

CONVENTION RESERVATIONS

The Ridpath Hotel advises that room reservations are coming in rapidly. Therefore, if you have not made your reservations for the annual meeting in Spokane on September 5, 6 and 7, we suggest that you do so immediately.

Lawyers Invited to Government Institute

Members of the Washington State Bar Association have been invited to attend the **Thirty-third Annual Institute of Government**, to be held in the Student Union Building on the campus of the University of Washington, Seattle, July 10, 1968.

This year's subject is "Quality Environment—A Shared Responsibility." There is no registration fee for the Institute which is scheduled for 9:00 a.m. to 4:00 p.m.

A no-host luncheon will feature an address on "Consequences of Failing to Plan," by Eric W. Thirft, General Manager, National Capital Commission, Ottawa, Ontario, Canada.

The morning session includes a film related to the problem, a panel discussion on "Planning the Environment," and addresses by E. Mansell Pattison, M.D., Department of Psychiatry, University of Washington, "Planning for People" and Robert W. Collier, School of Community and Regional Planning, University of British Columbia, "Nature of Planning: Conflict or Coordination?" Walter R. Hundley, Director, Model Cities Program, City of Seattle, will discuss "Human Resources and Social Planning." Other topics include "The Role of Industry in Public Planning" and "The Role of Citizens' Organizations."

A panel discussion on the subject "What Are We Doing About Planning? What Should We Be Doing?" will highlight the afternoon program which will conclude with a question and answer period. Participants include Mrs. Phyllis Lamphere, Seattle City Council; Richard H. Slavin, Director, Planning and Community Affairs Agency, Olympia; George R. Volker, Director, Joint Planning Office, Chelan County; and Robert B. Pitts, Regional Administrator, U.S. Department of Housing and Urban Development, San Francisco.

WASHINGTON STATE SUPREME COURT—1968



SUPREME COURT POSES: Washington State's appellate jurists posed recently for a new official photograph. Seated, from left, are Judge Hugh J. Rosellini, Judge Matthew W. Hill, Chief Justice Robert C. Finley, Judge Frank Weaver and Judge Robert T. Hunter. Standing, from left, are Judge Marshall A. Neill, Judge Orris L. Hamilton, Judge Frank Hale and Judge Walter T. McGovern.

—(Jeffers Studio, Olympia)

TWO LAWYERS DISBARRED; ONE SUSPENDED

In recent disciplinary actions, two members of the Washington State Bar Association have been disbarred and one has been suspended from the practice of law for six months.

Jerald C. Hall, Edmonds, was ordered disbarred by the state supreme court on March 21 upon recommendation of the Board of Governors of the Washington State Bar Association. Hall was disbarred for failing to reveal a conflict of interests and to account for trust funds; commingling funds and using clients' funds for his own purposes; failing to handle a client's affairs properly; and failing to account for funds advanced by a client.

Paul M. Anderson, Seattle, was ordered disbarred by the supreme court on April 18 following his conviction for grand larceny and for misappropriation of clients' funds. The court held that grand larceny is a felony involving moral turpitude.

J. B. Pennington, Seattle, was suspended for six months from the

DIRECTORY TO BE PUBLISHED

The Washington State Bar Association is preparing a state-wide Directory of Attorneys in the State of Washington. A complimentary copy will be mailed to all active members of the Washington State Bar Association.

If you have not already done so, we remind you to return to the Bar Association Office the pink card which was formerly mailed to you, so that your name will appear correctly in the Directory.

practice of law by the supreme court in a May 10 decision. The Board of Governors had recommended a 30-day suspension for Pennington who commingled a client's funds with his own and retained the funds for his own use resulting in a warrant's being issued for the client's arrest for non-support of children.

WSBA COMMITTEE RECOMMENDS MALPRACTICE INSURANCE PLAN

The Committee on Insurance is recommending to the Board of Governors the adoption of a plan to cover every lawyer in private practice in the state for professional liability.

