “unstintingly” giving my time and “sound judgment” toward “solving the many perplexing problems that constantly confront your Board of Governors.”

That would be a successful and satisfying presidency indeed.  

NOTES:
1. www.vanderstoep.com/firm-history/.
8. To all the admirers of the Lilac City, please don’t write angry letters. I love Spokane. I was born and raised in Spokane. I have family in Spokane. Please don’t write angry letters.

BAR HISTORY

WHERE PAST WSBA PRESIDENTS ARE FROM

WSBA presidents have come from 29 cities* across the state over the past 131 years. Seattle has supplied the most with 40, Spokane comes in second with 19, and Tacoma a close third at 17.

*30 cities when including upcoming president Kyle D. Sciuchetti from Vancouver
<table>
<thead>
<tr>
<th>Year</th>
<th>President</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>1888</td>
<td>Elwood Evans</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1888-89</td>
<td>B.F. Dennison</td>
<td>Olympia</td>
</tr>
<tr>
<td>1889</td>
<td>Hon. Elwood Evans</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1890-91</td>
<td>Hon. Elwood Evans</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1892-93</td>
<td>Hon. Elwood Evans</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1893-94</td>
<td>Hon. John Arthur</td>
<td>Seattle</td>
</tr>
<tr>
<td>1894-95</td>
<td>George Foster</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1895-96</td>
<td>Charles S. Fogg</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1896-97</td>
<td>Harold Preston</td>
<td>Seattle</td>
</tr>
<tr>
<td>1897-98</td>
<td>George Turner</td>
<td>Spokane</td>
</tr>
<tr>
<td>1898-99</td>
<td>Theodore L. Stiles</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1899-1900</td>
<td>George Donworth</td>
<td>Seattle</td>
</tr>
<tr>
<td>1900-01</td>
<td>Samuel Stern</td>
<td>Spokane</td>
</tr>
<tr>
<td>1901-02</td>
<td>Hon. Austin Mires</td>
<td>Ellensburg</td>
</tr>
<tr>
<td>1902-03</td>
<td>R.G. Hudson</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1903-04</td>
<td>William A. Peters</td>
<td>Seattle</td>
</tr>
<tr>
<td>1904-05</td>
<td>Edward Whitson</td>
<td>Yakima</td>
</tr>
<tr>
<td>1905-06</td>
<td>Francis H. Brownell</td>
<td>Everett</td>
</tr>
<tr>
<td>1906-07</td>
<td>Elwood Clark Hughes</td>
<td>Seattle</td>
</tr>
<tr>
<td>1907-08</td>
<td>A.G. Avery</td>
<td>Spokane</td>
</tr>
<tr>
<td>1908-09</td>
<td>J.B. Bridges</td>
<td>Aberdeen</td>
</tr>
<tr>
<td>1909-10</td>
<td>C.C. Gose</td>
<td>Walla Walla</td>
</tr>
<tr>
<td>1910-11</td>
<td>Clinton W. Howard</td>
<td>Bellingham</td>
</tr>
<tr>
<td>1911-12</td>
<td>William Thomas Doell</td>
<td>Seattle</td>
</tr>
<tr>
<td>1912-13</td>
<td>B.S. Grosscup</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1913-14</td>
<td>Ira Englehart</td>
<td>Yakima</td>
</tr>
<tr>
<td>1914-15</td>
<td>Frank Reeves</td>
<td>Wenatchee</td>
</tr>
<tr>
<td>1915-16</td>
<td>Mack F. Gose</td>
<td>Olympia</td>
</tr>
<tr>
<td>1916-17</td>
<td>Wimon Tucker</td>
<td>Seattle</td>
</tr>
<tr>
<td>1917-18</td>
<td>N.C. Richards</td>
<td>Yakima</td>
</tr>
<tr>
<td>1918-19</td>
<td>Charles O. Bates</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1919-20</td>
<td>Frank Truman Post</td>
<td>Spokane</td>
</tr>
<tr>
<td>1920-21</td>
<td>Otto Burton Rupp</td>
<td>Seattle</td>
</tr>
<tr>
<td>1921-22</td>
<td>C.R. Hovey</td>
<td>Ellensburg</td>
</tr>
<tr>
<td>1921-22</td>
<td>Joseph McCarthy</td>
<td>Spokane</td>
</tr>
<tr>
<td>1922-23</td>
<td>Preston M. Troy</td>
<td>Olympia</td>
</tr>
<tr>
<td>1923-24</td>
<td>Stephen James Chadwick</td>
<td>Seattle</td>
</tr>
<tr>
<td>1924-25</td>
<td>Ralph B. Williamson</td>
<td>Yakima</td>
</tr>
<tr>
<td>1925-26</td>
<td>J.A. Coleman</td>
<td>Everett</td>
</tr>
<tr>
<td>1926-27</td>
<td>Geo H. Rummens</td>
<td>Seattle</td>
</tr>
<tr>
<td>1927-28</td>
<td>Maurice A. Langhorne</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1928-29</td>
<td>B.H. Kizer</td>
<td>Spokane</td>
</tr>
<tr>
<td>1929-30</td>
<td>Edward W. Allen</td>
<td>Seattle</td>
</tr>
<tr>
<td>1930-31</td>
<td>Glenn J. Fairbrook</td>
<td>Seattle</td>
</tr>
<tr>
<td>1931-32</td>
<td>F.L. Stotler</td>
<td>Colfax</td>
</tr>
<tr>
<td>1932</td>
<td>Mark M. Moulton</td>
<td>Kennewick</td>
</tr>
<tr>
<td>1933-34</td>
<td>Frank E. Holman</td>
<td>Seattle</td>
</tr>
<tr>
<td>1934-35</td>
<td>Fred D. Metzger</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1936-37</td>
<td>A.J. O’Connor</td>
<td>Wenatchee</td>
</tr>
<tr>
<td>1938-39</td>
<td>George W. Martin</td>
<td>Seattle</td>
</tr>
<tr>
<td>1939-40</td>
<td>Fred C. Palmer</td>
<td>Yakima</td>
</tr>
<tr>
<td>1940-41</td>
<td>Thomas L. O’Leary</td>
<td>Olympia</td>
</tr>
<tr>
<td>1942-43</td>
<td>Hilton B. Gardner</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1944-45</td>
<td>John Hunke</td>
<td>Seattle</td>
</tr>
<tr>
<td>1946-47</td>
<td>Robert Beresford</td>
<td>Edmonds</td>
</tr>
<tr>
<td>1948-49</td>
<td>E. Frederick Velikanje</td>
<td>Yakima</td>
</tr>
<tr>
<td>1950-51</td>
<td>Charles I. Stone</td>
<td>Seattle</td>
</tr>
<tr>
<td>1952-53</td>
<td>Paul W. Steere</td>
<td>Seattle</td>
</tr>
<tr>
<td>1954-55</td>
<td>Robert R. Redman</td>
<td>Yakima</td>
</tr>
<tr>
<td>1956-57</td>
<td>F. Lee Campbell</td>
<td>Medina</td>
</tr>
<tr>
<td>1958-59</td>
<td>Patrick C. Comfort</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1960-61</td>
<td>Edward F. Shea</td>
<td>Richland</td>
</tr>
<tr>
<td>1962-63</td>
<td>Tom Chambers</td>
<td>Seattle</td>
</tr>
<tr>
<td>1964-65</td>
<td>Mary E. Fairhurst</td>
<td>Olympia</td>
</tr>
<tr>
<td>1966-67</td>
<td>M. Wayne Blair</td>
<td>Poulson</td>
</tr>
<tr>
<td>1968-69</td>
<td>Mark A. Johnson</td>
<td>Seattle</td>
</tr>
<tr>
<td>1970-71</td>
<td>Salvador A. Mungia</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1972-73</td>
<td>Steven G. Toole</td>
<td>Bellevue</td>
</tr>
<tr>
<td>1974-75</td>
<td>Stephen R. Crossland</td>
<td>Cashmere</td>
</tr>
<tr>
<td>1976-77</td>
<td>N.C. Richards</td>
<td>Yakima</td>
</tr>
<tr>
<td>1978-79</td>
<td>C.R. Hovey</td>
<td>Ellensburg</td>
</tr>
<tr>
<td>1980-81</td>
<td>Joseph McCarthy</td>
<td>Spokane</td>
</tr>
<tr>
<td>1982-83</td>
<td>B.H. Kizer</td>
<td>Spokane</td>
</tr>
<tr>
<td>1984-85</td>
<td>Edward F. Shea</td>
<td>Richland</td>
</tr>
<tr>
<td>1986-87</td>
<td>Tom Chambers</td>
<td>Seattle</td>
</tr>
<tr>
<td>1988-89</td>
<td>Mary E. Fairhurst</td>
<td>Olympia</td>
</tr>
<tr>
<td>1990-91</td>
<td>M. Wayne Blair</td>
<td>Poulson</td>
</tr>
<tr>
<td>1992-93</td>
<td>Mark A. Johnson</td>
<td>Seattle</td>
</tr>
<tr>
<td>1994-95</td>
<td>Salvador A. Mungia</td>
<td>Tacoma</td>
</tr>
<tr>
<td>1996-97</td>
<td>Steven G. Toole</td>
<td>Bellevue</td>
</tr>
<tr>
<td>1998-99</td>
<td>Stephen R. Crossland</td>
<td>Cashmere</td>
</tr>
<tr>
<td>2000-01</td>
<td>Paul W. Steere</td>
<td>Seattle</td>
</tr>
<tr>
<td>2002-03</td>
<td>Robert R. Redman</td>
<td>Yakima</td>
</tr>
<tr>
<td>2004-05</td>
<td>F. Lee Campbell</td>
<td>Medina</td>
</tr>
<tr>
<td>2006-07</td>
<td>Patrick C. Comfort</td>
<td>Tacoma</td>
</tr>
<tr>
<td>2008-09</td>
<td>Mark A. Johnson</td>
<td>Seattle</td>
</tr>
<tr>
<td>2010-11</td>
<td>Salvador A. Mungia</td>
<td>Tacoma</td>
</tr>
<tr>
<td>2012-13</td>
<td>Steven G. Toole</td>
<td>Bellevue</td>
</tr>
<tr>
<td>2014-15</td>
<td>Stephen R. Crossland</td>
<td>Cashmere</td>
</tr>
</tbody>
</table>

