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The editor reserves the right to edit articles as deemed appropriate. The editor may work with the writer, but no additional proofs of articles will be provided. The editor reserves the right to determine when and if to publish an article. For a How-To guide on writing an article for NWLawyer, email nwlawyer@wsba.org. NWLawyer is published nine times a year (FEB, MAR, APR/MAY, JUN, JUL/AUG, SEP, OCT, NOV, DEC/JAN) on or about the first of the month. The current circulation is approximately 32,000.
I was born at Seattle’s now-defunct St. Cabrini Hospital on First Hill and grew up amidst madrona trees, hydroplanes, the Space Needle, Woodland Park Zoo, the Rainier Brewery, Jimi Hendrix, the Arboretum, Husky Stadium, J.P. Patch- es, and Almost Live.

Man, was I glad to get out of there. Honestly, no. But like a number of today’s WSBA members, I am a lifestyle expatriate from the Emerald City, having chosen 23 years ago to relocate to a quieter, cheaper, less traffic-challenged corner of the state. I settled in Bellingham, a lovely city of 85,000 up here a little south of the Canadian border. It’s a great place to live and work, and when I topple over dead at my desk in time-honored lawyer fashion, it most likely will be here.

And while I’ll always consider Seattle my hometown — Ivar’s clam chowder still runs in my veins — I appreciate how much more there is to our great, diverse state. So, when a NWLawyer brainstorming session raised the idea of publishing an issue dedicated to authors or topics based outside the Seattle metro area, I was all in favor. Despite genuine ongoing efforts at geographical inclusiveness, the WSBA has persistently been accused of Seattle-centrism, which is natural for a state with both a major population center and vast much-less-populated territory. The Seattle Issue is our tribute to WSBA members and the admirable work they do to the north, south, east and west of Latte Land.

In “From Litigation to Conservation: One Lawyer’s Journey” (page 22), Wenatchee lawyer Mickey Flemming explains how at age 60, 35 years after graduating from law school, she is doing what she believes she was meant to do: working as lands project manager for the Chelan-Douglas Land Trust. It’s the story of a self-described “Midwestern girl from Cincinnati who milked cows on her way to law school, worked hard to prove that the first female lawyer in the firm was as good as the guys, and finally had the courage to give up a comfortable partnership to move to a small town without a job.”

As editor of the Whatcom County Bar Journal (having succeeded yours truly in that position), Blaine-based attorney Rajeet Majumdar enjoys lambasting his colleagues in the big city to the south — Bellingham, that is. In “Practicing Out Here” (page 13), he shares with NWLawyer readers the unique joys and challenges of practicing law as far north and west as any American lawyer in the Lower 48 could, dealing with border-related issues, prosecuting criminal cases in municipal court, and tending to the daily affairs of his general practice small-town clientele.

In “Curves Ahead” (page 40), Jeff Johnson, who practices personal injury and misdemeanor criminal defense in Kennewick and Yakima, describes the perils and complications involved in representing illegal immigrants in non-immigration cases, where immigration status can unexpectedly turn even a minor crime, or the mere fact of being involved in litigation, into life-changing consequences including incarceration and deportation.

WSBA member Abigail Cromwell, a former King County deputy prosecutor, went extraordinarily far afield, tackling the task of providing legal aid to refugees from harrowing circumstances around the world. Having served with Asylum Access Tanzania, and now as executive director of The Center for Progressive Legal Defense, LLC, Cromwell describes in “The Struggle for Refuge” (page 36) the front-line legal battles fought by advocates for basic justice worldwide.

In “Life on the Rock” (page 30), Island County Deputy Prosecuting Attorney Kathryn Ludwick tells what it’s like to live and work in one of those places Seattleites visit only for vacation. The setting is gorgeous, but for a prosecutor it can also mean things like going to the grocery store and running into people you once put in jail.

For Sonia Cook, who grew up in the Bay Area, moving to Seattle was actually a step down in terms of population. In “Heading East” (page 17), she explains how and why she then left Big Law altogether, ending up even farther from the madding crowd, now practicing as a contract public defense attorney at Franklin County District Court.

WSBA Editorial Advisory Committee Chair Allison Peryea is a reverse expatriate, having grown up in Wenatchee and moved to Seattle, where she now practices. So she speaks with authority in “Top 10 Reasons NOT To Live in Seattle” (page 34), in which she lauds the joys of non-Seattleleness while subtly chiding the reverse snobbishness of some non-Seattleites among us.

That’s just a sample of this month’s content, which we hope you will appreciate regardless of your particular geographical circumstances. NWL
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Left to right: Kathleen Keenan Kindred, Robert H. Thompson and Thomas A. Thompson  Top: Robert J. Heller and Patrick C. Cook  Bottom: Jonathan K. Winemiller and Michael J. Costello
Going with the FLOW
Celebrating Multiplicity in a Changing World

As promised in my October column, I am opening the President’s Corner to guest writers to inform and discuss the issues that impact minority communities and the experiences of minority attorneys. Our first article comes from Mario Cava, who was recently elected to the WSBA Board of Governors. This article is a good start to the series, because it highlights an increasingly important theme about the intersection of identity and history in a multicultural society. As our members and the public continue to identify as members of multiple minority groups, this will continue to be an important gateway discussion to understanding what cultural competence is both inside and outside of a minority identity. — A.D.G.

By Mario M. Cava

When asked to write about the experience of Filipino lawyers in Washington state for NWLawyer, I wondered, “What qualifies me to write about any particular racial or ethnic group within Washington state?” While the surveyors and promulgators of demographic information often rely on categories for practical reasons, I’ve never liked them. As a product of the 1980s, no discrete conception of identity could accurately convey my hybrid experience as a half-Filipino, half-Caucasian, and openly gay lawyer. Nor would any such description better qualify me to serve a particular identity group in a practical sense. While shared experiences might enhance the lawyer-client relationship in some respects, our work is far from done here. The WSBA must continue to approach diversity with an understanding of the complex socio-economic, multiracial, multiethnic, and multicultural experiences of its members and the populations it serves.

As the WSBA celebrates 125 years of existence, it also marks steady progress in its efforts to promote diversity through creating diversity-focused staff positions, implementation of a Diversity and Inclusion Plan, continued support for Minority Bar Associations (MBAs), the Washington Leadership Institute, and the Diversity Initiative, as well as through the WSBA Mission Statement and Guiding Principles, to name a few examples.

Nonetheless, it was only six years ago that the Filipino Lawyers of Washington (FLOW) emerged as an MBA. As with the other MBAs, the establishment of FLOW coincides with shifting demographics. Filipino-Americans are the second largest population of Asian-Americans, and the Filipino population is rising across the country. In 2010, the U.S. Census documented 3.4 million Filipinos in the nation. That same year, the Washington State Commission on Asian Pacific American Affairs (APAA) reported that Filipinos comprised 13.5 percent of the Asian-American population within this state. In 2011, the U.S. Department of State estimated that there were about four million Filipinos in the U.S. These numbers are also expected to increase. In 2014, the Census Bureau identified Tagalog (the national language of the Philippines) as the most commonly spoken language behind English and Spanish in California, Nevada, and Hawaii. In Washington, it’s the fifth most common.

At the outset, FLOW aspired to reach this growing community. Its mission statement outlines, among other things, several key objectives regarding the community at large: 1) to foster exchange of ideas and information among lawyers and the community, 2) to provide service to the general and local community, 3) to promote diversity in the profession, and 4) to encourage cooperation with organizations of minority attorneys. FLOW also celebrates the Filipino culture and provides a vehicle for the expression of opinions and positions about current social, political, economic, legal or other matters or events concerning members of the community. FLOW is not alone in this regard. The WSBA and all of the MBAs embrace similar objectives and incorporate service to the community as an organizational objective.

The complexities of cultural and racial hybridity call for a postmodern approach, taking into account the narratives of attorneys joining the profession and the
clients they serve. By welcoming me with open arms, FLOW helped restore a sense of kinship with my Filipino heritage. After a divorce frayed some of my ties to Filipino culture, my identification as Filipino-American was largely mandated by the color of my skin and cultural remnants of my Filipino youth. As a second-generation Filipino, I never learned Tagalog or participated in ceremonial traditions. While I have largely re-established some of my family history over time, I knew no other Filipino lawyers

This wave of hybridity will place additional demands upon a profession that struggles to retain lawyers from diverse backgrounds. While the 2012 WSBA Membership Study revealed expanding diversity among Washington’s lawyers, it also made plain that retention of these lawyers would require mentorship at a time when many of our colleagues are considering retirement. The departure of experienced attorneys will present an opportunity to mentor attorneys from backgrounds different from our own.

Traditionally, the MBAs offer access to services, mentorship, and networking opportunities for underrepresented groups within the WSBA. That’s a tall order. As Washington diversifies with the rest of the country, attorneys who identify with multiple identity groups will seek such opportunities with multiple MBAs. We must support these efforts. We must also strengthen partnerships among the MBAs and co-sponsorships of events, reexamine diversity training available for legal employers, and encourage involvement in multiple MBAs, regardless of how attorneys identify. Wherever possible, CLEs and seminars on diversity should account for matters of hybridity. Meanwhile, it is essential that attorneys engage multiple MBAs where appropriate for insight into the needs of specific clients.

Make no mistake: The WSBA will continue to support mentorship and pursue avenues to elevate the competency of new and transitioning attorneys across the state, regardless of their backgrounds. The WSBA and the MBAs will always celebrate and promote diversity. But with this new hybrid generation on the horizon, we as attorneys must answer the call as well.

Mario Cava is a WSBA governor at-large and a senior litigation auditor/in-house counsel with Enterprise Legal Services at Liberty Mutual Insurance Group. Contact him at mario.cava@libertymutual.com.

WSBA President Anthony David Gipe practices of counsel at Shatz Law Group in Seattle, focusing on civil rights, injury claims, family law, and select business litigation. He can be reached at adgipewsbo@gmail.com.
I still remember the first time (in my early 20s) I heard someone refer to the “east side” when they meant Bellevue. Growing up in Eastern Washington, we had heard stories of people on the west side sometimes referring to the east side and meaning Bellevue, but until I actually heard it, I guess it didn’t sink in that they weren’t even considering the rest of the state east of Bellevue. I suppose, truth be told, now that I’ve lived on the west side as long as I have, I’ve been known to refer to Bellevue (and cities on the east side of Lake Washington) as the “east side.”

I also remember bringing a friend home for spring break when we were in college (my undergraduate school was in California). She was from Hawaii. I knew we were in for an interesting week when the plane was landing in Spokane and she looked out the window and asked me, “What’s all that?” I leaned over her shoulder to see what she was referring to and replied, “Those are wheat fields” (although they were all dirt, since the spring wheat wasn’t in yet). She queried further, “But what’s in between, what’s all that?” I replied, “Wheat fields.” Oh boy, I thought.

During that week, we started in Pullman (my hometown) and drove all the way across the state out to the San Juan Islands (my grandma had moved from Arizona to Orcas Island in the late ’60s). It really is true that seeing something through someone else’s eyes can give one a new appreciation for it and a new perspective about it. If you have never driven across our state from east to west, or west to east for that matter, I encourage you to do so — it is an unbelievable potpourri of scenery, topography, and landscapes that is nothing short of amazing.

From the rolling hills of the Palouse, to the scablands of Washtucna, on to the Columbia River at Vantage and up the grade into Ellensburg (where you often see Mt. Rainier from the top), then into Snoqualmie Pass and down into amazing Puget Sound, surrounded by mountains, trees, and water. And let’s not forget the varied terrain from north to south: the tulip fields of the Skagit Valley, Mt. Baker off in the distance, and the amazing ferry ride through the San Juans, where mountains and water abound.

I was overwhelmed by the wealth of beauty and stunning ruggedness our state has to offer. Seeing it through Anne’s eyes made me appreciate it in a way I never had. (OK, the jay-walking tickets we both received in Seattle during our stop there weren’t so great — $50 back then was a lot of money, especially for college students!)

People often talk about the east–west divide in our state, even with respect to our profession and how different practicing in one part of the state is from the other. When I set out to write this column, I thought I could “prove” that the east side and the west side are not really that different at all. That is, through numbers, I would show that, for example, the number of solo and small-firm lawyers per capita was the same throughout the state — or, by age and years in practice, there wasn’t much variance.

Then I realized that the numbers aren’t really what matter. Through the WSBA Listening Tours I’ve participated in each year, I’ve had the wonderful opportunity to see the state through someone else’s eyes, just like that spring break.
trip so many decades ago. The three Listening Tours so far have taken me and the various WSBA presidents to every corner of the state — from Colville to Clarkston, Ephrata to Lyle, Wenatchee to Okanogan, South Bend to Port Angeles, Everett to Bellingham, and on to Friday Harbor, with numerous stops in between — geographically we’ve covered a wide swath. Each president that I’ve had the pleasure of making these trips with has also brought a variety of perspectives: Steve Crossland, a solo practitioner from Central Washington; Michele Radoshevich, a partner in a large city firm; and Patrick Palace, owner of a small firm in a mid-size city.