The plan will afford each lawyer, individually, coverage in amounts \$100/300,000, subject to a deductible of \$1,000. The premium will be experience-rated, but for the initial five years is predicted to be \$50.00, to be paid by each lawyer.

The plan is predicated upon the institution of certain claims-handling procedures under which independent and uninvolved lawyers in the same area where the claim is presented shall review the claim and recommend either payment or defense.

In view of numerous communications from members of the Washington Bar, indicating that this form of coverage is being withdrawn by one or more private companies, and investigation appearing to show that the coverage may ultimately be available only through foreign insurance syndicates, the Committee believes this treatment is inevitable and invites comments in writing to the Executive Office or to the chairman of the Insurance Committee, George H. Bovingdon, 1111 Hoge Building, Seattle 98104.

Employment Opportunity

The Washington State Employees Association is seeking a full-time staff attorney. While they prefer "someone who has been out of law school for several years," they will consider a well qualified recent graduate. Starting salary range is \$865 to \$1,051.

The work involves representation of employees with grievances and/or appeals to the various personnel boards, collective bargaining, and some legislative lobbying. Anyone interested should contact Mr. R. J. Gagnier, Washington State Employees Association, P.O. Box 505, Olympia 98501.

Washington State Bar

NEWS

Published by

WASHINGTON STATE BAR ASSOCIATION
505 Madison St., Seattle, Washington 98104

ROBERT M. ELSTON, Editor

Material, including editorial comment, appearing herein represents the views of the respective authors and does not necessarily carry the endorsement of the Association or of the Board of Governors. Direct all copy to Robert M. Elston, Editor, 1124 N. 183rd St., Seattle 98133.

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Northwestern Offers Criminal Short Courses

The 11th Annual Short Course for Defense Lawyers in Criminal Cases will be conducted by Northwestern University School of Law, July 22-27, 1968. Leading defense lawyers and other authorities will discuss: Trial Techniques; Recent Developments in the Law of Arrest, Search and Seizure, Confessions, Discovery; Scientific Methods of Proof; Prejudicial News Reporting; The Defense of Income Tax Cases, and other subjects. Attendance is open to all attorneys interested in the practice of criminal law; to legal personnel in the Armed Forces; and to law professors.

Northwestern University will also conduct its 23rd Annual Short Course for Prosecuting Attorneys, August 5-10. Topics to be covered are similar to those of the defense counsel course. Attendance at the prosecutors' course is limited to attorneys holding state, city, or federal offices as prosecutor or assistant prosecutor; to attorneys who are nominees for such office at the next election; to legal personnel in the Armed Forces; and to law professors.

Copies of the course programs, or other information, may be obtained from Professor Fred E. Inbau, Northwestern University School of Law, Chicago, Illinois 60611.

LETTERS

Editor:

On February 29, 1968, King County Superior Court Judge Edward Henry of the King County Superior Court dismissed a criminal complaint for removal of mortgaged property which charged the defendant with removal of mortgaged property "in such a manner as to hinder, delay and defraud" a creditor. The complaint was based on a violation of R.C.W. 9A.06.060 as amended in 1963. The dismissal was on the basis that the portion of the statute allegedly violated was invalid as an arbitrary and unreasonable exercise of police power and therefore in violation of the due process clauses of the U.S. and Washington State Constitutions because the statute did not require the element of criminal intent.

Bertram L. Metzger, Jr., Seattle

IN MEMORIAM

Judge James W. Hodson, 60, Seattle, died May 1 of heart trouble in a local hospital. A 1932 graduate of the University of Washington Law School, his judicial career dated back to 1942. (Ed. Note: See Superior Court News, p. 31.)

Richard T. Olson, 56, Seattle, died April 16 from an apparent heart seizure at 4th Avenue and Marion Street. A 1936 graduate of the University of Washington Law School, he was a partner in Moriarty, Olson and Campbell. He was chairman of the WSBA Legislative Committee, legal counsel for Seattle University and chancellor of Christ Episcopal Church.