As compiled and researched by RAJEEV D. MAJUMDAR and KYLE D. SCIUCHETTI

With great and noted assistance from Daniel D. Clark and Douglas J. Ende
ANNUAL AWARDS

APEX Nominations Due March 23

The WSBA is seeking nominations for the 2020 APEX (Acknowledging Professional Excellence) Awards to honor exemplary members of the legal community. Send a completed nomination form, available at www.wsba.org/about-wsba/apex-awards, and supporting materials to barleaders@wsba.org by March 23.

Ethics Line

Members facing ethical dilemmas can talk with WSBA professional responsibility counsel for informal guidance. Learn more at www.wsba.org/about-wsba/ethics/ethics-line or call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

WSBA Connects

WSBA Connects provides all WSBA members with free counseling in your community on topics including work stress, career challenges, addiction, and anxiety. Visit www.wsba.org/about-wsba/ethics/ethics-line or call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

The ‘Unbar’ Alcoholics Anonymous Group

The Unbar is an “open” AA group for attorneys that has been meeting weekly for over 25 years. Find more details at www.wsba.org/about-wsba/ethics/ethics-line or call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

Career Consultation

Get help with your résumé, networking tips, and more at www.wsba.org/about-wsba/ethics/ethics-line or email wellness@wsba.org.

NEWS AND INFORMATION

WSBA NEWS

Opportunities to Comment on Proposed Court Rule Amendments

The WSBA encourages members to actively monitor and provide feedback when the Washington Supreme Court is considering amendments to its rules. Keep track of opportunities to comment at www.wsba.org/about-wsba/rules-feedback or visit the court’s website at www.courts.wa.gov/court_rules/?fa=court_rules.

COMMENT THROUGH APRIL 30:


COMMENT THROUGH MAY 30:

Rule of Professional Conduct (RPC) 7.3 (Solicitation of Clients). The Washington Supreme Court has revised the proposed amendment to RPC 7.3 (part of the RPC Title 7 advertising amendment recommended by the WSBA last year) and has republished just that rule for public comment through May 30. Visit www.courts.wa.gov/court_rules/?fa=court_rules.proposedRuleDisplay&ruleid=4774.