The theme that ties all of the Listening Tours together — and what really ties us together, not only as a profession, but as a state — is that, for the most part, all of us are dealing with the same issues, challenges, and opportunities in our work for this profession and our clients. I recall Michele remarking to members several times during meetings on our Tour, “You know, even though I’m from a large firm in downtown Seattle, we’re really dealing with the same issues.” And it really is true because, by the end of many of our meetings, it was clear that even though within the group there were different practice areas, different practice settings, and different hometowns, for the most part, as lawyers, we could relate to each other around our dedication to the profession and the people we seek to serve in Washington and beyond. That is what binds us together: not east side, west side, north, south, or outside of the state, but our sense of professionalism and commitment to the individual and the system we are charged with protecting that is based on the rule of law.

Traveling around the state, getting to meet with all of you, and getting to work with so many of you in our daily work at the WSBA is what makes this job so incredibly rich. As I’ve said many times over the years, and will continue to say, I am proud to be a lawyer. And I’m proud to work in my profession, for my profession, every day as executive director of the Washington State Bar Association. We truly have an amazing state, but even more so, we have an amazing community of legal professionals here in Washington.

And I’m not kidding — if you haven’t driven across this state, east to west, north to south, or by circumnavigating it — I really do recommend it! NWL
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The SI(ATT)LE Issue
It is with some amusement that I write this article: I am the editor of the Whatcom County Bar Journal, and I spend most of my monthly musings lambasting the city slickers in the big city of Bellingham for their urbane ways. So when the NWLawyer editor asked that I write about what it is like to practice outside of the King County hub, the mischievous side of my mind started plotting all kinds of tales to befuddle and skewer the suits up in Seattle’s skyscrapers. But I reined myself in — to the great relief of the WSBA, I am sure. You see, I practice on the periphery of the periphery, way up in Blaine, on the border with the Great White North. And I couldn’t be any happier. (This is, of course, a lie; we don’t have an Italian restaurant in Blaine, so how can I truly be maximally happy?)

I like to tell people that I am the continental United States’ northern-most lawyer (another lie; my business partner and mentor Roger Ellingson’s desk is about 12 feet north of mine, but to be fair, he is often down south in the fair hamlet of Ferndale) and that I can throw a football from my office door into Canada (a big lie; I am really terrible at throwing footballs). The title I like most, however, is claiming to be a “small-time country lawyer,” probably because this is the most accurate thing I can say. I can wander my town, Blaine, and greet the business owners, public servants, and various proprietors as they call me by name. The citizens of our small burg are outgoing and friendly: the servers at our various eateries know my favorite dishes and the way I like them. It is a good life, and I have not yet gotten to describe the practice of law, which, if anything, is even more rewarding. I mean “it is a good life” when the villagers haven’t arbitrarily decided to chase me with pitchforks that day, and when I say practicing law is “more rewarding,” I mean in the sense that getting yelled at by a judge is more pleasant than being tarred and feathered. This is the risk you face when you practice in a very small place, though.

On any given day, I meet with people who have every sort of dilemma that a small town can muster: disputes over property, figuring out how to start or change a business, facing criminal charges, confronting family law issues, or even arguing over who owns cremation remains. I love the diversity of stories and characters that wander into my office every day. Plus, when you practice in a rural environment, you end up getting to wear a lot of hats. I wear a prosecutor hat in two different cities and I am a criminal defender in others. I edit our Whatcom County Bar Journal and I sit in the superior court as pro tem commissioner on a continuing basis. I argue on the same side and on the opposite side of the table with my colleagues, sometimes depending on the time of day. In my office, I keep a print of an oil painting: Pieter Brueghel the Younger’s Village Lawyer. The painting depicts a 16th-century village lawyer’s office with people bringing him payment in farm goods and with sheaves of pleadings overflowing chaotically. Not much has changed in 500 years, I guess. About two years ago, I had a carton of frozen sea cucumbers dumped in my office; the sea cu-
When you have a community of attorneys who have to work with each other over and over (and over), there is a lot of incentive to be cordial, respectful, and professional in all of your dealings.

...
Luvera Law Firm attorney Ralph Brindley was awarded the 2014 Tom Chambers Trial Lawyer of the Year Award from the Washington State Association for Justice. Rebecca Roe, of the Washington State Association for Justice, presented Mr. Brindley with the award in July 2014, calling him “the nice guy who finishes first.”

The inscription on Mr. Brindley’s award reads: “For your grace, integrity, exceptional advocacy skills, compassion for the unjustly injured, and earning the utmost respect from your adversaries and the bench, we honor you as exemplifying the best of being a trial lawyer.”

Ralph Brindley

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The Peace Arch, on the border between the communities of Blaine, Washington, and Surrey, British Columbia, was built by Sam Hill and dedicated in September 1921, and commemorates the signing of the Treaty of Ghent in 1814.

Attorneys in Washington practice in King County, an even greater percentage of attorneys in Whatcom County practice in Bellingham... I tease them the same, telling them to rename the Whatcom County Bar Association the Bellingham Bar Association. The fact of the matter is, it is easy to forget us small-time country lawyers out here on the range, serving as Washington’s first line of defense against the hordes of ravenous polar bears that lurk just over the border. But we’re here, and if you are ever in the neighborhood, stop by to say hello and bring me news of civilization...and maybe some good Italian food. NWL

Rajeev D. Majumdar operates a diverse general practice, though he focuses on transactional support for business clients as well as both criminal and civil litigation services for Canadians facing claims or charges in Whatcom County. He also serves as the city prosecutor for Blaine. He can be contacted at rajeev@northwhatcomlaw.com or http://whatcombar.org.

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Teru Olsen
Associate
Ryan, Swanson & Cleveland, PLLC
Admitted 2008

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Once, during law school, I worked as a model for Motorola to make some extra cash. Pulling up to the call location in my husband’s little white pickup truck, I noticed two of the stylists checking me out. In the makeup chair, the artist chattily asked me to name my favorite San Francisco bars and nightclubs. “I don’t really go out much,” I said, as his eyes widened. “I’m a student.”
Although I would never have imagined myself living in a place called the Tri-Cities when I was younger, somehow this eclectic mix of wineries, nuclear engineers, and underserved, primarily Latino farmworkers intrigued me.

While a hairstylist blew out my long strands, I highlighted and jotted notes in a casebook. “What is that, an encyclopedia?” said the hairstylist, horrified. I smiled, but could sense an intense curiosity sweep through the set. Apparently it reached the director of photography. “I hear you have some interesting reading habits,” he said. Indeed.

After growing up in the Bay Area and earning my law degree from the University of California at Berkeley Law School (Boalt Hall), my move to Seattle went fairly smoothly. Other than some genuine gloominess over the weather, we broke into laughter when we crossed the mountains to find a perfectly sunny morning in drizzly, sub-50-degree Richland. Although I would never have imagined myself living in a place called the Tri-Cities when I was younger, somehow this eclectic mix of wineries, nuclear engineers, and underserved, primarily Latino farmworkers intrigued me. Most people who look like me, who are first-generation Americans like me, work their hardest to escape small towns and chase greater opportunities in big cities. So far, with each move I have made as an adult, I had moved in the opposite direction: the San Francisco Bay Area, to Seattle, to Tri-Cities, Washington.

You’re Moving Where?
When we told our next-door neighbor we were moving to Pasco, she squinted. “Is that in Texas?” she said. I gave her a pass because she originally hailed from out of state but was surprised to find that many native Seattleites had no clue where it was, either. I found myself trying to explain it, although I had yet to experience it myself for more than a couple of days. I knew there was a nuclear processing site somewhere near, yet far enough not to fear the radiation. Many of the signs and buildings were straight from the 1950s. Downtown Pasco, just east of where we decided to settle, was pretty dilapidated, although it did contain a few gems, including an amazing farmers market, ample Mexican street food, and the copper-domed, marble-floored Franklin County Courthouse. Exploring our new surroundings, I noticed a plethora of tiny law offices tucked into the most unassuming places — behind a dental office or nestled between a salon and an antiques shop. I could sense that the legal community would be quite different out here, harking back to an earlier era of less specialization, more solo practitioners, and more family-based small firms.

I didn’t know what breaking into such an old-school setup would entail, but I was enthused by the possibilities and itching to build myself a more flexible practice, one that could synchonize with other goals I had set for myself prior to moving: continue work on my novel, start a family, and do more with my legal skills for minority and indigent communities.

While a hairstylist blew out my long strands, I highlighted and jotted notes in a casebook. “What is that, an encyclopedia?” said the hairstylist, horrified. I smiled, but could sense an intense curiosity sweep through the set. Apparently it reached the director of photography. “I hear you have some interesting reading habits,” he said. Indeed.

After growing up in the Bay Area and earning my law degree from the University of California at Berkeley Law School (Boalt Hall), my move to Seattle went fairly smoothly. Other than some genuine gloominess over the weather, I found many aspects of the liberal, technology-driven, entrepreneurial environment reminiscent of home. Although Seattle certainly felt more like a big town than a big city, that sort of intimacy appealed to me. After working as an associate at Perkins Coie LLP for a couple of years, I grew to understand the Pacific Northwest culture by working for many of our wonderful local clients, including powerhouses Microsoft, Boeing, and Starbucks.

For family reasons, I briefly left the practice of law and ended up moving to Guadalajara, Mexico, for less than a year before returning to the Seattle area. During our time abroad, I soaked up the language (my mother’s native tongue) and relaxed pace of life while scribbling the start of a novel on yellow legal pads in a sun-drenched courtyard. Returning to Seattle after that was difficult. My husband and I craved warmth and taco trucks; more flavor, more surprises, and less gray.

Thus, when he was recruited to teach chemistry at Pasco High School in the Tri-Cities, Washington, we had to seriously consider it. Leaving Seattle one morning in drizzly, sub-50-degree weather, we broke into laughter when we crossed the mountains to find a perfectly pristine 75-degree day. The neighborhoods varied from cookie-cutter flat and surrounded by fields of produce to mature and close to the Columbia River.

After scoping things out, we ended the day sipping red wine under an umbrella on the back patio of Tagaris Winery in Richland. Although I would never have imagined myself living in a place called the Tri-Cities when I was younger, somehow this eclectic mix of wineries, nuclear engineers, and underserved, primarily Latino farmworkers intrigued me. Most people who look like me, who are first-generation Americans like me, work their hardest to escape small towns and chase greater opportunities in big cities. So far, with each move I had made as an adult, I had moved in the opposite direction: the San Francisco Bay Area, to Seattle, to Tri-Cities, Washington.

You’re Moving Where?
When we told our next-door neighbor we were moving to Pasco, she squinted. “Is that in Texas?” she said. I gave her a pass because she originally hailed from out of state but was surprised to find that many native Seattleites had no clue where it was, either. I found myself trying to explain it, although I had yet to experience it myself for more than a couple of days. I knew there was a nuclear processing site somewhere near, yet far enough not to fear the radiation. Many of the signs and buildings were straight from the 1950s. Downtown Pasco, just east of where we decided to settle, was pretty dilapidated, although it did contain a few gems, including an amazing farmers market, ample Mexican street food, and the copper-domed, marble-floored Franklin County Courthouse. Exploring our new surroundings, I noticed a plethora of tiny law offices tucked into the most unassuming places — behind a dental office or nestled between a salon and an antiques shop. I could sense that the legal community would be quite different out here, harking back to an earlier era of less specialization, more solo practitioners, and more family-based small firms.

I didn’t know what breaking into such an old-school setup would entail, but I was enthused by the possibilities and itching to build myself a more flexible practice, one that could synchonize with other goals I had set for myself prior to moving: continue work on my novel, start a family, and do more with my legal skills for minority and indigent communities.
The Lay of the Land

I started my search for satisfying legal work in the standard way, reviewing job postings on the WSBA website and calling my contacts. A partner in my old group at Perkins Coie LLP connected me to a former associate who had moved to the area. She put me in contact with the director of the Benton and Franklin Counties Office of Public Defense, which was where I ended up submitting my qualifications and earning a contract to provide public defense services for indigent clients accused of misdemeanor crimes and probation violations in Franklin County. I found the community to be quite friendly and collegial. Tom Roach, a top immigration attorney in the area, offered to send out my résumé with a letter he wrote to introduce me to the local bar. His firm sent it out to every other law firm in the area — over 150 offices. One of his partners and brother, Pat Roach, took me to a local bar association meeting. Looking around the room, I noticed that the group was almost exclusively older, white, and male. I didn’t necessarily fit in, but I didn’t feel excluded, either.

Later, in response to the letters sent out, a local attorney called to say hello and to question me as to how I planned to fit into this community when my résumé, full of liberal projects such as legal work for the Democratic National Committee and other progressive entities, was so clearly at odds with Eastern Washington’s pro-Republican political climate. I have to admit, I was a bit miffed, but for the most part, I took it in stride. “I’m a young, brown, female attorney,” I said. “I think I can figure out how to work with people different from me.”