Emile W. (Flick) van Tyen, 58, Spokane, died March 29 in a local hospital. A graduate of Gonzaga Law School, he was admitted to the bar in 1945. He taught law at the school for a time. Since 1950 he was co-manager of the Northwestern and Pacific Hypotheekbank. Known as the region's "Mr. Tennis," he was a prime mover in reinstating tennis programs for young people. He conducted Inland Empire and the city high school tennis tournaments in the early 1940s and directed the game in the area for many years.

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Deadline for the next issue of the Bar News is June 8, 1968.

THE PRESIDENT'S CORNER

by THOMAS P. GOSE

The Board of Governors met in Vancouver, Washington, on May 26. The afternoon prior to our meeting we visited the headquarters of the Oregon State Bar and were entertained by their Board of Governors at a joint dinner at the Mallory Hotel nearby, at which we discussed matters of mutual interest. We are especially indebted to John H. Holloway, their Executive Secretary, and Wallace Johansen, their president, for the courtesies that were extended to us. The Vancouver Bar hosted us at a luncheon with their President, C. Brent Nevins, presiding. We found the luncheon and exchange of ideas most enjoyable.



Disciplinary matters occupied the morning except for interludes when Eugene Wright reported on internship and the activities of the Bench-Bar-Press Committee. Our Oregon neighbors were early in reaching a voluntary agreement and guidelines between the Bench, Bar and Press, and we followed shortly thereafter. This was all prior to the Reardon Report, so we salute Judge Wright for his yeoman work on this matter.

George Bovingdon reported that error and omissions policies for lawyers were becoming more difficult to obtain and this is confirmed by various insurance carriers. The doctors of this state have joined in designating one insurance carrier and they also have built an insurance defense fund, all of which makes adequate insurance coverage available at a more reasonable cost. We are all going to have to face up to this problem soon.

A special Professional Advisory Committee was appointed by the Board in compliance with many requests from members of the Association. This committee is available to consult with any lawyer who is in need of help or who wishes assistance of a personal nature. All consultations will, of course, be on a confidential basis. Requests for conference may be made through the Bar office.

Wednesday, May 1, was Law Day USA. A special meeting was held in Seattle with all judges of the Superior Court and three Su-

EDITOR'S NOTE . . .

This month we inaugurate a new feature, "Bar News Memories—TWENTY YEARS AGO." The new column was suggested by retired King County Superior Court Judge Eugene A. Wright and will be provided by Edmund B. Raftis on the basis of his search of ancient Bar News issues. We appreciate Judge Wright's suggestion, hope it will be of interest to members of the Bar Association, and invite your suggestions for a more interesting Bar News.—R.M.E.

preme Court judges present. Steve Chadwick was the principal speaker. Portions of his address appear elsewhere in this issue of the Bar News.

It seems to be a sad commentary that while lawyers throughout the state and nation are pressing that only a lawful society can be a better society, and that perhaps we should make every day Law Day USA, a handful of students at Columbia University were defying the school authorities and even holding a faculty member as a hostage to obtain by force concessions from the University authorities. It is recognized that a police force cannot run a university.

While this was happening, Tacoma, with difficulty, passed by a vote of five to four a riot control ordinance. New York did the same and before Mayor Lindsay signed the bill after a three-hour public hearing, college students threatened him, insulted and cursed him. Since the Columbia incident, other universities have experienced similar problems, both here and abroad.

The rise of a dictator usually starts with downgrading those in authority and the police. Witness Hitler, the burning of the Reichstag, cries of police brutality, and finally the establishment of a special police entirely controlled by the dictator. Surely many of us remember these events.