WSBA MEMBER WELLNESS

WSBA Connects

WSBA Connects provides all WSBA members with free counseling in your community on topics including work stress, career challenges, addiction, and anxiety. Visit www.wsba.org/about-wsba/ethics/ethics-line or call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

ANNUAL AWARDS

APEX Nominations Due March 23

The WSBA is seeking nominations for the 2020 APEX (Acknowledging Professional Excellence) Awards to honor exemplary members of the legal community. Send a completed nomination form, available at www.wsba.org/about-wsba/apex-awards, and supporting materials to barleaders@wsba.org by March 23.

RESOURCES

Free Practice-Management Assistance and Consultations

The WSBA offers free resources and education on practice-management issues. For more information, visit www.wsba.org/pma.

You can also schedule a free phone consultation with a WSBA practice-management advisor to find answers to your questions about the business of law firm ownership. Common inquiries we can help with include technology adoption, opening or closing a law office, and client relationship management. Visit www.wsba.org/consult to get started.

Lending Library

The WSBA Lending Library is a free service to WSBA members offering hundreds of available titles free for short-term loan. Visit www.wsba.org/library to learn more and see what’s available.

Free Legal Research Tools

Visit www.wsba.org/legalresearch to learn more and to access Casemaker and Fastcase for free.

QUICK REFERENCE

Usury rate for March 2020 is 12%.
B O A R D  O F  G O V E R N O R S  E L E C T I O N S

Interested in Running?

AT-LARGE GOVERNOR: This Board position was created to provide a voice for WSBA members from historically underrepresented groups, with the goal of making the Board more diverse and representative. Per the WSBA’s Bylaws, “under-representation and diversity may … include, but not be limited to age, race, gender, sexual orientation, disability, geography, areas and types of practice, and years of membership, provided that no single factor will be determinative.” The three-year term of office for the at-large governor position, currently held by Alec Stephens, will begin in late September. All active WSBA members are eligible to apply. The application deadline is April 20; all candidates will be interviewed (in person or by telephone) and one will be elected by the Board at its May 14-15 meeting in Bellingham. Interested candidates are invited to join a conference call with Governor Stephens to learn more about the position. Application instructions and conference call information are posted at www.wsba.org/elections.

PRESIDENT-ELECT: The WSBA Board of Governors seeks applicants for the position of president for 2021-22, who will serve as president-elect in 2020-21, beginning in late September. The president has an opportunity to make a significant contribution to the legal profession. Active lawyer members of the WSBA are eligible to apply. The application deadline is April 20; all candidates will be interviewed and one will be elected by the Board at its May 14-15 meeting in Bellingham. Application instructions and additional information are posted at www.wsba.org/elections.

DISTRICTS 3, 6, AND 7-NORTH WILL ELECT NEW GOVERNORS IN MARCH: If you live in Congressional District 3, 6, or 7-North, please plan to vote for your representative on the WSBA Board of Governors between March 13 and April 1. (Brent Williams-Ruth has been declared the winner in District 8.)

CANDIDATES:

**District 3**
- John Bachofner
- Lauren Boyd
- D. Angus Lee

**District 6**
- Jean Cotton
- Brett Purtzer

**District 7-North**
- Mercedes Donchez
- Matthew Dresden
- Andrew Poliom

ONLINE > To learn more about the candidates running for the available positions, please visit the Board Elections page at www.wsba.org/elections.

VOTING: The WSBA will use an electronic voting system, and members will not receive a paper ballot unless they request one. Email ballots will be sent on March 13 and must be received by 5 p.m. PDT, April 1. All active WSBA members are eligible to vote in the district of their residence. All out-of-state active WSBA members are eligible to vote in the district of the address of their agent within Washington for the purpose of receiving service of process as required by APR 13(f) or, if specifically designated to the executive director, within the district of their primary Washington practice. For further information on any of these positions, please contact WSBA Volunteer Operations Specialist Pam Inglesby at barleaders@wsba.org or 206-727-8226.
SGB WELCOMES

Page Ulrey

AREAS OF FOCUS

Nursing Home Abuse & Neglect
Sexual Assault in Care Facilities
Elder Financial Exploitation

A national leader in the field of elder justice, Page has 17 years of experience prosecuting cases of elder and vulnerable adult abuse, neglect & exploitation. Welcome, Page!

JAMS Seattle Neutrals
Mediators
Arbitrators
Neutral Evaluators
Problem Solvers

1420 Fifth Avenue · Suite 1650 · Seattle, WA 98101 · 206.622.5267 · jamsadr.com/seattle
This In Remembrance section lists WSBA members by bar number and date of death. The list is not complete and contains only those notices of which the WSBA has learned through correspondence from members.

James W. Abbott, #4670, 10/15/2019
J. David Andrews, #100, 10/25/2019
Douglas G. Bain, #13076, 1/18/2020
Joseph Anthony Barreca, #174, 11/15/2019
Keith S. Bergman, #3963, 8/1/2018
John Pell Bitting, #37623, 1/18/2020
Julian McFarland Bray, #25337, 1/19/2020
Phillip Eugene Brenneman, #9219, 12/16/2019
Timothy Clement Burkart, #19658, 10/3/2019
Mary Ellen Combo, #9467, 8/3/2019
Allen W. Dermody, #28208, 11/25/2019
Malcolm L. Edwards, #135, 9/14/2019
James Reed Ellis, #341, 10/21/2019
Richard J. Ennis, #7520, 1/17/2018
J. David Fine, #33362, 6/13/2019
Stephen S. Ford, #22632, 10/26/2019
Ingrid W. Hansen, #6167, 10/1/2019
Gary P. Harrell, #37351, 7/23/2019
Stephen Craig Haskell, #7832, 1/24/2020
Hon. Edward Heavey, #110, 9/27/2019
Lance Hendrix, #35034, 9/24/2018
Shane Hernandez, #28769, 11/27/2018
Kathleen Erin Hitchcock, #21723, 8/25/2019
Hon. Dennis James Hubel, #15484, 9/16/2019
Fredrick Davis Huebner, #12682, 11/21/2019
Helmut Kah, #18541, 11/30/2019
William Richard Lanthorn, #510, 10/25/2019
Deborah Lynne Lyons, #15630, 1/18/2020
Conrad Crispin Lysiak, #14433, 10/19/2017
Roy James Mecer, #1146, 8/15/2019
William N. Moloney, #1142, 1/29/2020
Della J. Moore, #23071, 2/28/2019
Kirk Ian Mortensen, #3832, 6/4/2019
Rudolf Viktor Mueller, #255, 9/29/2019
Richard Stuart Oettinger, #3389, 12/20/2019
Hon. Rosselle Pekelis, #5662, 12/9/2019
Elizabeth Ann Perry, #7234, 9/27/2019
Stanley H. Reeves, #17722, 7/7/2019
Robert A. Richards, #27596, 6/27/2019
Theodore Archie Roy, #3360, 4/13/2019
Scott A. Schillinger, #50992, 2/2/2020
Richard G. Sharkey, #17736, 10/4/2019
Gregory Tim Smith, #8992, 11/9/2019
James M. Triplet, #18745, 12/23/2018
John Homer Ward, #4284, 6/5/2019
Laura A. Weight, #28202, 1/19/2020
William Porter Wimberley, #4479, 6/30/2019
James Rodney Woolston, #4182, 8/30/2019
James Joseph Workland, #4324, 11/26/2019
Richard John Wotipka, #12014, 9/28/2019
Joel Evans Wright, #8625, 12/20/2019