Working It

After considering many options, in December 2013, I decided to accept a contract offer to work in public defense in Benton and Franklin counties because the position was both flexible and potentially fulfilling; I would finally be working with the indigent population I desired to serve. Yet the setup had its negatives as well, and prior to starting, the biggest drawback I anticipated was the lack of mentorship opportunities. Certainly, I thought, if I had no workplace full of veteran colleagues and senior attorneys, it would be difficult to learn from the talent and experience of others. As I constantly strive to gain new skills and achieve excellence, this was a big problem for me.

Surprisingly, since moving to the Tri-Cities, I have found a fantastic mentor in a senior criminal law attorney and public defender on the Benton and Franklin Counties felony panel named Karla Kane. Like me, Karla is a transplant from Western Washington, and like me, she is a Latina who enjoys having a bustling practice serving some of the most vulnerable members of society, while also being a devoted wife, mother, and friend. She became my mentor after responding to a mass email I wrote to all senior attorneys on the panel, searching for someone willing to let me assist with a criminal trial. Since meeting Karla, she has helped me with everything from choosing professional liability insurance to preparing for and conducting criminal trials. She has also mentored me, as a woman, in
aspects related to work-life balance. As I write this, I am six months pregnant, and have vented to Karla about things both miniscule and important — finding court appropriate maternity wear, for example, or how a judge or jury might perceive me while pregnant.

One thing Karla has pointed out to me about being an attorney and mother in the Tri-Cities is that due to less traffic and more flexibility, she is able to do more during working hours with her kids than she could in Seattle. She can make it to a performance during the school day because it takes no more than 15 minutes to drive anywhere she needs to be. I had the chance to see this in practice one day when I was working with Karla to prepare for a domestic violence trial. We had an interview with the complaining witness at 3 o’clock in the afternoon, but prior to that, we picked up her son and his friend from school and dropped them at their orthodontics office. We conducted the interview, picked up the kids, and all enjoyed some ice cream before heading back to work. The entire detour took only 30 minutes out of the work day. Although I’m not a mother yet, I do find myself frequently squeezing more value out of my time — my most precious asset.

West vs. East
In many ways, it is difficult for me to make a clean comparison between life as an attorney in Western Washington versus Eastern Washington because the practice I have out here is so fundamentally different from the one I had in Seattle. What I like most about my new life in the Tri-Cities is how extraordinarily useful I feel to my clients — many of whom are undocumented immigrants or the children of undocumented immigrants. The first time a young man told me he planned to earn money to pay his court fines by picking produce over the summer, I had a hard time imagining what that would entail, but now I get it as much as anyone who has not toiled for a living under the hot sun can. I may not look like most attorneys out here — or anywhere in Washington, for that matter — but out here, my cultural background certainly impacts the interconnectedness I feel with many of my clients.

Ultimately, no matter where we end up living in the long term, I will never regret having come here to serve the indigent and accused in this needy but also beautiful and relaxed place.

Sonia D. Cook is a contract public defense attorney at Franklin County District Court. She is the newest member of Judge Bruce A. Spanner’s working group to improve mental health competency evaluation completion times in Benton and Franklin counties. She can be reached at cook.pds@gmail.com.

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At age 60, 35 years after graduating from law school, I am finally doing what I was meant to do. The path here was circuitous, only enriching the journey. This is the story of a Midwestern girl from Cincinnati who milked cows on her way to law school, worked hard to prove that the first female lawyer in the firm was as good as the guys, and finally had the courage to give up a comfortable partnership to move to a small town without a job. This was exactly the course to a satisfying second career with a land trust in Wenatchee, Washington.
A Scientific and Legal Background

My college experience began with studying philosophy at Bennington College in Vermont. I decided that was too abstract and abandoned it for a dairy farm, which led to a bachelor of science in agriculture at Purdue University in West Lafayette, Indiana. Intrigued by an agricultural economics professor who speculated about a billion Chinese using resources at the rate of American consumption, I thought I could combine agricultural science with law in some fashion. I was drafted into the litigation practice as the first female lawyer in a 19-person firm in Cincinnati, Ohio, became a partner, went into labor writing an appellate brief, pumped breast milk before oral argument in the court of appeals... you get the idea. Four years in the middle of my career were spent in Guatemala, where I was on the board of directors and later employed by the international school that my children attended. My experience there included negotiating construction contracts in Spanish and overseeing construction in rubber Wellingtons. In sum, my interests were always eclectic.

I returned to the States and the firm for 12 more years of practice representing landowners in real property matters — zoning, eminent domain, tax valuations, boundary issues and the like — in forums from a township board of zoning appeals to the Ohio Supreme Court. When my second child graduated from high school, we decided to leave the Midwest for a new adventure. We chose 20 acres on a perch 3,000 feet above the Columbia River near Wenatchee. A close friend who settled here in the ’80s to practice cardiology said it was a place to pursue the good life.

Choosing a Nonprofit Career

It was no surprise that I became a member of Wenatchee’s Chelan-Douglas Land Trust (CDLT, www.cdlandtrust.org) when we moved. My work in Ohio had introduced me to three widely diverse nonprofits that I now immediately recognize as being in the family of land trusts.

The smallest of these three was the Hillside Trust, a highly respected
advocate for preservation of the hillsides surrounding Cincinnati (www.hillsidetrust.org). When my clients fought to protect their hillside neighborhood from the development of a hulking high-rise condominium, the Hillside Trust was at their side.

Another case brought me in contact with the American Farmland Trust (AFT), a national organization dedicated to preservation of farmland (www.farmland.org). My client left the family farm where he had been born for the AFT to prevent its becoming a big-box mall. His children filed a will contest on the ground that he was incompetent. This painful litigation was ultimately settled with the AFT receiving 50 percent of the value to protect other farmland.

My introduction to the win/win nature of conservation transactions was with the Cincinnati Nature Center (CNC), where my mother volunteered in the library and gift shop. CNC describes itself as “the largest member-supported nature center in the country” (www.cincynature.org). I represented a client who made a bargain sale of land adjoining one of the nature center’s properties to expand trail systems and protect habitat. Generations of families love the Nature Center’s preserves; my siblings and I donated a trail-side bench to commemorate my mother’s 90th birthday.

These three organizations are a microcosm of the many nonprofits within the “land trust” penumbra. Under the Internal Revenue Code, a “qualified organization” eligible to receive a tax deductible real property interest donation must be a listed governmental unit or a 501(c)(3) public charity meeting the public support test (26 U.S.C. § 170(h)(1)(B)). In Washington state, a “nonprofit nature conservancy corporation” must be federal-tax-exempt, and have as one of its principal purposes scientific research, conservation of natural resources for the general public, or conservation of natural areas for wildlife or plant habitat (RCW 64.04.130(2)).

The 30-plus land trusts in Washington have territories as small as Lummi Island and as large as the Columbia River Basin. The Land Trust Alliance is a comprehensive resource for and about the thousands of land trusts in the United States (www.landtrustalliance.org). The great majority are local organizations with a mission aligned to community values associated with the land in that area. The range of community values is broad: there are land trusts dedicated to affordable housing, preservation of Native American culture, historic preservation, and protection of specific habitats like estuaries or specific species like elk. There are also state-wide organizations (e.g., the Washington Association of Land Trusts, www.walandtrusts.org) and well-known national (e.g., the Trust for Public Land, www.tpl.org) and international groups (e.g., the Nature Conservancy, www.nature.org), all working — often together — to facilitate the desires of

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landowners and individuals to create a better life in their communities and to perpetuate their values.

During my first year in Wenatchee, I frequently rose at 6 a.m. Pacific time for 9 a.m. Eastern time calls on my remaining cases. Four trips back to Cincinnati culminated in a successful trial and two successful appeals, and finally it appeared that I was done. I was admitted to the WSBA (by reciprocity), sold tickets at the Mission Ridge Ski area, and took master gardener training. As it all began to wind down in the summer of 2008, I read an ad in the Wenatchee World. The Chelan-Douglas Land Trust was looking for a lands project manager, a job with a potpourri of duties ranging from identifying properties for conservation to analyzing title issues and negotiating with landowners. Most intriguing, the qualifications section included “ability to hike in difficult terrain.” That was new. My response was immediate: I can do that! And I have.

What to Expect: Pros and Cons
Should such an opportunity ever come your way, here are 10 things to know about working for a land trust.

You accomplish a great deal with relatively modest resources. As a litigator, it was not uncommon to spend years — even up to a decade — working on a case. My clients frequently “won,” but often the victory was at great cost in time, emotion, and money. Exhaustion and disillusionment about the system were shared by winners and losers.

Over the last six years, we have protected miles of precious salmon spawning and rearing habitat in the upper tributaries of the Columbia River. We have acquired fee title or conservation easements on thousands of acres of wildlife habitat, open space, and scenic vistas in the foothills near Wenatchee. We are frugal and efficient. The work product is tangible; you can hike on it!

Your professional life is largely conflict-free. Most of my legal colleagues in Cincinnati were good, honorable people who believed in vigorously representing their clients while treating opposing counsel and parties with civility. But there were exceptions. A few believed that aggression was the way to prevail, and even if they didn’t win, they still made life miserable.

At the land trust, I’ve worked closely with dozens of landowners, collaborated with numerous partner agencies, applied for grants in fierce competition with others, and guess what — I have yet to experience petty, ad hominem attacks. It is a relief.

Everybody wins. “Nobody wins” is an unfortunate reality of much litigation. In land trust work, the landowner who donates land or a conservation easement, or who sells his property interest at fair market value, wins. When you successfully complete the acquisition, the funding agency that has chosen this project as one of the best proposals to meet a particular purpose wins. The land trust board and members who support the organization because they...
believe in its values — they win. The larger community receives tangible benefits like a clean water supply and public access to trails, but also the intangible value of protecting treasured places for future generations. So they win, too. It is an honor to be part of such positive work.

You work with intelligent, committed folks who treat each other well. I loved many of my two dozen law partners. Some of these relationships lasted longer than my law school marriage! There were great mentors, and I am proud to have been a mentor to a number of young lawyers. I see substantially less ego, less emphasis on material rewards, and less caste hierarchy at the land trust. It feels better.

You feel useful in the world. I took great pride in diligent work, thorough research, and well-crafted legal arguments. I represented my clients with integrity and had good results. I supported my family and put money away for college and retirement. But I could not always convince myself that the subject matter was really worth all the life energy it absorbed. How long will that result hold up? How much good will be done with the monetary reward? Will anyone ever read that decision?

When we acquire land or finalize a conservation easement, it is permanent. In perpetuity, forever — audacious terms indeed, and who knows exactly what will happen over time? Nevertheless, there is a commitment to have that piece of land remain substantially as is, and there are solid legal documents supporting that covenant. This gets me up in the morning.

You feel useful to your coworkers. Much of my work as a litigator was done alone. Satisfaction came from the intermittent successful result, the paycheck, and client appreciation when the case was over. We largely looked to our legal colleagues for a communal feeling of well-being.

My work with landowners to conserve their land is the core of the land trust’s mission. The rest of the staff are non-lawyers, many with advanced degrees in biology, wildlife, botany, geology, and sometimes social science or business. They are smart, interesting people who can teach you a great deal, but they need you to answer lots of questions, to write and interpret contracts, to draft policies, and to provide advice on issues great and small. It is good to be a valued part of the team.

You work in strikingly beautiful places. I saw a great deal of my office and the insides of courthouses during my legal career. I traveled to every corner of Ohio, to San Diego for an adult adoption deposition, and to Sedona for an eminent domain conference. While I still spend much of my time in an office, the “day in the field” to investigate a prospective property snowshoeing through ponderosa pine forest, or watching salmon spawn in meandering rivers topped by snow-covered mountains, more than compensates. It is a rare privilege to call such days work.

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Your wardrobe is cheaper. No explanation required. I even get free hats. It better be cheaper, because the pay is substantially less. That is a segue to the reality check: nonprofit work is not profitable.

The compensation is modest. I make less than half of my 2007 base pay as a lawyer, and forgo the 25–50 percent profit-sharing bonus. There is concern that bonus or performance-based compensation could jeopardize the land trust’s nonprofit status as a dreaded private inurement. We do have generous paid time off and health insurance, and finally got dental this year. We have a 403(b) qualified plan with a small employer contribution. I can do this now, financially, because I worked in private practice for many years.

The land trust graciously reimburses my license fee and continuing legal education expenses relevant to my work, covering national and regional land trust conferences with approved CLEs at reduced prices. Since I don’t represent individual clients and the land trust has outside counsel, I don’t carry malpractice insurance. But I can’t see letting my WSBA license lapse — it was too much work to get here!

This is not a retirement job. This satisfying work is still hard. Working collaboratively with so many persons, entities, and interests can be more difficult than just formulating your position on a set of facts, marshalling your best legal argument and fighting it out with the opponent. Grants reimburse documented hours, so you are still a time-keeper. Children who inherited property in undivided interests and don’t get along are just as problematic in conservation transactions as they are in settling estates.