I hope that we do not follow Anatole France's story of the mythical Penguin Island. You will recall that there they built a very advanced civilization with a highly educated people and many beautiful buildings. Finally a group, unhappy with their lot in life, applied the torch, dynamite and more refined explosives with the result that the civilization on the entire island was destroyed. The few people who remained returned to a pastoral life. Other civilizations have disappeared from our world, but we have prospered under our form of government and it is up to us to make it continue to work, which can only be done in an orderly society.

Supreme Court Practice

by WILLIAM M. LOWRY
Supreme Court Clerk

What can be done by the Bar or the Court about delay in appellate review? Delay has long been a problem which can erode the justice of a decision. The Magna Charta signed by King John at Runnymede in 1215 contains a provision that justice would be dispensed without delay. Without comment on King John's performance it can be said that no panacea was developed which would remove the persistent problem from appellate review. Indeed the historical approach seems to offer little of practical value. Perhaps what is needed for a start on reform are some facts about the problem.

The Supreme Court has recently completed a study involving appeals in which an opinion was filed during the period September 1966 to September 1967. Civil and criminal appeals were considered separately. The data obtained reveals:

CIVIL CASES

| | Average Time Involved in Days | *Standard Deviation in Days | Time Allowed by ROA in Days |
|------------------------------------|-------------------------------------|-----------------------------------|--|
| Judgment to Appellant's brief..... | 191.3 | 130.9 | 135 (Normal) or 120 (Short record) |
| Appellant's brief to Argument..... | 265 | 102.7 | |
| Argument to Decision..... | 158.6 | 112 | |
| TOTAL..... | 614.9 | | |

CRIMINAL CASES

| | | | |
|------------------------------------|-------|-------|-----|
| Judgment to Appellant's Brief..... | 218.9 | 105.7 | 120 |
| Appellant's brief to Argument..... | 121.2 | 71.8 | |
| Argument to Decision..... | 113 | 75.5 | |
| TOTAL..... | 453.1 | | |

*Standard deviation is a measure of dispersion. If there were no variance in periods, the standard deviation would be zero. Two-thirds of the periods involved fall within plus or minus one standard deviation of the average.

With respect to the total time involved in an appeal, it will be noted:

a. In the average civil appeal an opinion is filed approximately 21 months after the decision of the trial court, but there is considerable variance in time. Two-thirds of the appeals are completed in 17 to 25 months.

b. In the average criminal appeal an opinion is filed in approximately 15 months after the decision of the trial court. The variance is somewhat less—two-thirds of the appeals involving a total of 12 to 18 months.

Certainly the total time involved indicates the desirability of effort to effect a reduction.

Turning to the second period, the time from the filing of appellant's brief to the hearing of argument, this is a function of court capability.

There is no hope of shortening the period without an increased organizational capability for accomplishing appellate review. The nearly nine months' average delay for civil cases—compared with the four months for criminal appeals—evidences of course, the priority criminal causes have for setting. Actually, the delay in setting civil cases is increasing rapidly and now is over 12 months. Without a court of appeals, a delay of over ten years in setting civil appeals is expected by 1985.

The third or opinion writing period, again shows the priority given criminal appeals by the Court: an average of about five months for civil cases compared with about four for criminal. It should also be noted that the variance between times in cases in this category is less—two-thirds of the civil cases being included in plus or minus four months of the average and two-thirds of the criminal cases

included in plus or minus two and one-half months of the average. Again the delay in the opinion writing, or third period, does not appear to offer an opportunity to significantly diminish delay as long as the system of review remains unchanged.

The first period, which essentially involves preparation of the statement of facts and appellant's opening brief, the period involving more days than either of the other two, offers the best opportunity for reform through court rule. With respect to this period it will be noted:

a. Although criminal appeals are considered by the Court to warrant priority, the period required by appellants to perfect criminal appeals is on the average about a month longer than civil appeals.

b. Perhaps the most significant finding for the purposes of this article is that most of the appeals are not perfected within the time

WILL INFORMATION SOUGHT

John F. Robinson, 1712 Smith Tower, MAin 3-6555, Seattle 98104, is trying to locate the will of **Harold Richard Pacquette**, 52, who died July 3, 1967, in Seattle.