Please email notices to nwlawyer@wsba.org.
**DISCIPLINE & OTHER REGULATORY NOTICES**

**THESE NOTICES OF THE IMPOSITION OF DISCIPLINARY SANCTIONS AND ACTIONS** are published pursuant to Rule 3.5(c) of the Washington Supreme Court Rules for Enforcement of Lawyer Conduct. Active links to directory listings, RPC definitions, and documents related to the disciplinary matter can be found by viewing the online version of NWLawyer at [www.wsba.org/news-events/nwlawyer](http://www.wsba.org/news-events/nwlawyer) or by looking up the respondent in the legal directory on the WSBA website ([www.wsba.org](http://www.wsba.org)) and then scrolling down to “Discipline History.”

As some WSBA members share the same or similar names, please read all disciplinary notices carefully for names, cities, and bar numbers.

**Suspended**

Kyle Flindt (WSBA No. 37322, admitted 2006) of Issaquah, was suspended for one year, and the suspension shall be stayed on condition of successful completion of two years of probation, effective 8/04/2017, by order of the Washington Supreme Court imposing reciprocal discipline in accordance with an order of the U.S. Patent and Trademark Office. Joanne S. Abelson acted as disciplinary counsel. Kyle Flindt represented himself. The online version of NWLawyer contains a link to the following document: the Washington Supreme Court Order.

**Interim Suspension**

Daniel E. Liebman (WSBA No. 41498, admitted 2009) of Olympia, is suspended from the practice of law in the state of Washington pending the outcome of supplemental proceedings, effective 12/13/2019, by order of the Washington Supreme Court. This is not a disciplinary sanction.

**Transfer to Disability Inactive Status**

Ashley A. DeMoss (WSBA No. 28948, admitted 1999) of Olympia, was by stipulation transferred to disability inactive status, effective 1/13/2020. This is not a disciplinary action.

**Notice of Hearing on Petition for Reinstatement of James Lloyd White**

A petition for reinstatement after disbarment has been filed by James Lloyd White, WSBA No. 14132, who was admitted in 1984, suspended in 2005, and disbarred in 2006. Prior to his suspension and disbarment, Mr. White practiced in several counties in Washington state, including King and Snohomish Counties.

A hearing on Mr. White’s petition will be conducted before the Character and Fitness Board on Friday, April 24, 2020. No later than 5 p.m. on March 25, 2020, anyone wishing to do so may file with the Character and Fitness Board a written statement for or against reinstatement, setting forth factual matters showing that the petition does or does not meet the requirements of Washington Supreme Court Admission and Practice Rule (APR) 25.5(a). Except by the Character and Fitness Board’s leave, no person other than the petitioner or petitioner’s counsel shall be heard orally by the Board.

Communications to the Character and Fitness Board should be sent to Jean McElroy, Counsel to the Character and Fitness Board, Washington State Bar Association, 1325 Fourth Ave., Ste. 600, Seattle, WA 98101-2539, or to jeann@wsba.org. This notice is published pursuant to APR 25.4(a).

---

The WSBA invites you to lunch and learn while earning 1.5 CLE credits. And the tab is on us! The WSBA hosts a 90-minute, live webcast CLE at noon on the last Tuesday of each month.

For more info and to register, visit [www.wsbacle.org](http://www.wsbacle.org).
Thank You!
With your gifts during license renewal, you renewed your commitment to justice!

☑ YOUR GIFT to the Washington State Bar Foundation supports Washington State Bar Association programs that provide training, networking, and mentorship events to help build a more inclusive profession, as well as programs that create opportunities for legal professionals to serve their communities.

☑ YOUR DONATION to the Campaign for Equal Justice helps our grantees like the Northwest Immigrant Rights Project, Columbia Legal Services, the King County Bar Association and 16 volunteer programs around the state provide critical legal services to individuals and families living in poverty.

We are grateful to everyone who gave this year!

The Washington State Bar Foundation and Legal Foundation of Washington (Campaign for Equal Justice) are public charities. Your donations are tax-deductible to the full extent of the law.
ANNOUNCEMENTS

Need to Make an Announcement?

New partner or associate at your firm? Let the legal community know in the *NWLawyer* Announcements section!

**PLACING AN AD IS EASY:**
Contact Robert Page at SagaCity Media
206-454-3035
rpage@sagacitymedia.com

---

**FLOYD, PFLUEGER & RINGER, P.S.**

is pleased to announce that

**Martha E. Raymond**

has joined the firm as Of Counsel.

Martha is excited to return to the Pacific Northwest and focus on the defense of the firm’s professional liability clients, including physicians, hospitals and clinics.

Floyd, Pflueger & Ringer’s diverse litigation team emphasizes defense of complex civil litigation matters, including medical malpractice and professional liability, retail and premises liability, construction claims (defect and injury), fire and catastrophic events response, employment law and transportation.

200 W. Thomas Street, Suite 500
Seattle, WA  98119-4296
Tel: 206-441-4455
Facsimile: 206-441-8484
www.floyd-ringer.com

---

**WAMS**

is pleased to announce that

**Hon. Susan Keers Serko (Ret.)**

has joined our mediation and arbitration panels.