And you are never done — there is always another fabulous property to be preserved. Thank goodness for that! Some land trust lawyer will be working on it! NWL

Mickey Fleming is the lands project manager for the Chelan-Douglas Land Trust and has practiced law since 1979, representing landowners in Ohio on issues relating to real property in administrative and litigation forums. Before going to law school, she received a bachelor’s degree in agriculture from Purdue University. Friends and the beauty of the Northwest brought Mickey and her husband Dirk Horton to Wenatchee to use their talents in new ways and to enjoy its recreational opportunities. She is a Chelan County master gardener and the mother of two sons. She can be reached at mickey@cdlandtrust.org.
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I live where Seattleites vacation. Home is Whidbey Island, a 55-mile-long island located 30 miles north of Seattle, between the Olympic Peninsula and the I-5 corridor of Western Washington, replete with a surprising contrast of rolling farmland, dense acres of forest, and a navy base. Whidbey Island forms the northern barrier of Puget Sound, hemming in pods of gray whales and orcas for delighted tourists. Together with Camano Island, the two islands form Island County, populated by about 80,000 people.
Life on “the Rock” comes with its own unique advantages and disadvantages. As a deputy prosecuting attorney in my first year of practice, I’ve learned to take the bad with the good — and to always treat random members of the community with respect… because you never know when you’ll run into them in court.

The Commute
I love my commute. On the days I have to be in court, it takes fewer than four minutes to get from my front door to my chair at the prosecutor’s table in the courtroom. When I have to head from home to the office, the trip clocks in at about 14 minutes, cruising at a steady 50 m.p.h. the entire time. Along the way, I usually see deer frolicking along the side of the road, a bald eagle or two, and the jagged peaks of the Olympic Mountains, every crack and peak beautifully traced and glistening in the morning sun.

Of course, my commute will probably kill me.

The deer like to play in traffic. Whether the impulse is suicidal in nature or otherwise, the deer here are content to graze along the side of the highway, mere inches from the two-ton killing machines whizzing by at a speed guaranteed to smatter them into an entrée in a matter of seconds. Even worse, once the deer have finished on one side of the highway, they amble across two lanes of traffic to the other. Ambler. Mosey. Stroll. This is not a mad dash to greener pastures. This is a carefree saunter that begs to be Instagrammed, and the deer will slow appropriately and pose so you can do just that. During daylight hours, at least.

At night, that same meandering spirit can turn deadly, those moments going from Disney to disaster in a matter of seconds with Bambi splattered across your windshield. The arterial highway that runs the twisted length of Whidbey is almost entirely unlit, with forest growing right up to the road's edge and nearly no shoulder, leaving little time or room for evasive action. Headlights often illuminate too late the gleam of doe eyes slowly crossing the fog line. Locals know how to win this game of chicken: Drive straight and don’t slow down.

Tourists usually have not received this memo and often opt instead to swerve their RVs into oncoming traffic. Thus, my commute home during winter hours is threatened by both the two- and four-legged variety. I save myself a decade of sitting in traffic by living outside the Seattle area, only to have that hard-earned time shaved off in a collection of near-misses and close calls. Even so, I prefer my single-digit commute, deadly scenery and all. At least it looks pretty.

Awkward Run-ins
Prosecutors, I belatedly learned, try not to be felled by a carefully aimed bullet or arrow or fiercely pedaled bike.

Living and working in such a small county, the fact of the matter is I will rub shoulders with defendants and victims and witnesses on a regular basis. There is often no way to prepare for such run-ins, except to be as professional as possible in the courtroom and the office and hope it will carry over to “real life.” I have also learned to grocery shop incognito, the perfect excuse to leave the house with unwashed hair, an awful hat, no makeup, and wearing sweats. Or I try to make sure to wear some sort of Seahawks gear when I am out and about (not that I need much of an excuse in the first
More perplexing than a homicide or DUI are the rules that regulate commercial and recreational fishing and crabbing...

place): “Ew, there’s that prosecutor, but at least she’s a Seahawks fan! Let’s not run her over this time.”

Crab Pots and Ride-alongs
With summer coming to an end, I can finally breathe a sigh of relief: The tourist season on Whidbey is finally winding down, meaning crabbing season is also coming to a close. More perplexing than a homicide or DUI are the rules that regulate commercial and recreational fishing and crabbing — mostly because those rules reference the Washington Administrative Code, which Google and Westlaw always have a hard time finding. Combine that difficulty with a near total absence of case law, and I am liable to groan when I see a Fish and Wildlife case on my desk.

Not that there aren’t perks. Managing Fish and Wildlife caseloads means getting out on the water for ride-alongs with Fish and Wildlife officials. Their investigations also usually include tangible, physical evidence. Not familiar with a commercial crab pot? It’s likely the Fish and Wildlife official you’re meeting with to prepare for trial has one sitting in the back of his truck and can point out the escape rings and buoys the law requires. Violations of fishing regulations are easy to visualize; the hard part is figuring out whether the law applies in the first place.

Of course, the flip side to the “fish” part of the caseload is the “wildlife.” Hunting season is right around the corner, and soon I will have to re-familiarize myself with wildlife assessments ($2,000 for the death of a deer!) and bag limits. To answer your implicit question: I don’t believe hitting a deer with my car means it has been “legally harvested,” thus I would not be entitled to the carcass. Besides, it would surely be too bruised to eat.
Life on the Rock offers a unique perspective both on life outside Seattle and the criminal justice system at work in smaller communities. I may hammer home the awkwardness of a run-in with a defendant at the grocery store, but the flip side is getting to see that same defendant a few months down the road, clean and sober and thanking the judge for imposing a SCRAM bracelet as a pre-trial release condition, as it finally gave him a reason to stop drinking. The perk of working in a small-town prosecutor’s office is that I not only see a case through from charging decision to resolution, but also carry a caseload boasting a variety of crimes. The downside is that variety is sadly lacking in the local culinary scene. However, it seems a fair trade. What life on Whidbey lacks in urban culture, it makes up for with a healthy work-life balance and an always-interesting commute. Slicing through clouds of thick mists that swathe the road in the early morning, it is easy to forget the island’s proximity to Seattle, or even civilization. On the Rock, one can truly get away from it all without ever leaving.

As a young attorney, I do appreciate knowing a vacation is literally on my doorstep. The hard part will be finding the time to take it. NWL

KATIE LUDWICK is a deputy prosecuting attorney with the Island County Prosecutor’s Office. She is pictured with her father, Jack Ludwick (admitted in ’74), whom she seeks to emulate in integrity, work ethic, and snappy dress sense. She can be reached at katie.ludwick@gmail.com.
I know your type. You live and work outside of Seattle. You drive a few minutes to work, swing by your local coffee shop and walk straight up to the counter to order your morning latte, and park your car right outside your office. You can’t understand why Seattleites choose to live in a dirty congested city. And you know what? You are right. We have issues. Life in your town is better. Here are a few reasons why.

1. PARKING
For the price of monthly parking in my office building downtown, I could hire Justin Timberlake to give a private concert for me and my friends in space. Free, available street parking in Seattle is a mythical creature that only appears on Sunday mornings in scary areas underneath freeway overpasses. In contrast, your town is basically one big, available parking space surrounded by buildings and other stuff.

2. REAL ESTATE
If I saved up all the money I ever make for the rest of my life, I might be able to buy a house in Seattle around the time of my 100th birthday — if we haven’t torn down all of the houses by that point to make room for those micro-apartments that fit a microwave and half a cat. My friends recently sold their townhouse in Magnolia and moved to eastern Washington; for less money than they sold their tiny townhouse, they bought a home that would fit at least 34 of my apartments in it. They even have a yard! The “yard” for my building is a dry patch of grass in the alley, also known as the “guest parking area.”

3. GREEN GUILT
While you get to feel warm fuzzies from taking steps to protect the environment, we have to recycle and bring our cloth bags to the grocery store because IT’S THE LAW in Seattle. Going green has become a full-time job in Seattle, which everyone has been offered and nobody can turn down. I want to give the Earth a big hug, so of course I support these laws, but I always feel like garbage whenever I go to Safeway and am the only one in line who has to pay for disposable bags. (Who are you people who always remember to keep reusable bags in your trunk before a trip to the store?) It is also now standard practice in the big city to keep a compost container under the sink. I haven’t yet jumped on that bandwagon, since I like to keep my decomposing produce in the crisper drawer.

4. WHERE NOBODY KNOWS YOUR NAME
In Seattle, we are little fishes in a big pond that features a Starbucks on every corner. Outside of the downtown core, which is stocked with opposing counsel, it is relatively rare to run into people you know. In the legal community, it is pretty hard to get your name out there without a huge advertising budget or notoriety for having done something really bad that appears in the disciplinary pages of this magazine. Where you live, it is not only likely that you know any given attorney in your community, but also probable that she works down the hall from you. Potential clients know not only that you are an attorney and what type of law you practice, but also which hospital you were born in and that you dated Bobby Stevens in middle school.

5. CONSTRUCTION
In Seattle, we like to tear things down and build newer, more expensive things. Accordingly, our city is a giant construction site, decorated with orange cones and dudes in reflective vests. A lot of this construction work is the result of aging infrastructure and well-meaning-but-bungled attempts to fix it. (See, e.g., the SR 520 Bridge and Bertha.) And you get to help us pay for a lot of it. Thanks!

6. THE SEATTLE FREEZE
The common saying is that people in Seattle are polite, but not friendly. They say that because it is true. Seattleites live in fear that a stranger in an elevator will strike up a conversation. In contrast, I flew to Wenatchee once, and the whole plane was so comfortably chatty that...
you would have thought every passenger was related. It’s not that Seatlleites don’t like people; it’s just that we already have a lot of friends and adding a single additional person to the social circle would cause the globe to tilt off its axis and the world to explode.

7. TRAFFIC
I can literally see my office building from my deck at home, and it still can take me half an hour to get to work when the roads are busy. I run errands based on the traffic report, which is basically the urban dweller’s daily horoscope. In Wenatchee, where I grew up, the rule of thumb is that it never takes longer than 15 minutes to get anywhere under any circumstance. A traffic jam occurs only when somebody’s vintage Ford F-150 stalls at the intersection.

8. PUBLIC TRANSPORTATION
A million billion people live and work in our city, and we try to accommodate their public transportation needs with about five buses and a train system that will be finished when flying cars and jet packs become the commuting mainstream. And just when it seems like everything is at absolute capacity and people are going to start spilling out of bus windows, public transportation funding is reduced and bus routes are cut. You can probably walk or ride a bike to places you want to go (or drive! Even if it is, say, 5:15 on a Tuesday evening!).

9. EATING OUT
If you want to eat out for dinner, you go to a restaurant. In contrast, if we want dinner out — especially on the weekend — we have to either make a reservation, pick one of our go-to unpopular spots usually known for their mediocre fare, or spend the bulk of the evening in a crowded entry area waiting for a table. Seattle is known for its fit inhabitants, and the secret is not because we exercise and eat healthy. It’s just that we can never get a table at that Italian place.

10. TECHIE RESENTMENT
Thanks to Amazon, Microsoft, Google and similar companies, Seattle is crawling with techies and their willingness to spend a lot to lease an apartment in the city, driving up rent and making the rest of us feel poor and more stupid. We continue to tear down old, historic buildings to accommodate their fancy new office buildings. I have a ton of techie friends, and they never had student loans and are always buying stuff (the newest phone, fancy kitchen knives) because they are already paying the maximum into their corporate retirement accounts and have nothing else to do with their money. They get corporate discount cards, so they can get into movies for a fraction of the normal ticket price. Resenting them is an around-the-clock task. You don’t have to deal with these types of people on a regular basis — you only have to resent them when one of their software programs has a bug. This frees up a lot of your time.

In conclusion, we are all idiots for living and working in the city. Everything is too expensive, and takes too long, and involves standing in lines. But for all the downsides, we want you — you with your five-minute commute and your four-bedroom house that costs the same as a studio condominium in Belltown — to remember that we can walk to Mariners games from our office buildings and never have to worry about running into our ex-boyfriends’ mothers when we go grocery shopping. In any event, there are benefits and drawbacks to life in any city or town in our state. I have lived in Seattle for too many years to count on two hands, but I still love visiting eastern Washington, where I grew up. I just don’t do my shopping there. NWL

Allison Peryea is a community association attorney who practices in downtown Seattle and lives in Seattle’s Eastlake neighborhood.

She is the chair of the WSBA Editorial Advisory Committee and the WSCAI Communications Committee, for whom she edits the WSCAI Journal. She is also a member of the WSBA Judicial Recommendation Committee. She can be reached at allison.peryea@leahyps.com.
Discovering and Overcoming Challenges Working on Behalf of Refugees in Tanzania

BY ABIGAIL CROMWELL

When the opportunity arose to work directly with refugees seeking asylum in Tanzania, I jumped at it. I arrived in Tanzania with too many business suits, not enough bug spray, and very little sense of what my role as a lawyer for refugees would entail.