Sylvia C. Knudson, 1290 W. 5th Ave., Eugene, Oregon 97402, wishes to locate a will executed by Estelle Severtson of Seattle, who died August 11, 1967.

Joseph F. Swontkoski, 6214 196th S.W., Lynnwood, phone PProspect 8-1707, will appreciate information relative to the will of **Albert W. Follis**, who died recently in Seattle. The will was apparently drawn by Harold Eastvold.

requirements prescribed by the ROA, and necessitate some action by counsel to obtain authority for an extension of time. In fact almost two-thirds of the criminal appeals exceed time requirements.

Conclusion b. above naturally raises questions concerning time requirements prescribed by the ROA. Are the rules unrealistically short or does the fault lie in enforcement? With respect to the latter, the time in which a proposed statement of facts is to be filed can only be extended by the superior court or Chief Justice on a "showing of good cause" (ROA 34). The usual basis upon which an extension is requested is the allegation that the court reporter is unable to complete the transcript in the allowed time.

Is the court reporter system archaic or inadequate? In civil cases, the time in which appellant has to file an opening brief may be extended by stipulation, ROA 41, and a large number of extensions are accomplished by this means. ROA 46 requires the authority of the Chief Justice to extend the time in which appellant's brief is to be filed in a criminal appeal in an effort to impose tighter control over criminal cases. Yet the time involved in perfecting criminal appeals is greater than civil appeals.

Can the rules be changed to better meet the problem? There would appear to be no easy solution. Some proposals are set forth below:

a. **Make time requirements jurisdictional.** The difficulty here is, of course, there is no flexibility to handle the deserving case. In addition, in a criminal case, where the defendant/appellant has in no way himself contributed to the delay, does a jurisdictional requirement deny due process of law?

b. **Impose monetary terms for all extensions of time.** Should terms be imposed equally in all cases or should the cause of action, resources of the petitioner for an extension, and hardship, if any is involved in an extension, be determined and taken into account? If

SOUTH KING COUNTY REPORT

by MIKE BORAWICK

Jerry Shellan announced the election of new officers and board members of the South King County Bar who were installed at the Auburn Elks on May 10th. The newly elected president is **William Delbridge** of Burien. A native of Oklahoma and a product of the University of Oklahoma Law School, Class of '49, Bill has practiced in Burien since 1951. He is a charter member of the South King County Bar which now numbers just short of 100 members. In addition to "heading" the firm of Delbridge, Christie and Thompson, Bill has logged about 250 hours of air time, including a recent power-free crash landing 20 miles southeast of Mexicali. **Ernie Crane** and **Doug Felker** were acting as co-pilot and navigator. All walked away. Other new officers are:

Vice-president: **Jack Bereiter**, Renton; secretary: **Richard Thompson**, Burien; treasurer: **Paul Codd**, Burien; and Board Members: **Mike Borawick**, Midway; **William Christie**, Burien; **Kenneth Ingalls**, Auburn; **Melvin Kleweno**, Kent, and **A. Vernon Stoneman**, Normandy Park.

The newest member of the South King County Bar is **Charles R. Branson**, who has established offices at 18 South Grady Way, Renton Village. Mr. Branson was manager of legal services at the Boeing Company prior to striking out on his own.

Jack Hawkins reports that several vacancies still exist for the 4th annual Fish-In at Westport, August 3 and 4. No prior experience required.

terms are to fit the case, a cumbersome, time consuming hearing would seem inevitable. Here again the applicability of terms to a criminal appeal would appear questionable.

c. **Require motions for extension of time to be presented by counsel in person.** Although this would make obtaining an extension of time burdensome, it would be manifestly unfair since the amount of the burden would vary with geographic distance counsel is from the Court rather than with fault.

d. **Deny costs on appeal to a party who has not complied with time requirements.** This would provide a penalty only when the party failing to comply prevails.