For scheduling in our office or yours, please contact:

**Washington Arbitration & Mediation Service**

Tel: 206-467-0793
or 800-933-6348
WAMS@usamwa.com
www.usamwa.com

---

**PHILLIPS BURGESS, PLLC**

is proud to announce

**Kevin J. Jussel & Brooke M. Frickleton**

have joined our transactional team.

With a cadre of outstanding professionals devoted to serving the Real Estate, Land Use, and Environmental needs of the region’s families, businesses, and industries, we offer each of our valued clients the in-depth knowledge and personalized attention that have become hallmarks of the Phillips Burgess brand.

**Phillips Burgess, PLLC**
724 Columbia Street Northwest, STE 320
Olympia, Washington 98501
&
915 South 1 Street
Tacoma, Washington 98405
Tel: 360-742-3500
www.phillipsburgesslaw.com

---

**PHILLIPS BURGESS, PLLC**

is pleased to announce that

**Kevin J. Jussel & Brooke M. Frickleton**

have joined our transactional team.

With a cadre of outstanding professionals devoted to serving the Real Estate, Land Use, and Environmental needs of the region’s families, businesses, and industries, we offer each of our valued clients the in-depth knowledge and personalized attention that have become hallmarks of the Phillips Burgess brand.

**Phillips Burgess, PLLC**
724 Columbia Street Northwest, STE 320
Olympia, Washington 98501
&
915 South 1 Street
Tacoma, Washington 98405
Tel: 360-742-3500
www.phillipsburgesslaw.com

---

**FLOYD, PFLUEGER & RINGER, P.S.**

is pleased to announce that

**Martha E. Raymond**

has joined the firm as Of Counsel.

Martha is excited to return to the Pacific Northwest and focus on the defense of the firm’s professional liability clients, including physicians, hospitals and clinics.

Floyd, Pflueger & Ringer’s diverse litigation team emphasizes defense of complex civil litigation matters, including medical malpractice and professional liability, retail and premises liability, construction claims (defect and injury), fire and catastrophic events response, employment law and transportation.

200 W. Thomas Street, Suite 500
Seattle, WA  98119-4296
Tel: 206-441-4455
Facsimile: 206-441-8484
www.floyd-ringer.com

---

**WAMS**

is pleased to announce that

**Hon. Susan Keers Serko (Ret.)**

has joined our mediation and arbitration panels.

For scheduling in our office or yours, please contact:

**Washington Arbitration & Mediation Service**

Tel: 206-467-0793
or 800-933-6348
WAMS@usamwa.com
www.usamwa.com
DUNLAP MEDIATION SERVICES

Debbie Dunlap is located in downtown Seattle and Moses Lake for availability to successfully mediate cases in Western and Eastern Washington locations at her office or offices of counsel for the parties.

Debbie has mediation training and experience. She has litigated insurance defense and plaintiff’s personal injury cases for over 30 years in most counties in Washington, focused on minor to major catastrophic injuries and wrongful death, as well as brain and psychological injuries, sexual torts, abuse and harassment, and insurance bad faith, consumer protection, and subrogation. Debbie is also experienced in: landowner disputes such as boundary line, adverse possession, tree cutting, waste and nuisance; and product and school district liability.

Providing economical and fair mediations, any travel time is not charged for.

Contact Debbie at:
debbie@dunlapms.com
Or visit: www.dunlapms.com
3131 Western Avenue, Suite 410
Seattle, WA 98121
Phone 425-765-0078
or fax 425-642-8700

U.S. BUSINESS IMMIGRATION

Physicians, Health Care, and Science Professionals

W. Scott Railton
Cascadia Cross-Border Law
Tel: 360-671-5945
srailton@cascadia.com
www.cascadia.com

FORENSIC ACCOUNTING

Robert Loe, CFE, CPA

- Certified fraud examiner
- Forensic accounting
- Litigation support
- Expert witness testimony
- Experienced peer reviewer
- Former investigator for state board of accountancy
- Licensed in WA, AK, & DC

Contact: 221 First Avenue West, Suite 400
Seattle, WA 98119
Tel: 206-292-1747
www.loecpa.com
robert@loecpa.com

LAW FIRM BREAK-UPS PARTNER DEPARTURES & EXPULSIONS

Discreet consultation and litigation of partner withdrawals or expulsions.

Smyth & Mason, PLLC

have years of experience successfully representing departing partners, expelled partners, and law firms. Operating agreements, divisions of profits, receivables, case files and clients; redistribution of debt and costs.

Don’t go it alone.

Smyth & Mason, PLLC
1325 Fourth Avenue, Suite 940
Seattle, WA 98101
Tel: 206-621-7100
Fax: 206-682-3203
www.smythlaw.com

APPELLATE LAW

State and Federal Civil Appeals

Ronald E. Farley, PLLC

Over 40 years of experience with practice in all divisions of the Washington State Courts of Appeals, Washington State Supreme Court, and Ninth Circuit Court of Appeals

COGDILL, NICHOLS & FARLEY
505 W. Riverside Ave., Suite 532
Spokane, WA 99201
Serving both Eastern and Western Washington
Tel: 509-252-5047
ron@cogdillnicholsfarley.com

CAPTIVE INSURANCE & REGULATORY QUESTIONS?

Captive insurance/insurance regulatory interest? We appreciate your consideration and referral for insurance regulatory, captive/self-insured, and risk retention group matters.

www.KregerBeeghly.com
SB@KregerBeeghly.com
Tel: 206-618-6110

SB@KregerBeeghly.com
Tel: 206-618-6110
FREEDOM OF SPEECH

(See, e.g.,):

Yates v. Fithian,
2010 WL 3788272
(W.D. Wash. 2010)

City of Seattle v. Menotti,
409 F.3d 1113 (9th Cir. 2005)

State v. Letourneau,
100 Wn. App. 424 (2000)

Fordyce v. Seattle,
55 F.3d 436 (9th Cir. 1995)

LIMIT v. Maleng,
874 F. Supp. 1138 (W.D. Wash. 1994)

James E. Lobsenz
701 Fifth Avenue, Suite 3600
Seattle, WA 98104
206-622-8020
lobsz@carneylaw.com
www.carneylaw.com

HOLMES & COMPANY, PC

Fraud and Forensic Accounting
Economic Damages
Business Valuation
Commercial Litigation
Accounting and Tax Malpractice
White Collar Financial Crime
Expert Testimony
Plaintiff and Defense
Full Service Public Accounting

William N. Holmes
CPA, ABV, CVA, CFE
7128 SW Gonzaga Street, Suite 100
Portland, OR 97223
Tel: 503-270-5400
Fax: 503-270-5401
wnholmes@pdxcpas.com
www.pdxcpas.com

MEDIATION

Mac Archibald
Mac has been a lawyer in Seattle for over 40 years. He has tried a wide range of cases including maritime, personal injury, construction, products liability, consumer protection, insurance coverage, and antitrust law.