Beyond Asylum: Serving Refugees’ Legal Needs

I joined a small NGO called Asylum Access Tanzania. Headquartered in San Francisco, Asylum Access has three field offices in Dar es Salaam, Tanzania; Quito, Ecuador; and Bangkok, Thailand, providing legal aid to refugees in their first country of asylum. Unlike a lot of refugee-focused organizations, we did not work primarily on resettlement — helping refugees move to a safe third country. Unfortunately, resettlement is available to less than one percent of refugees worldwide, so there is a huge need for legal aid in those first countries of asylum to assert basic human rights on behalf of the vulnerable refugee populations. At Asylum Access, we did more than solely asylum work: we helped refugee clients with a variety of legal issues including landlord-tenant disputes, employment issues, and even criminal matters.

I spent at least one day each week doing intake of new refugee clients who had recently arrived in Dar es Salaam. This was by far my favorite part of the job. In the flight undertaken by my clients, they faced extremely dangerous travel, often hidden in a van or car, crossing one of the many porous borders
Tanzania's Refugee Problem

Tanzania is a relatively stable and prosperous country, surrounded by neighbors that have seen civil war and persecution for decades. Many of my clients came from neighboring Congo, fleeing civil war, and I assisted asylum-seekers from all over East Africa, including Somalia, Uganda, and Rwanda. A few of my clients came from as far away as South Africa, fleeing political persecution. Despite its relative prosperity, Tanzania is nonetheless a developing country with limited resources and a scarcity of jobs. So the government feels it is not in a position to easily assist thousands of people from outside its own borders. Over time, Tanzania began to close its doors to the unending flight of refugees, making it harder for people to seek asylum and working to make it less attractive for refugees to seek out Tanzania as a safe haven.

In the past, refugees were allowed to move freely within Tanzania and to work; today they are warehoused in camps, far from urban areas. They have no right to work, no freedom of movement, limited options for schooling, almost no medical care, and insufficient sources of basic supplies for living. Most of my clients were skilled and educated; they were engineers, computer programmers, and small-business owners accustomed to working in urban areas, not barren farmland. They were not “economic migrants” looking for a better job; they were educated people forced to flee everything they knew. Yet Tanzania views them as a burden. Despite acceding to important international conventions protecting refugees, in practice Tanzania actively discourages asylum-seekers and routinely denies valid and strong claims for asylum. At a conference we organized, a high-ranking government official summarized Tanzania's philosophy: “Well, we don’t want Tanzania to be more attractive than its neighbors.”

Navigating and Negotiating

In my first day of work, I was struck with the bustling and lively nature of our modest office. Lawyers and supervisors, translators and clients were scurrying every which way, and my new colleagues barely had a minute to greet me. I learned that the government of Tanzania had recently released a number of asylum decisions and our office was busy writing appeals on the cases that had been denied. I thought to myself, “How wonderful! So much energy, so much positive work.” What I shortly discovered, however, was that though the government of Tanzania, by its own laws and regulations, is required to release such decisions within 60 days of each asylum petition being filed, with an exception permitting officials an additional 60 days should they need it, these were the first such decisions released by the government in more than four years.

One of the first questions I asked my supervisor and fellow attorneys was, “Why don’t we sue the government for violation of such a basic and obvious rule? After all, we have a strategic litigation arm within our organization. This is a classic example of a government not abiding by its own laws.”

The response was discouraging: “The government doesn’t know we have a strategic litigation department. We have never used it.” And even more defeating: “We can’t sue the government, because they will pull our NGO status and then we can’t help anyone.”

This was the first of many stark contrasts between the Tanzanian legal system and what we enjoy, and often take for granted, in the United States. In Tanzania, lawyers were afraid to stand up to the government. And it wasn’t only in our office; countrywide, there was no perceptible culture of challenging the government, forcing it to face the requirements of its own laws, or taking it to task on its failures. If the government wanted to wait four years to issue a rul-

A sign points to Asylum Access Tanzania headquarters in Dar es Salaam.
Handing LGBT Issues in Tanzania

The plight of lesbian, gay, bisexual and transgender (LGBT) refugees seeking asylum in Tanzania is particularly fraught. In the United States in 2013, same-sex marriage was openly debated in state and national arenas and litigated in all levels of courts. In Uganda in the same year, legislators debated whether homosexuality should be a capital offense or punishable by life in prison. Many LGBT individuals routinely fled grave persecution in Uganda, resulting in a distinctive refugee population in neighboring states. The 1951 Refugee Convention, a treaty ratified by and implemented in Tanzania, protects persons who have “a well-founded fear of being persecuted for reasons of ... membership of a particular social group,” a definition widely seen internationally to include persecuted LGBT persons. However, despite its accession to this treaty, Tanzania also maintains laws criminalizing homosexuality, though with lower penalties and less rampant enforcement than Uganda. A dilemma thus arises in refugee legal work: how can we help the LGBT refugee who seeks asylum in Tanzania?

What I first had to do in every intake interview was to emphasize the confidentiality of the lawyer-client relationship, and explain that I worked always for the client and never for the government. I worked to create an atmosphere of acceptance so that each client felt safe in sharing all the relevant details of his or her life. Then, in advocating for LGBT asylum-seekers, I knew they would not gain asylum on the basis of their LGBT status. In Tanzania, LGBT refugees are routinely denied asylum. They may be told homosexuality is a crime and told to leave the country. They are likely to be treated extremely unkindly by the government officials. Yet I had to insist that these clients follow through with this interview, as it was a necessary step to applying for and receiving other assistance, hopefully directly from the United Nations. These clients had lived their whole lives in a region often intolerant and violent toward them on the basis of their sexual orientation and sexual identity. I was acutely aware that I might be the first person to treat this LGBT individual, in his or her lifetime, with total acceptance and with dignity and respect.

As an advocate, working directly with clients, I worked one case at a time, one client at a time, and one issue at a time.

Another big difference I faced between the Tanzanian legal system and our own was the lack of any right to counsel. Of course, I had not expected asylum-seekers to be provided a lawyer. But even when they had a lawyer, clients could not bring their lawyer to asylum interviews. Therefore, I took pains to thoroughly prepare each client for the variety of interviews he or she would undergo. I provided a carefully drafted letter of introduction to the government. When asylum-seekers represented by Asylum Access applied for protection, the government officials generally did not turn them away without a response.

A hurdle we faced with nearly every client was the Tanzanian law requiring the asylum-seeker to apply to the government within seven days of arrival into the country. Unlike the time deadlines pertaining to the government, this law was widely enforced. Yet this presented a nearly impossible deadline. It takes several days simply to travel across the vast countryside, with no highways like those we have in the United States; trains are expensive and still take at least two full days, when they run at all. If I met with a client within 30 or 60 days of arrival into the country, I was generally optimistic I could make arguments explaining such a minor delay. However, the government might still deny asylum protections on this basis alone, no matter how strong the underlying claim.

Despite the frustrating reality of the treatment of asylum seekers — the backlogs, the delays, the dangerous and unhealthy conditions at the camps, and the lack of basic human rights — our work provided meaningful legal aid to all of our clients during the time they were awaiting decisions. Outside of our shared interest in international humanitarian law, the backgrounds of the lawyers in the office varied widely. We had one client charged with a seri-

Another big difference I faced between the Tanzanian legal system and our own was the lack of any right to counsel... But even when they had a lawyer, clients could not bring their lawyer to asylum interviews.
ous criminal offense; I was the only attorney in the office who had extensively practiced criminal law. In working on this case, I made the satisfying discovery that, as a former British colony, Tanzania maintained very similar rules of evidence and procedures in criminal cases to what we have in the United States. As a foreigner, I was not permitted to appear in court on this criminal case, but I worked closely with a colleague who represented him. We had many effective meetings about the rules of hearsay, and I helped formulate the strongest arguments. The client was eventually acquitted of the charge. Without our help, he almost certainly would have been convicted, and as a refugee, likely would have been deported upon eventual release.

Tanzania is a young country and its legal system is very much in development. Learning to adapt to a different system and effectively represent my clients was at times frustrating, but overall one of the most rewarding challenges in my career. In Tanzania, because we did not have case law to examine, nor treatises from which to find guidance, I felt I was working from scratch to give meaning to the laws and build effectiveness in their application to our clients and to the issues we faced. Rather than having precedent to point to, I hope we have helped to create it.

Abigail Cromwell is the executive director of The Center for Progressive Legal Defense, LLC, where she works on asylum claims and immigration cases. She is on the pro bono panel with the Northwest Immigrant Rights Project. A former deputy prosecutor with King County, she enjoys trial work and maintains an active criminal defense practice. She can be reached at abigail@thecpld.com.
Curves Ahead
Representing Illegal Immigrants in Non-Immigration Cases

BY JEFF JOHNSON

There is a common bar exam saying: “The test is a mile long but an inch thick.” In order to practice law in Central Washington, no matter what the practice area, you should have at least an inch-thick understanding of immigration law issues, and it certainly doesn’t hurt to have a friendly immigration attorney a phone call away.

About once a week I enter a county jail in Central Washington, file in hand, and sit down across from a new client to deliver the following news: “You’ve been charged with simple assault domestic violence. I am representing you on this charge. The court has notified me that ICE (Immigration and Customs Enforcement) is aware of your illegal status here in the U.S. and has directed the jail to hold you.”

At this point, my new client usually looks like he just got hit with a ton of bricks. Nonetheless, my speech continues: “That means even if the judge decides to release you from jail without bail while this case is pending, you will still be stuck here because of this ICE hold until your case is resolved. When the case is complete — either by you accepting a plea deal, a trial verdict being reached, or the case being dismissed — you will be most likely taken to Tacoma to undergo a different court proceeding with the U.S. Immigration Courts to determine whether you will stay in the U.S. or get deported.”

Here, I generally get a look with which I am all too familiar: a look of utter depression, mixed with compounding confusion. I go on: “It appears you have been living and working in Washington for a long time, and you may wish to remain living here with your family. If that is the case, then I recommend that you not plead guilty to simple assault DV. A guilty plea will pose a serious risk that an immigration court will find against you during deportation proceedings.”

Keep in mind, this conversation is usually happening with the help of a Spanish interpreter which, at best, adds difficulty in communication. And the client typically asks me a series of questions, most of which are repetitive, to make sure he fully understands the rock and the hard place he has found himself between.

“At this time, the prosecutor is not agreeable to amending the charge down to a lesser offense,” I say. “I’ve reviewed the police reports and find many things troubling about the State’s case against you. I would recommend you set this for trial and force the State to prove its case.”

More bad news comes when I tell him that I am not an immigration attorney and that he should hire one to represent him during any future deportation proceeding. I typically receive a look that expresses, “I can’t afford that,” before I conclude with: “But, as I explained, you... we find a significant population of individuals living in our communities with a different and more significant set of legal consequences for relatively minor scrapes with the law.
will not be released pending trial, so if you decide to challenge the charge, you will be stuck in this jail for upwards of two months before we get to a trial. So what do you want to do?"

During law school, it never occurred to me, nor did it interest me, to consider going into an immigration law practice. Immigration law is not a required course in law school (or it wasn’t for me, anyway) and I don’t even recall whether it was offered at my school. But as an attorney practicing in Central Washington, immigration law comes with the territory.

As a relatively young attorney transitioning into private practice, I decided to pick up a defense contract from a city to help ensure I was bringing in some money every month. I initially thought this would be a terrible experience, but something I had to do in order to get closer to my goal of being a self-supporting private civil attorney. Most experienced attorneys I know have, at some point, practiced criminal law before arriving at their chosen field. However, despite the unique challenges that arise between criminal law and immigration issues, I did not expect I would like this work as much as I do or get such satisfaction from my efforts in helping people through very difficult situations.

Why do I find myself having to consider legal problems outside of my areas of practice? It is a function of a significant population in Washington state who are not in this country legally and the complex legal needs that follow their legal interactions with the State or courts. Growing up in Yakima and now living and working in the Tri-Cities, I know that the Hispanic population has grown substantially in this area over the decades. Families don’t grow in accordance with the country’s boundaries, and people in search of a better life are willing to travel far and wide to find it. This is the history of our country and a microcosm of such is brewing in Washington. Thus, we find a significant population of individuals living in our communities with a different and more significant set of legal consequences for relatively minor scrapes with the law.

These people are living on a razor’s edge and know any misstep may result in losing all they have worked for and risked. One mistake, one error in judgment, one loss of emotional control can cause the house of cards to fall. Someone who is here illegally and arrested on charges later dropped or is found to be not guilty at trial will still spend a significant amount of time behind bars while justice grinds its gears through an immigration hold. I have witnessed that many illegal immigrants perceive any interaction with the State or Courts as dangerous, causing many to simply avoid such contact unless required.

A person injured by the fault of another or injured on the job should have no trepidation in trying to obtain a reasonable recovery for their damages or benefits to restore them. However, I have seen many of my clients experience great anxiety over proceeding forward with legal action. A great deal of reassurance that their status here in the U.S. will not be discussed during such a case is usually required. Here in Washington, there is sound case law holding
that a party’s citizenship status is not relevant and overly prejudicial in most cases, and thus is not generally discoverable information. Yet I sense a great deal of trust has been given to me, as their attorney, in waging forward. Increasingly, the issue of immigration in our country is a political minefield. Even a well-polished politician tends to tread lightly when discussing this topic. It is no wonder that an individual plaintiff in a civil suit would have great concern in thinking her case will be irreparably harmed if such information is disclosed to a jury.

At the end of my weekly speech in the county jail, my client typically is no closer to a decision on how to proceed than before I arrived. I tend to sit and watch as he is ushered back to the general holding area, the weight of the world on his shoulders. But that doesn’t stop me from being a fierce advocate. No matter what happens to our federal law on immigration (or likely doesn’t happen), the situation for lawyers across Washington — and in Central Washington especially — will not substantially change anytime soon. Lawyers will still be required to represent their clients’ best interests, whether it is in a criminal case or civil matter, and some of those clients are not going to have legal status. For those clients, the interests may lead beyond the present matter. A lawyer will not always be able to avoid trouble for the client down the road; however, knowing and advising your client of the potential danger down the road can lead to the decision to pick a different and safer route to travel.

Jeff Johnson is a personal injury and misdemeanor criminal defense attorney for Johnson & Johnson Law Firm in Kennewick and Yakima. He received his J.D. from the University of Oregon and his B.A. from Washington State University. He can be reached at jeff@jandjlaw.com.
Warning: This is not an article about “collegiality.” In fact, it is about how those lawyers who see “collegiality” as a weakness — or as something that should only happen when there is a robe-wearing individual around — make our state Bar, and our local bars, stronger. Which is not to say that we should all be jerks to one another! Rather, it’s about the fact that the number of lawyers in a “local bar” does not dictate its overall tenor, standards, or collegial nature.

Disputes tend to bring out the worst in humans. Yet we have all chosen this profession that is founded on disputes and adversarial posturing. So should there be any question that disharmony and disagreement is the norm?

Many of us practice in several counties, all across the state. Yet there is a sameness which permeates all courtrooms: we are always there to have a disagreement settled. Because our profession is based on the two-party adversary paradigm, there is a commonality throughout the geography of our state: conflict. The Tri-Cities, the Lilac City, the City of Destiny, cities with no catchy nickname, and yes, even the Emerald City — in all of our Halls of Justice and “CoVnty Covrt Hovses,” we are practicing law, which is really just a glossy way of saying we are conflict-driven and conflict-mandated.

In the beginning and end, we are there with our clients to do battle for them. Isn’t it a disservice to also try and be “collegial”? Perhaps the term must be defined in order to toss out such a (currently) radical idea. According to the Merriam-Webster online dictionary, “collegiality” is defined as “the cooperative relationship of colleagues.”

First, in litigation we owe it to our clients to not cooperate with our opponents. Professionalism should be the touchstone, not cooperation. We can and should be polite, on time, offer professional courtesies, etc., without crossing the line into cooperation. Of course, there may be agreed details, or stipulations. However, those agreements are to make the battle more efficient. Or perhaps we
WSBA is committed to helping families in need get legal help through its Moderate Means Program, which is in partnership with Washington’s three law schools. The program is designed to connect clients whose income is within 200–400% of the Federal Poverty Level to lawyers who offer legal assistance at a reduced fee.

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For more information, contact the WSBA Public Service Programs Manager Ana Selvidge at 206-733-5905 or AnaS@wsba.org.

Douglas Pierce practices in Coeur d’Alene, Idaho, and is a member of the law firm of James, Vernon & Weeks. He is a member of the WSBA Editorial Advisory Committee. He can be reached at dpierce@jvwlaw.net.
NWLAWYER
WINS 2014 NABE LUMINARY AWARD

We’re proud to announce that NWLawyer, the WSBA’s official magazine for members, received the National Association of Bar Executives (NABE) 2014 Luminary Award of excellence for regular publications for bars with more than 15K members!

Congratulations and thanks to the staff, volunteers, writers, and contributors who made this award possible.

Be part of this award-winning team! Email nwlawyer@wsba.org with your article idea or to request an article-writing guide and a list of topics.
Section Spotlight

WSBA INTERNATIONAL PRACTICE SECTION

A Road Less Traveled

Solo Practice of International Law

BY PAUL EKLUND

Two roads diverged in a wood, and I —
I took the one less traveled by
And that has made all the difference.
— Robert Frost, “The Road Not Taken”

In his book The Road Less Traveled, psychiatrist M. Scott Peck advocated choosing a “less traveled” life path, marked by service to others through the building of community. Might we, as attorneys, realistically aspire to a “road less traveled”? Specifically, is there a way to enjoy the benefits of a solo international practice, while also providing the competence, synergy, and teamwork necessary to represent clients who do business abroad?

I have practiced law more than a quarter-century (as a solo practitioner and corporate counsel) in both Hawaii and Washington. My membership in the international practice section (IPS) of both bars has been a primary source for information, legal updates, creative ideas, and best of all, friendships and networking, facilitating my less-traveled career path.

Learning the Ropes, Building Relationships

My first international litigation related to a telecommunications dispute between U.S. and Thai companies. An early pioneer of cable TV in King County, William Monson founded CTVC of Hawaii and Clearview International. Thai officials approached Monson in the mid-1980s about developing cable TV in Bangkok. He partnered with Thaksin Shinawatra, then an entrepreneur and officer in the Bangkok Police department.

A few years into the relationship, a partnership dispute erupted. One of Monson’s attorneys commenced an initial lawsuit. Shinawatra’s lawyers brought a motion to dismiss on jurisdictional grounds. I was one of the attorneys representing Monson.

After a protracted jurisdictional battle, Monson’s case was dismissed in 1994. Shinawatra was appointed foreign minister of Thailand in December 1994. In 1996, Division I of the Washington Court of Appeals ruled that Washington did not have personal jurisdiction over Shinawatra or his companies (see CTVC of Hawaii, Ltd v. Shinawatra, 82 Wn. App. 699 (1996)). Monson filed lawsuits in Thailand through Thai counsel. I became in-house counsel for Monson’s companies in Honolulu, traveling frequently to Bangkok to manage the litigation against Shinawatra and his companies.

The Shinawatra-Monson cases heard in Bangkok courts were affected by the ever-changing political landscape in Thailand. In 2001, Shinawatra became prime minister of Thailand, serving until 2006, when he was removed by a military coup. His “immunity,” though not raised as a legal defense, was a political and practical reality. Shinawatra vigorously opposed jurisdiction in Washington state. On the other hand, Monson faced overwhelming odds in seeking a fair trial in Thai courts.

The Shinawatra matter provided me with a tutorial on the challenges of jurisdiction in disputes involving cross-border transactions and a deep appreciation for the need for international forums to resolve them.

Developing Distinction/Expertise

A few key practice tips for developing a successful solo international legal practice are to develop your areas of expertise, build your reputation, and leverage the expertise of other practitioners — for which the IPS provides a great forum.

If you represent a Washington business in an international transaction, do not leave jurisdiction to chance. Ditto with arranging a dispute resolution mechanism (e.g., arbitration) and agreeing on other jurisdictional issues (e.g., choice of law,
attorneys’ fees). Jurisdictional disputes are fact-laden, expensive, and risky — agreeing to jurisdiction up front (when you are cooperatively negotiating a contract) is far preferable to litigating those issues once a dispute has arisen. Remember: if your client files a case and loses a long-arm jurisdiction dispute, they may potentially be liable to pay not only your fees, but also the fees of the opposing counsel.

Of course, you can’t be an expert in every facet of international law. If forgoing your own path in international law, the WSBA and IPS provide excellent resources for research and networking. For example, in 2010, the WSBA published Doing Business in Washington: A Guide for Foreign Business and Investment. This comprehensive manual offers 27 chapters of tips from Washington practitioners on a host of essential issues.

Networking/Friendships
I have come to expect serendipity in my law practice. While luck is not a substitute for hard work, they seem to travel together. Once, a WSBA colleague introduced me to a Seattle client who was seeking assistance with a joint venture which contemplated an Italian partner. I lacked the requisite skills in Italian, but the potential client offered to retain me if I could speak enough Italian to be courteous. I studied Italian many weeks, journeying to Bologna for an initial meeting with Italian counsel.

Around that time, I was also doing legal work for former Washington governor Albert Rosellini. We went to one of his favorite Italian restaurants in Seattle and I ordered in Italian, conversing with the waiter. As a result, the governor retained me to assist his clients in an international project. I also received a referral from a WSBA colleague asking if, while I was in Europe, I could help facilitate a private adoption in Romania and courier supplies to orphans. After facilitating adoptions from Romania, I was later able to assist in the placement of children from Russia and China. My WSBA colleagues have often played a key role in my less-traveled path.

Giving Back and Mentoring
Facilitating adoptions opened my eyes to the needs of orphans. Ten years ago, I took a sabbatical to teach reading to kids near Managua. Later, while representing clients with business interests in Peru, I helped found an organization, Lightshine, which has assisted in the development of orphanages in Arequipa and Trujillo, Peru. Since 2006, more than 100 abandoned or abused kids from indigenous backgrounds have found safe homes with a family atmosphere. A few have taken a less-traveled path of their own, leading to college.

In the past decade, about a third of my time has been invested in giving hope, education, and a new life to abandoned and abused children in Peru. Recently, Lightshine partnered with Seattle University to provide water purification to remote villages in Peru with a high incidence of child mortality caused by water-borne parasites.

Last year, I accepted an invitation from the IPS to mentor a Peruvian attorney who was studying at the UW as a Fulbright scholar, Gidget Valdivia. Gidget has returned to Peru. Raised in a Fulbright scholar, Gidget Valdivia.

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A Side of Sidebar
What’s happening online at NWSidebar, the blog for Washington’s legal community [nwsidebar.wsba.org]

The Paperless Party: Benefits of a Lighter Load
In this two-part series, Charity Anastasio of the WSBA Law Office Management Assistance Program explores the pain points of going paperless — and why it’s worth it.

Courthouse Dogs Enhance the Fact-Finding Process
How courthouse facility dogs provide emotional support to victims and witnesses during the investigation and prosecution of crimes and other stressful legal proceedings.

Highlights of the 2014 WSBA Annual Awards Dinner
See a photo slideshow, watch videos and learn more about the 2014 recipients of the WSBA Annual Awards.

What Was Wrong with My Trial Game
New lawyers candidly share their hard-earned trial lessons.

Read Washington Supreme Court Opinions on Lawyer Discipline Online
Are you interested in reading Supreme Court opinions on lawyer discipline? The Supreme Court issues written opinions in disciplinary cases it considers. Learn where to find them.

Bloggers Wanted!
Add your voice to NWSidebar! Whether you maintain your own legal blog or have never written a blog post, we welcome submissions from all members of the legal community.
At its September regular meeting held Sept. 18 and 19, 2014, in Seattle, the WSBA Board of Governors approved the 2015 budget, set license fees for 2016-17, continued work on a response to proposed changes in WSBA governance, and debated a proposed new bar association logo.

Budget and License Fees
The Board approved the WSBA budget for FY2015 and set the license fee for active members at $385 for 2016 and 2017, a $60 increase from the current fee, which has been unchanged since the 2012 member referendum. The new fee is equivalent to the fee charged in 2005-06.

Outgoing Treasurer Brian Kelly described the fee increase as the fiscally responsible thing to do, as the WSBA’s reserve funds would be depleted within the next few years at current spending levels. WSBA Chief Operations Officer Ann Holmes noted the significant spending cuts and program changes made in the wake of the member referendum, observing that, even with the increase, the fee will be lower than that of most other Western states mandatory bar associations. The 2015 budget is based on expected expenses of $17,904,053, supported by revenues of $14,757,180 and $3.1 million to be spent from reserves. A pie chart illustrating how each $1 of license fee revenue will be spent in FY2015 showed that the largest area of expense is for discipline and disability systems ($0.42), followed by organization and infrastructure ($0.14), and engagement and outreach ($0.13).

Governance
The Board continued work on its planned response to a task force report released in April that recommends significant changes to the WSBA’s governance structure and procedures. Discussion of the proposals is scheduled to continue through summer of 2015, after which the Board will submit a formal response to the task force report, which the Supreme Court could consider in deciding what action to take on the task force recommendations. At the September meeting, the Board discussed four task force recommendations that involve clarifying the duties of the Board of Governors, changing the name of the bar association and board, governance training for new Board members, and focusing the Board agenda on strategic goals.

The Board voted in favor of a statement agreeing with a task force proposal to clarify the Board’s duties as defined in the WSBA bylaws. But the Board’s statement emphasized that while the board has an “overarching” responsibility to protect the public and the justice system — a point stressed in the task force report — it also remains a representative body of the WSBA membership. The approved language includes the statement that “the Board is the voice of lawyers in this state and has an obligation when governing to listen to the members, communicate with the members and speak on behalf of the members.”

The task force recommended to change the name of the bar to the “State Bar of Washington.” After some discussion of this issue, the Board voted to recommend the name the “Washington State Bar.” This change is perceived to clarify that the Bar is not a trade association and to avoid antitrust implications that have ensnared other professional organizations. The Board voted to oppose the task force’s recommendation to change the name of the Board of Governors to the Board of Trustees.