Mac has over 25 years of experience mediating cases. He has mediated over 2,000 cases including maritime, personal injury, construction, wrongful death, employment and commercial litigation.

Mac has a reputation for being highly prepared for every mediation and for providing as much follow-up as necessary.

Law Offices of Edward M. Archibald
MEDIATION SERVICES
22832 S.E. 5th Terrace
Sammamish, WA 98074
Tel: 206-903-8355
Email: mac@archibald-law.com

SELF-DIRECTED IRA

Warren L. Baker
Legal and tax consulting for non-traditional retirement account investors. Avoid IRS scrutiny, prohibited transactions, UBTI, and other problems.

Tel: 206-753-0305
warren@fairviewlawgroup.com
CIVIL APPEALS
Successful results in personal injury, insurance, family law, commercial, and more.

Jason W. Anderson
Tel: 206-622-8020
anderson@carneylaw.com

INVESTOR CLAIMS
Former NASD Series 7, 66 and life/annuity insurance-licensed broker/investment advisor. Available for consultation and referrals in claims involving broker/dealer error, fraud, and investment suitability.

Courtland Shafer
Llewellyn & Shafer, PLLC
4847 California Ave. SW, Ste. 100
Seattle, WA 98116
Tel: 206-923-2889
courtland@llllaw.net

MEDIATION AND ARBITRATION GROUP
Hon. Rosanne Buckner, Ret.
Barbara Jo Sylvester
Henry Haas
William P. Bergsten
Robert Beale
Each with over 40 years experience handling a diverse range of cases. Our team is ready to help resolve your complex matters.
Please visit our website for additional information.

Mcgavick Graves, P.S.
1102 Broadway, Suite 500
Tacoma, WA 98402
Local: 253-254-5900
Toll Free: 800-709-7015
www.mcgavickgraves.com

COMPUTER FORENSIC
• Analysis
• Incident Response
• Investigations
• Testimony

Dr. Gordon Mitchell
The eSleuth
Ph.D. UW Electrical Engineering
CPP, CISSP, SANS GSEC & GCIH
fellow of ISSA and SPIE

legal.enquiries20@eSleuth.com
888-375-3884 • Future Focus, Inc
WA PI 548
https://eSleuth.com

Have a Legal Service to Offer?

PLACING AN AD IS EASY:
Contact Robert Page at SagaCity Media
206-454-3035
rpage@sagacitymedia.com

GET PUBLISHED!
We Are Looking for a Few Good Writers
See your name in lights (well, in ink, anyway) in NWLawyer! If you have an article of interest to Washington lawyers or have been meaning to write one, see page 4 for article submission guidelines. NWLawyer relies almost entirely on the generous contribution of articles from WSBA members.

Questions? Contact nwlawyer@wsba.org
Real estate legal practice with two locations is headquartered in the fastest growing metro area in the fastest-growing state (Idaho). This real property law firm has two locations (Spokane and Coeur d’Alene), two attorneys, three support staff, and average gross revenue over $550,000 the last three years (2016-2018). For more information on this turnkey practice, contact info@privatepracticetransitions.com or call 253-509-9224.

Profitable Pierce County law practice that has been a staple in Pierce County for over 20 years. In 2019, the practice brought in over $700,000 in gross receipts! The practice/case breakdown is 35% real estate; 30% residential, commercial, corporate, employment, and general litigation; 20% personal injury including wrongful death; 10% business formation; and 5% other. The practice is located in a 2,500 SF, fully furnished office that is also available for sale, if desired. If you are interested in exploring this opportunity, would like the freedom to be your own boss, and/or increase your current book of business substantially, then this is perfect for you. Email info@privatepracticetransitions.com or call 253-509-9224.

Extremely profitable Seattle immigration law practice that has average gross revenue of over $1,300,000 the last three years (2016-2018). Even more, in 2018 the gross revenue was over $1,500,000! This successful firm has substantial advance fees in trust. The practice employs two attorneys in addition to the partners, seven paralegals, three full-time administrative staff, and one part-time support staff. If you are interested in exploring this opportunity, would like the freedom to be your own boss, and/or increase your current book of business substantially, then this is perfect for you. Contact info@privatepracticetransitions.com or call 253-509-9224.

Central Washington elder law & estate planning practice with a practice/case breakdown by revenue of approximately 34% probate, 30% estate planning, 19% guardianship, 13% Medicaid planning, and 4% vulnerable adult. The practice has average gross revenue of over $266,000 the last three years (2017-2019), with 2019 gross revenue over $300,000. The owner of the practice is open to selling the office building to the person who purchases the practice, if desired. Contact info@privatepracticetransitions.com or call 253-509-9224.

Established Tumwater family law & estate planning practice that has a practice/case breakdown by revenue of approximately 70% family law, 15% estate planning, 5% real estate, 5% business, and 5% other. The practice is located in a 2,650 SF building that is also available for sale, if desired. With 2018 gross revenue right around $200,000 and 166 active clients, this practice is poised for growth under new ownership. Contact info@privatepracticetransitions.com or call 253-509-9224.

SUCCESSFUL KING COUNTY INSURANCE DEFENSE PRACTICE is located in the heart of Seattle, has average gross revenue of over $855,000 in gross revenue in 2018. The practice/case breakdown by revenue is 50% bodily injury, 10% property damage, 10% product liability, 10% professional liability, 10% plaintiff work, and 10% other. Contact info@privatepracticetransitions.com or call 253-509-9224.

Established Pierce County insurance defense practice that was established in 1998 and has approximately 150 active clients as of December 2019. The average gross revenue the last three years was over $1,017,000. The practice/case breakdown by revenue is 50% bodily injury, 10% property damage, 10% product liability, 10% professional liability, 10% plaintiff work, and 10% other. Contact info@privatepracticetransitions.com or call 253-509-9224.