Meanwhile, the Board commented favorably but took no official action on a task force recommendation for the Board to provide training to new governors, adopt practices that help define the respective roles of the Board and WSBA staff, and provide opportunities for self-reflection and self-improvement. Similarly, Board members voiced no objection to a task force recommendation that the Board focus its work on strategic goals rather than administrative issues, a prac-
The Board discussed but voted not to adopt a recommended new logo for use in WSBA branding. The proposed new logo, which includes a stylized shield-shaped feature in addition to the Bar’s name, was designed by an outside firm and introduced as part of a WSBA brand strategy platform previously adopted by the Board.

While some Board members supported the recommended new logo, others voiced concern that it was less appropriate than the current more authoritative-looking seal, especially for the Bar’s regulatory functions.

The Board voted down motions to adopt the proposed new logo outright or to use it in conjunction with the existing seal. However, Board members indicated that discussion of the proposal will continue and the issue may be revisited.

In other business, the Board:

- Heard a first reading of proposed amendments to the lawyer Rules of Professional Conduct (RPCs) and Rules for Enforcement of Lawyer Conduct (ELCs) to cover issues involved in the newly implemented Limited License Legal Technician program. The suggested new RPCs would “seek to recognize, encourage, and legitimize the association and interplay of LLLTs and lawyers together in the marketplace and in the legal profession,” according to a report from the LLLT Board. Among other topics, the proposed amended rules would specify lawyers’ ethical obligations in relation to LLLTs working in their offices or otherwise under their supervision. Meanwhile, the proposed new ELCs provide rules for establishment and handling of IOLTA accounts for funds belonging to clients of LLLTs.

- Voted to extend the charter for the Local Rules Task Force to December 31, 2017. The current charter for the task force, created in 2007, expires at the end of 2014. The task force asked that the charter be extended through 2017 for the group to continue existing projects including working with all Washington counties to clarify, improve and possibly eliminate local rules, recommend procedures for local rule adoption, and develop a statewide local rule oversight system.

- Voted to extend for one year the charter for the year-old Future of the Profession Workgroup and approve new appointments to its membership. The group will continue work on items identified in its initial report, which focused on the challenges faced by lawyers in providing affordable legal services and encouraged innovative changes in the profession to better meet the public need.

- Voted to approve the annual report and a set of recommendations by the WSBA Committee on Mission Performance and Review. The committee assists the Board in directing the work of the WSBA’s committees and
boards by annually reviewing their purpose, performance and relevance to the WSBA's strategic goals. In addition to specific recommendations regarding certain individual committees, the recommendations direct all committees to focus their efforts on supporting the WSBA’s strategic goals and promoting professionalism, diversity and recruitment of new committee members and leadership.

• Selected and prioritized five general topics to explore further and consider action on during the coming year. After discussing numerous topics, the Board voted to emphasize the following, in order:

1) The WSBA CLE program.
2) WSBA diversity efforts and support.
3) WSBA's role regarding young lawyers.
4) WSBA's proper place in supporting adequate funding of the court system.
5) WSBA involvement with the law schools and other law-related education.

• Watched a demonstration of a streamlined, mobile-device-friendly web interface and audio/video platform for presentation of online WSBA CLE programming. The new format also simplifies ordering and accessing CLE seminars and materials.

• Received the Diversity and Inclusion Plan Annual Report, which recapped the Bar’s diversity efforts for the year and provided demographic information on Bar staff and membership. For example, a chart shows that 29 percent of WSBA staff are people of color, while 71 percent are white (non-Hispanic or Latino), both figures matching the percentages for the state population in general. Meanwhile, 69 percent of WSBA staff are female and 31 percent male, compared to the 50-50 split among all citizens.

• Heard the annual report from the Legal Foundation of Washington (LFW) and Legal Aid for Washington Fund (LAW Fund). Among the fundraising organization’s highlights for the year (2013) were a record-setting $1,573,919 raised through the Campaign for Equal Justice, a 54 percent increase from 2012, and the Endowment for Equal Justice reaching its initial goal of $10 million, thanks to $3.09 million being added in 2013. NWL

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Michael Heatherly is the editor of NWLawyer. For more information on the Board of Governors and Board meetings, see www.wsba.org/bog. To provide feedback to the Board of Governors, email governance@wsba.org.
Of the 886 candidates who took the July 2014 bar exam, 685 candidates passed the exam. The full pass list is below.
These notices of imposition of disciplinary sanctions and actions are published pursuant to Rule 3.5(d) 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 http://nwlawyer.wsba.org or by looking up the respondent in the lawyer directory on the WSBA website (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.

**Disbarred**

*Laurie L. Magan* (WSBA No. 34086, admitted 2003), of Mount Vernon, was disbarred, effective 9/02/2014, by order of the Washington Supreme Court. The lawyer’s conduct violated the following Rules of Professional Conduct: 1.3 (Diligence), 1.5 (Fees), 1.4 (Communication), 1.15A (Safeguarding Property), 1.15B (Required Trust Account Records), 1.16 (Declining or Terminating Representation), 8.4 (Misconduct). Laurie L. Magan represented herself. The online version of NWLawyer contains links to the following documents: Order Approving Stipulation; Sua Sponte Review; and Washington Supreme Court Order.

*Eric Rene’ Vargas* (WSBA No. 20364, admitted 1991), of Yakima, was disbarred, effective 9/02/2014, by order of the Washington Supreme Court. The lawyer’s conduct violated the following Rules of Professional Conduct: 1.15A (Safeguarding Property), 8.4 (Misconduct). Randy Beitel acted as disciplinary counsel. Eric Rene’ Vargas represented himself. Carl Joseph Oreskovich was the hearing officer. The online version of NWLawyer contains links to the following documents: Hearing Officer’s Decision; Disciplinary Board Order Declining Sua Sponte Review; and Washington Supreme Court Order.

**Suspended**

*Jason M. Kays* (WSBA No. 20438, admitted 1991) of Port Townsend, was suspended for two years, effective 9/02/2014, by order of the Washington Supreme Court. The lawyer’s conduct violated the following Rules of Professional Conduct: 8.4 (Misconduct). Erica Temple acted as disciplinary counsel. Jason M. Kays represented himself. The online version of NWLawyer contains links to the following documents: Order Approving Stipulation; Stipulation to Suspension; and Washington Supreme Court Order.

*Charles William Rehm* (WSBA No. 10708, admitted 1980), of Seattle, was suspended for three years, effective 9/02/2014, by order of the Washington Supreme Court. The lawyer’s conduct violated the following Rules of Professional Conduct: 1.4 (Communication), 1.5 (Fees), Former 114 (Preserving Identity of Client Funds and Property of a Client), 1.15A (Safeguarding Property), 1.15B (Required Trust Account Records), Francesca D’Angelo acted as disciplinary counsel. Brian Keith Fresonke represented the respondent. Scott M. Ellerby was the hearing officer. James Edward Horne was the settlement officer. The online version of NWLawyer contains links to the following documents: Order Approving Stipulation; Stipulation to Three-Year Suspension; and Washington Supreme Court Order.

*Robert L. Hayes* (WSBA No. 21239, admitted 1991), of Tacoma, was suspended for six months, effective 9/02/2014, by order of the Washington Supreme Court. The lawyer’s conduct violated the following Rules of Professional Conduct: 1.6 (Confidentiality of Information), 1.7 (Conflicts of Interest: Current Clients). Erica Temple acted as disciplinary counsel. Robert L. Hayes represented himself. Joseph M. Mano was the hearing officer. The online version of NWLawyer contains links to the following documents: Hearing Officer’s Decision; Disciplinary Board Order Declining Sua Sponte Review; and Washington Supreme Court Order.

*Karl Wesley Kime* (WSBA No. 41668, admitted 2009) of Coeur D’Alene, Idaho, was suspended for one year, effective 1/01/2014, by order of the Washington Supreme Court imposing reciprocal discipline in accordance with an order of the Supreme Court of the State of Idaho. For more information, see https://isb.idaho.gov/bar_counsel/public_discipline.html. Craig Bray and Joanne Abelson acted as disciplinary counsel. Karl Weslly Kime represented himself. The online version of NWLawyer contains a link to the following document: The Washington Supreme Court Order.

Get published!

See your name in lights (well, in ink, anyway) in NWLawyer! For a how-to guide on writing an article for NWLawyer, email nwlawyer@wsba.org. If you have an article of interest to Washington lawyers or a topic in mind, we’d love to hear from you. Need a topic? We have a list of subjects we’d like to cover. NWLawyer relies almost entirely on the generous contribution of articles from WSBA members and others.

Questions? Contact nwlawyer@wsba.org.
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For nearly 30 years, Alan has represented financial institutions in commercial lending transactions of all types. He can be reached at 206-892-2177 or at alan.schulkin@stokeslaw.com.

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News and information of interest to WSBA members

Opportunities for Service

Bankruptcy Judgeship Opportunities
Two bankruptcy judgeship opportunities are available: U.S. Courts – Ninth Circuit, Western District of Washington and Eastern District of California. Salary: $183,172/year. Applications are due on Dec. 4, 2014, at 5 p.m. for the Washington position and Dec. 11, 2014, at 5 p.m. for the California position. For full announcements and application, go to https://judgeship.ce9.uscourts.gov or contact personnel@ce9.uscourts.gov. OOE.

Bellevue Youth Court Seeks Attorney Mentors
Bellevue Youth Court (BYC) is seeking attorney mentors in the Greater Seattle Area to offer guidance to youth advocates at juvenile diversion hearings. First- or second-time youth offenders who have pleaded guilty to a misdemeanor can choose BYC as an alternative to traditional juvenile court. Youth respondents are sentenced by a youth judge under the supervision of a youth judge and court officers. Youth advocates represent the respondent and the state at the hearing and help the jury reach a sentence that fulfills the principles of restorative justice. Attorney mentors provide advice and guidance to defense and prosecution advocates as they craft their statements of the case and sentencing recommendations. Mentors meet with youth once or twice in preparation for court and attend the hearing if possible. Defense mentors also attend the initial client meeting along with the advocate. Attorney mentors can choose which months to assist and the time commitment is highly flexible. Applications will continue to be accepted on a rolling basis. For more information or to volunteer, contact Helena Stephens at 425-452-2834 or hstevens@bellevuewa.gov.

WSBA News

LLLT Rules of Professional Conduct Update
In August, the LLLT Board submitted to the Supreme Court suggested LLLT Rules of Professional Conduct (LLLT RPC). In addition, the LLLT Board submitted to the WSBA Board of Governors (BOG) related suggested amendments to the lawyer RPC. The BOG will consider the suggested lawyer RPC amendments at its November meeting. For more information on the LLLT RPC, visit www.wsba.org/LLLT. Visit www.courts.wa.gov/courts_rules to comment on the LLLT RPC or email Thea Jennings, LLLT Program lead, at theaj@wsba.org to submit to the WSBA BOG your comments on the suggested lawyer RPC amendments.

Submit Proposed Changes to ERs and IRLJs Now
Pursuant to the four-year cycle established by the Supreme Court, each year brings up a different set of rules for the WSBA Court Rules and Procedures Committee’s attention. In 2014–2015, the Court’s cycle requires the Committee to review the Superior Court Rules of Evidence (ERs) and Infraction Rules of Courts of Limited Jurisdiction (IRLJs). Suggestions regarding these rules or questions about the Committee should be directed to Sherry Mehr at sherrym@wsba.org. Interested individuals are encouraged to participate in the work of the Committee. For more information and a schedule of committee meetings, see http://bit.ly/wsba-courtrules.

Join WSBA’s Annual Trial Advocacy Program
WSBA’s Annual Trial Advocacy Program (TAP) offers attendees a two-day intensive trial-skills training from seasoned trial lawyers and a one-day mock trial two weeks later. This New Lawyer Education seminar is geared toward attorneys working in either the criminal or civil arena, with little to no trial experience, but a strong desire to become trial lawyers. The mock trial will be held Nov. 8. This program offers either 12 or 18 CLE credits, depending on mock trial participation. To learn more or receive notice when registration has opened, contact newlawyers@wsba.org.

Washington Young Lawyers Committee Meeting
The Washington Young Lawyers Committee (YLC) will meet on Dec. 6 at the WSBA Offices, 1325 Fourth Ave., Ste. 600. If you would like to attend, please email newlawyers@wsba.org.

Join the WSBA List Serve for New Lawyers
This list serve is a discussion platform for new lawyers of the WSBA. In addition to being the best place to receive news and information relevant to new lawyers, this is a place to ask questions, seek referrals, and make connections with peers. To join, email newlawyers@wsba.org.

YLC Public Service Incentive Awards
Attention, new and young lawyers: would you like the opportunity to attend a WSBA CLE for free? Apply to receive a YLC Public Service Incentive Award. Applications are due Monday, Dec. 22. This award was created to encourage and support new and young lawyers who engage or would like to engage in public service and public service volunteer opportunities as described in RPC 6.1. To learn more, visit http://bit.ly/publicserviceincentive.