Established Seattle estate planning practice that has a practice/case breakdown by revenue of approximately 45% estate & trust administration, 40% estate planning, and 15% other (collateral matters, estate tax preparation, real property issues, etc.). The practice is located in the heart of downtown Seattle, has average gross revenue of over $286,000 the last three years (2016-2018), and is poised for growth under new ownership. Contact info@privatepracticetransitions.com or call 253-509-9224.

Thriving Grants Pass, Oregon, family law practice with cases in Josephine and Jackson Counties. The owner has built a firm with a stellar reputation and desires to sell the business as a turnkey operation in order to retire. The average gross revenue for the past two years is over $530,000, and the 2019 Seller’s Discretionary Earnings (SDE) was over $350,000! The practice/case breakdown is 100% family law. The practice was established in 1975 and is located in a desirable, fully furnished office. The practice employs three staff, including the owner. Email info@privatepracticetransitions.com or call 253-509-9224.

TO PLACE A PRINT CLASSIFIED AD
RATES, DEADLINE, AND PAYMENT:
WSBA members: $50/first 50 words; $1 each additional word.
Non-members: $60/first 50 words; $1 each additional word.
Email text to classifieds@wsba.org by the first day of each month for the following issue (e.g., May 1 for the June issue). Advance payment required. For payment information, see http://bit.ly/NWLawyerAds. For questions, email classifieds@wsba.org.
practice employs six people: one owner/attorney, one associate attorney, three legal assistants, and one office administrator. Contact info@privatepracticetransitions.com or call 253-509-9224.

**Thriving & well-rounded Pierce County law practice** that has been a staple in Pierce County for over 20 years. The practice is absolutely thriving with average gross revenue over $1.6 million the last three years. The practice/case breakdown is 30% trusts, estates, & probate; 15% business formation; 15% plaintiff personal injury; 15% commercial & corporate litigation; 8% real estate; 7% municipal; and 10% other. Contact info@privatepracticetransitions.com or call 253-509-9224.

**Profitable Snohomish County personal injury practice** that has been in business for more than 27 years. The practice/case breakdown by revenue is approximately 95% personal injury and 5% other. The practice is located in a 1,022 SF, fully furnished office that is also available for sale, if desired. Contact info@privatepracticetransitions.com or call 253-509-9224.

**SERVICES**

**Attorney with extensive research and writing experience drafts briefs and motions for busy attorneys.** Reasonable rates. Prompt turnaround times for trial and appellate briefs, motions for summary judgment, interrogatories, and LEXIS research. Legal experience includes superior court clerkship. Excellent references! Elizabeth Dash Bottman, WSBA #11791; ebottman@gmail.com; 206-526-5777.

**Forensic document examiner—ABFDE certified.** Court-qualified, state and federal. Document examinations provided in cases involving disputed signatures, handwriting/printing, computer-generated documents, photocopies, stamp and seal impressions, watermarks, differentiation of inks, and the examination and decipherment of alterations, insertions, obliterations, and indented writing. Examinations include medical, business, mortgage and real estate records, wills, contracts, and threatening letters. Curriculum Vitae available at www.forensicdynamics.org. Contact Jan Seaman Kelly at 702-682-0529 or email forensicdynamicsllc@gmail.com.

**Contract attorney for busy litigators.** I now have a solo practice confined to providing contract litigation assistance, including summary judgment motions, appeals.
 written discovery, depositions, pretrial motions, and court appearances.
Twenty-five years’ litigation experience, including 9th Circuit judicial clerkship.
Contact Joan Roth at 206-898-6225 or joanrothlaw@comcast.net.

Contract attorney for legal writing and analysis, including science and engineering strategy development. Analysis of discovery, development of legal arguments, and drafting persuasive briefs, including practice areas with technical and scientific fact patterns such as product liability, medical malpractice, and construction. Contact Leslie English at 206-552-8321 or Leslie@LeslieEnglishLaw.com.

Forensic document examiner retired from the Eugene Police Department. Trained by the U.S. Secret Service and U.S. Postal Inspection Service. Court-qualified in state and federal courts. Contact Lynne Wilson at 206-328-0224 or lynnewilsonnatty@gmail.com.

Thinking about buying or selling a practice? If you are, we can help—guaranteed! Private Practice Transitions, Inc., is the preeminent provider of specialized brokerage services in the Northwest, catered specifically to the owners of professional services businesses—like you! We have countless buyers and sellers waiting for the right opportunity. Take control of your tomorrow by calling us today at 253-509-9224 or check out our website at www.privatepracticetransitions.com.

Legal research and writing attorney. Confidential legal research, drafting of pleadings, formatting, and citation checking for trial- and appellate-level attorneys. Professional, fast, and easy to work with. Call Erin Sparger at 206-504-2655. Sign up for free case law updates at www.LegalWellspring.com; erin@legalwellspring.com.

Make your web copy shine! Freelance writer and attorney of 15+ years, ready to perfect your web content, blog posts, newsletters, marketing materials, white papers, e-books, etc. One hundred percent professional and reliable. Almost a decade of professional writing/marketing experience. Dustin Reichard: dustin@drwrites.com or 206-451-4660. Please visit www.drwrites.com for more information.

Emerald City Attorney Network. Top contract attorneys and paralegals. Want increased revenue and free lunch? Let us turn your excess work into billable hours. Increase profit, satisfy waiting clients. Let us take you to lunch, or bring lunch for your office, and discuss how we can help: www.emeraldcityattorneynetwork.com; 206-388-7808; andy@emeraldcityattorneynetwork.com.

Gun rights restored! Your client lost gun rights when convicted of a felony or DV misdemeanor, but in most cases can restore rights after a three- or five-year waiting period. AV-rated lawyer obtains superior court restoration orders throughout Washington. David M. Newman, The Rainier Law Group. Contact: 425-748-5200 or newman@rainierlaw.com.

Nationwide corporate filings and registered agent service. Headquartered in Washington. Online account to easily manage 1-1,000 of your clients’ needs: www.northwestregisteredagent.com; 509-768-2249; sales@northwestregisteredagent.com.

Gun rights restored! Your client lost gun rights when convicted of a felony or DV misdemeanor, but in most cases can restore rights after a three- or five-year waiting period. AV-rated lawyer obtains superior court restoration orders throughout Washington. David M. Newman, The Rainier Law Group. Contact: 425-748-5200 or newman@rainierlaw.com.