2015 License Renewal, MCLE and Sections Information
Complete your license renewal and MCLE certification online — it’s easy. License renewal must be completed by Feb.
Payment plan option available. If you are experiencing financial challenges, you may contact us about a payment plan option available to all active and inactive members. Payment plans are for three months beginning Dec. 1 and all fees must still be paid in full by Feb. 2, 2015. A one-time hardship exemption is available for active attorney members who qualify. Visit wsba.org/licensing to learn more.

Join or renew your Section membership. As the section membership year is Oct. 1, 2014, through Sept. 30, 2015, we encourage you to join or renew sections now to receive the full benefit of the membership.

Certify MCLE Compliance. If you are in the 2012–14 reporting period (Group 2), then you are due to report CLE credits and certify MCLE compliance. All credits must be completed by Dec. 31, 2014, and certification (C2 form) must be completed online or be postmarked or delivered to the WSBA by Feb. 2, 2015. Visit wsba.org/MCLE to learn more.

Judicial Members. Judicial members are required to complete the annual license renewal and pay a $50 license fee to maintain eligibility to transfer to another membership class when their judicial service ends. Please note that you are required to inform the Bar within 10 days of your retirement or your ineligibility for judicial membership (and you must apply to change to another membership class or to resign). Visit wsba.org/licensing to learn more.

Remember these dates:
Feb. 2, 2015: Request deadline for optional hardship exemption.
Feb. 2, 2015: License renewal, payment, and Group 2 MCLE C2 certification must be completed online, postmarked, or delivered to WSBA.

WSBA Board of Governors Meetings
With the exception of the executive session, Board of Governors meetings are open, and all WSBA members are welcome to attend. RSVPs are appreciated but not required. Contact Pamela Wuest at 206-239-2125, 800-945-9722, ext. 2125, or pamelaw@wsba.org. The complete Board of Governors meeting schedule is available on the WSBA website at www.wsba.org/bog. The deadline for submitting Board Book materials for the Nov. 14 meeting is Oct. 29, 2014.

Volunteer Custodians Needed
The WSBA is seeking interested lawyers as potential ELC 7.7 volunteer custodians. An appointed custodian is authorized to act as counsel for the limited purpose of protecting a client’s interests whenever a lawyer has been transferred to disability inactive status, suspended, disbarred, dies, or disappears and no person appears to be protecting the clients’ interests. The custodian takes possession of the necessary files and records and takes action to protect clients’ interests. The custodian may act with a team of custodians and much of the work may be performed by supervised staff. If the WSBA is notified of the need for a custodian, the WSBA would affirm the willingness and ability of a potential volunteer and seek their appointment as custodian. Costs incurred may be reimbursed. Current WSBA members of all practice areas are welcome to apply. Contact Sandra Schilling at sandras@wsba.org, 206-239-2118 or 800-945-9722, ext. 2118 or Darlene Neumann at darlenen@wsba.org, 206-733-5923 or 800-945-9722, ext. 5923.

Ethics
Facing an Ethical Dilemma?
Members facing ethical dilemmas can talk with WSBA professional responsibility counsel for informal guidance on analyzing a situation involving their own prospective ethical conduct under the RPCs. All calls are confidential. Any advice given is intended for the education of the inquirer and does not represent an official position of the WSBA. Every effort is made to return calls within two business days. Call the Ethics Line at 206-727-8284 or 800-945-9722, ext. 8284.

WSBA Lawyers Assistance Program (LAP)
Consultation Through WSBA Connects
The WSBA offers statewide access to support lawyers needing help for issues related
to mental health and addiction concerns, career management, family, care-giving, daily living, health and well-being, and more. WSBA Connects is offered as a service to members on a voluntary, confidential basis. Call toll-free 855-857-WSBA (9722), or go to wsba.org/Resources-and-Services/WSBA-Connects.

Mindful Lawyers Group
A growing number of legal professionals across the nation are applying mindfulness-based skills and training to lawyering. The Washington Contemplative Lawyers group meets on Mondays at the Lawyers Assistance Program from noon to 1 p.m. For more information, contact Sevilla Rhoads at SRhoads@gsbllaw.com.

WSBA Law Office Management Assistance Program (LOMAP)

Casemaker Online Research
Casemaker is a powerful online research library provided free to WSBA members. Read about this legal research tool on the WSBA website at www.wsba.org/casemaker. As a WSBA member, you already receive free access to Casemaker. Now, we have enhanced this member benefit by upgrading to add CaseCheck+ with KeyCite, CaseCheck+ tells you instantly whether your case is good law. If you want more information, you can find it on the Casemaker website, or call 877-659-0801 and a Casemaker representative can talk with you about these features. For help using Casemaker, call the WSBA Service Center at 800-945-WSBA or 206-443-WSBA.

LOMAP Lending Library
The WSBA Law Office Management Assistance Program Lending Library is a service to WSBA members. We offer the short-term loan of books on the business management aspects of your law office. How does it work? You can view available titles at www.wsba.org/resources-and-services/lomap/lending-library. Books may be borrowed by any WSBA member for up to two weeks. LOMP requires your WSBA ID and a valid Visa or MasterCard number to guarantee the book’s return to the program. If you live outside of the Seattle area, books can be mailed to you; you will be responsible for return postage. For walk-in members, we recommend calling first to check availability of requested titles. To arrange for a book loan or to check availability, lomap@wsba.org.

Usury Rate
The average coupon equivalent yield from the first auction of 26-week treasury bills in October 2014 was 0.041 percent. Therefore, the maximum allowable usury rate for November is 12 percent.

Weekly Job Search Group
The Weekly Job Search Group provides strategy and support to unemployed attorneys. The group runs for seven weeks and is limited to eight attorneys. We provide the comprehensive WSBA job search guide, “Getting There: Your Guide to Career Success,” which can also be found online at www.tinyurl.com/TxHe8BB. If you would like to participate in or schedule a career consultation, contact Dan Crystal at dc@wsba.org, 206-727-8267, or 800-945-9722, ext. 8267.

Seeking Peer Advisors
Would you like to provide support to another lawyer in your community addressing topics such as mental health and self-care, alcoholism and addiction, or guidance in one’s practice? Lawyers are often uniquely able to be resources to one another in these areas. We have a robust network of advisors, support groups, and clinical referrals throughout the state. Skills trainings are being developed and planned. To participate or learn more, see http://bit.ly/104fpwN, contact lap@wsba.org, 206-727-8268, or 800-945-9722, ext. 8268.
Estate Planning

Estate Planning Under the New Paradigm: If Not Estate Tax, Then What? Dec. 5, Seattle and webcast. 6 CLE credits, including .75 ethics. Presented by WSBA-CLE in partnership with the WSBA Real Property, Probate and Trust Section; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Best of CLE
Dec. 30, webcast moderated video replay. 6 CLE credits, including 1 ethics. Presented by WSBA-CLE; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Corporate Counsel Ethics Seminar
Nov. 14, Seattle and webcast. 3.5 CLE ethics credits. Presented by WSBA-CLE in partnership with the WSBA Corporate Counsel Section; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Ethical Dilemmas for the Practicing Lawyer
Nov. 20, Seattle and webcast. 4 ethics credits. Presented by WSBA-CLE; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

The 12th Annual Law of Lawyering Conference
Dec. 18, Seattle and webcast. 6 ethics credits. Presented by WSBA-CLE; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Family Law

 Emerging Family Law Issues
Dec. 11, Seattle and webcast. 6 CLE credits, including 1 ethics. Presented by WSBA-CLE in partnership with the WSBA Family Law Section; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Legal Lunchbox Series

Legal Lunchbox Series: Building Office Synergy
Nov. 25, webcast. 1.5 CLE credits. Presented by WSBA-CLE; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Live Moderated Video Replay: Building Your Case, From Fact Pattern to Trial Strategy
Nov. 18, Friday Harbor. 6.25 CLE credits. Presented by WSBA-CLE; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.

Movie Magic: How the Masters Try Cases
Dec. 17, Seattle. 6 CLE credits, including 1 ethics. Presented by WSBA-CLE; 800-945-WSBA or 206-443-WSBA; www.wsbacle.org.
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Say hello to Joely and Shane O’Rourke, married lawyers who live and work in Lewis County. Both Shane and Joely have served as prosecutors. Both are members of the Lewis County Bar Association, where Shane serves as vice president.

Joely O’Rourke

WSBA No. 40348

► I became a lawyer/prosecutor because I wanted to help people find peace through justice.
► My greatest talent as a lawyer is providing an outlet for young victims of crime.
► My greatest accomplishment as a lawyer is helping young victims of crime find closure through swift justice.
► In my practice, I work on improving assertiveness in case negotiations.
► My career has surprised me by how many children have suffered physical and/or sexual abuse and do not report it.
► The best advice I have for new lawyers is to find a mentor and don’t be afraid to seek guidance from senior attorneys and/or judges.
► My long-term professional goal is to become a judge.
► The worst part of my job is putting young victims through the experience of having to tell their very private story on the witness stand to a jury of strangers.
► A funny story that happened to me while practicing: I met my husband at the prosecutor’s office, who now sits on the opposite side of the courtroom representing criminal defendants.
► If I could have tried one famous case, it would be the Casey Anthony trial.
► During my free time, I enjoy watching my son play baseball, basketball, and football.

I graduated from Gonzaga University School of Law in 2001. After the tragedies that took place on Sept. 11, 2001, I decided to go into federal law enforcement and became a special agent for the Naval Criminal Investigative Service. After becoming a mother, I resigned from NCIS and returned to the practice of law working as a deputy prosecuting attorney for Lewis County, where I befriended a fellow deputy prosecutor and married him three years later. We have one son and live in Chehalis. I love camping, fishing, golf, softball and playing board games with my family.

► The most memorable trip I ever took was to Ireland to testify in a criminal case.
► I look up to my parents, who instilled in me the perfect balance of professional ambition and dedication to family.
► I absolutely can’t live without my morning coffee.
► If I took one day off in the middle of the week, I would sleep.
► I want to try race car driving.
► I enjoy reading with my son before bedtime.
► I create work/life balance by making the weekends really count.
► My favorite place in the Pacific Northwest is Roche Harbor, San Juan Island, where I married my husband.
► I worry about my career interfering with my responsibilities as a wife and mother.
► Aside from my career, I am most proud of my accomplishments as a mother.
► This is on my bucket list: skydiving.
► I vote Republican.
► This makes me roll my eyes: frivolous motions by defense counsel.
► This makes me smile: when I win frivolous motions by defense counsel.
► My first car was an old Chevy Camaro with a rearview mirror that extended the length of the entire windshield, courtesy of an overprotective father.
► My dream trip would be to Fiji.
► My hero is my dad.
► If I have learned one thing in life, it is that everything does happen for a reason.
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I became a lawyer because I have always enjoyed zealously advocating on behalf of people or for a particular issue.

Before law school, I actually read things for pleasure and not just for work.

My greatest talent as a lawyer is being able to communicate with people without resorting to legalese.

My greatest accomplishment as a lawyer is successfully prosecuting a case over the course of five years all the way from a Lewis County District Court trial to the Washington Supreme Court: State v. Stephen C. Johnson.

In my practice, I work on maintaining organized client files and keeping up to speed on clients’ cases. It is of the utmost importance.

Shane O’Rourke
WSBA No. 39927

My career has surprised me by how much I have enjoyed practicing on both sides of the fence in criminal law. I have come to find that the old adage is true: you need quality representation on behalf of the prosecution and defendants for the criminal justice system to work properly.

The best advice I have for new lawyers is push through the first few years. It gets easier.

I wish that more lawyers would spend more time getting to know their fellow lawyers.

If I could have tried one famous case, it would be the O.J. Simpson case.

I absolutely can’t live without pizza.

If I took one day off in the middle of the week, I would think about everything I was falling behind on at work.

If I could do something over, it would be every bad golf shot I have ever played.

My favorite place in the Pacific Northwest is San Juan Island, where my wife and I got married.

This is on my bucket list: taking my wife and son all around Ireland and visiting all of my family there.

This makes me roll my eyes: when attorneys argue directly with each other in open court or are otherwise unprofessional.

This makes me smile: winning at just about anything.

My worst habit is being a horrible loser at board games.

My best habit is being an amazing winner at board games.

I attended Gonzaga University followed by Brooklyn Law School. After law school, I became a deputy prosecutor at the Lewis County Prosecutor’s Office. During my time as a prosecutor I met my wife, Joely. Being married to another attorney, and at the time a fellow prosecutor, was at times very challenging because we spent far too much time talking and obsessing about work. However, it is also very rewarding, because your partner is able to relate to your work. I am now a private practitioner at the law firm of Buzzard & Associates in Centralia focusing on criminal defense and civil litigation. My wife and I live in Chehalis, where we raise our son.

I vote for Pedro.

If I had a time machine, I would replay every bad golf shot I have ever hit.

My first car was a Hyundai Elantra.

You should give this a try: Rocky Road ice cream with bacon and gummy bears.

My dream trip would be golfing on all the greatest courses in the world.

My heroes are my father and mother.

If I have learned one thing in life, it is that you have no choice but to play the cards you are dealt as best you can.
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