Classic, historic building on Capitol Hill has 1-4 office suites available for sublease. Located on East Pine Street, close to downtown with easy access to freeways and transit. Includes reception services, waiting area, conference rooms, kitchen facilities, janitorial services, basic utilities (electricity, water, garbage), and multiline phone. Rents vary from $950 to $1,100 per month, but will consider package deal for lease of all four offices to one business. Contact amas@groffmurphy.com for more information or to schedule a tour.


Downtown Bellevue furnished offices with workstations for staff available for sublease. Located on the 7th floor of the Key Bank Building, 10655 NE 4th Street in downtown Bellevue. Walking distance to the Bellevue Transit Center. Two offices and two workstations for staff available April 1. $2,200/month for each office with workstation. Includes use of reception area, conference room, kitchen, and name on office door and lobby directory. Monthly parking in the building is available. Please contact Bridgette at 425-451-2400 x104 or bknoll@dijslaw.com.

Available for sublease from law firm in Class A space up to 6 offices and 3 cubicles on 38th floor of Bank of America Plaza at 800 Fifth Ave Seattle 98104; three blocks from King County Courthouse, shared conference room and kitchen. $1,200 p/office, $400 p/cubicle. Call David at 206-805-0135.


Prime office space for rent in downtown Kirkland with views of Lake Washington. Includes access to kitchenette/break room, conference rooms, receptionist, multiline phone, internet, and free parking for tenant/visitors. Paralegal space also available. Contact Dylan Kilpatric for details, 425-822-2228 or Dylan@kirklandlaw.com.

Downtown Seattle, 1111 3rd Ave, Class A space, receptionist, voicemail, conference room, copier, scanner, phone, gym, showers, bike rack, light rail and bus stop across the street, several offices available now, secretarial space available, share space with an existing immigration law firm, $1,275 per office, 503-294-5060, ask for Jeri.

Private office suites in downtown Seattle starting at $700/month! Located close to courts on the 32nd floor of the Safeco Plaza building. Includes internet, reception services, conference rooms, kitchen facilities, fitness center. Call 206-624-9188 or email adm@bscofficespace.com for more information and to schedule a tour. www.bscofficespace.com.
**Meet the Washington Supreme Court's New Chief Justice**

FEB. 2020

**The Road Ahead: Mobile Justice & Movement Lawyer**

VOL. 7

**THE LIFE AND (LEGAL) TIMES OF LEM HOWELL**

NO. 2

**THE LONG, HARD FIGHT**

+ Equity Needs More than a Month

**How the rise of “deepfakes” — genuine-looking but falsified videos created with easily accessible AI technology — could undermine the reliability of evidence at trial**

**How the state Legislature creates a dramatic new landscape for noncompete clauses**

**The Supreme Court Bar Structure Work Group wraps up**

**An inside look at UW's Technology Law and Public Policy Clinic**

**Two-party consent in the age of the “internet of things”**

**Algorithmic bias in the workplace**

**Attorneys abroad: what it's like to practice law overseas**

**Vaccines: an overview of current law and a look at the future**

**Meet your Board of Governors**

**Pro bono in focus: legal professionals working for the public good**

**NWLawyer FEB 2020_v3.indd   1**

**NWLawyer FEB 2020_v3.indd   1**

**1/30/20   12:37 PM**

**1/30/20   12:37 PM**

**DEC. 2019/JAN. 2020**

**VOL. 7**

**NO. 1**

**SEPT. 2019**

**VOL. 7**

**NO. 7**

**NOV. 2019**

**VOL. 7**

**NO. 9**

**OCT. 2019**

**VOL. 7**

**NO. 8**

**NWLawyer is the only publication that reaches all active WSBA members!**

The current circulation is over 34,000.

For more info, contact Robert Page at SagaCity Media:

206-454-3035 or rpage@sagacitymedia.com

**REACH THE AUDIENCE YOU WANT**

Advertise in NWLawyer!
I look up to Warren Buffett. Buffet’s many decades at the top have given him a unique perspective. He retains his common sense and is able to put things in perspective and not overreact.

I absolutely can’t live without coffee.
I enjoy reading a book on each American president.
My favorite place in the Pacific Northwest is any running trail on a sunny spring day.
I am happiest when I am with my kids.
I grew up in Denver/Boulder, Colorado, watching the Broncos and Buffaloes win a lot of football games … distant memories.
Friends would describe me as having more hobbies than time.
My dream trip would be a European continental tour.
If I had a time machine, I would go back to the moment of creation and see how it all began.
If I could pick a superpower, it would be the ability to create additional superpowers. Sort of a gimme question.
My first car was bought on the cheap and I got what I paid for.
If $100,000 fell into my lap, I would apply it toward student loans.
You should give this a try: sardine sandwich—it’s healthy, cheap, and not nearly as gross as you think.
My all-time favorite movie or TV show is The King of Queens.
My hero is my late grandmother, Ruth, who worked tirelessly for her family for decades without ever complaining.
I would like to learn a foreign language, beyond enough Spanish to be dangerous.

We’d like to learn about you!
Email nwlawyer@wsba.org to request a questionnaire.
POWERING PAYMENTS FOR THE LEGAL INDUSTRY

Powerful Technology
Developed specifically for the legal industry to ensure comprehensive security and trust account compliance

Powering Law Firms
Plugs into law firms’ existing workflows to drive cash flow, reduce collections, and make it easy for clients to pay

Powering Integrations
The payment technology behind the legal industry’s most popular practice management tools

Powered by an Unrivaled Track Record
15 years of experience and the only payment technology vetted and approved by 110+ state, local, and specialty bars as well as the ABA

WSBA members receive a 3-month FREE trial

ACCEPT PAYMENTS WITH LAWPAY
866-645-4758 | lawpay.com/wsba
Trust us with your DUI and Criminal Defense referrals. With more than twenty-five years of experience handling these cases, we’ve seen just about everything. We know mistakes happen and we know how to solve them.

1800DUIAWAY.com • Seattle Everett Tacoma Bellevue • 1-800-DUI-AWAY

“Thank you for all your hard work, for pushing me on, I feel like I’m your only client. I hope you and your families have a safe, happy and healthy holiday season and year ahead.” - Cheryl O., Redmond, WA

“Dougal was patient, thoughtful, and genuinely empathized and I felt taken care of from the first phone call. He was able to get my charge significantly reduced. I can’t recommend him, or this firm, enough. Great work, great people, and worth every penny!” – Kay S., Seattle, WA