The Judicial Council is now studying means of attacking the problem of delay and changes in the ROA which will meet the practical objectives of the Bar and the Court and improve the administration of justice.

ONLY A LAWFUL SOCIETY CAN BUILD A BETTER SOCIETY

by **STEPHEN F. CHADWICK, SR.**

(An address to the Seattle-King County Bar Association, May 1, 1968)

Honorable Judges, Members of the Bar, Ladies and Gentlemen—this year—1968—marks the Tenth Anniversary of Law Day, U.S.A.—first proclaimed for national observance by President Eisenhower in 1958, and thereafter, by Joint Resolution of the Congress, in 1961, established as a day of annual celebration by the American people in appreciation of their liberties; in reaffirmation of their loyalty to the United States as a government of laws and not of men; a day of rededication

to the ideals of justice under law, whether in our relations with each other or with the peoples of other lands and their governments—in short, a day for the cultivation of that respect for law, which, among men, and among nations can alone give promise of peace; can substitute the disciplines necessary to an orderly society for the chaos of license unrestrained—and, among nation-states, agreed rules of conduct, for international anarchy.

Needless to say, the day was, in part, established to counteract growing disorders which had marked "May Day" as observed in other nations and let the world know that America still pursued a course of law and order as opposed to a show of might and threat of continued aggression.

... With the late Dr. Martin Luther King, Jr., I still have hope—hope that the human family and the family of nations may yet accept the moral law and do unto each other as they would that others should do unto them. For, only in the acceptance of this ethical base can we preserve what progress we have made in human and international relations and build for a better day. . . .

The last half century has brought about greater changes affecting man in his daily life and in his necessary surrender of individual liberties to his central government than in any comparable period of human history. A substantial part of the world's population, whether willingly or by suppression and enslavement, have surrendered what we conceive to be their freedoms, their rights, yes—their life to despotic rulers—whether individual or so-called dictatorships of class or party. Another part, believing in human dignity, in individual sovereignty, in maximum freedom consistent with domestic and world order and mutual protection against those who would destroy us and our institutions, have found it necessary to forego absolute freedom, and, by law, to delegate to central authority, created and manned by our own suffrage, sufficient power to assure domestic tranquillity, to protect all men in their person and property, to keep open the doors of opportunity, and to maintain a defense establishment ade-

quate to protect us from those who would destroy us.

A considerable part of the world—the so-called uncommitted nations—largely, for the first time experimenting in government, after years of colonial administration, are trying their wings between the other two parts. Wooed by both, yet awaiting to make their choice between the so-called dictatorship of the proletariat—the thoughts of Mao Tse Tung—or liberty under law, waiting to determine which is the best road to pursue to accomplish individual happiness and the peace of mankind.

My generation has seen the world grow small—yet infinitely more complex. Man moved with the speed of his horse when I was young; today he speeds to his nation's capital at 700 miles an hour and tomorrow with more than the speed of sound. To me it was only yesterday that our first news was laboriously reproduced from a telegrapher's notes. Today we are given instant, on-the-scene reports and visually, the scene itself. The Colt revolver, a six-shooter, the Springfield rifle, and the Gatling gun were men's improved weapons of my boyhood. Today there exists in the hands of those charged with our protection and in the hands of those who declare themselves the enemies of our free institutions, weapons of destruction sufficient to annihilate all mankind. Never in human history has an age cried out for leadership to reason, for discipline, for dedication to law and order as does this, our day, and generation.

Within the month, I listened in on a panel discussion where racial tensions were being considered only to hear one of my black brothers say, "You white people have had the guns and so you have denied us our culture. You may have the guns today, but we have the matches"—a counsel of destruction in no way constructive.

When I was a boy in this West of ours we had good citizens and we had outlaws. Citizens were presumed to, and very largely did, know the law. The laws were largely declarative of crimes 'malum in se.' If an outlaw violated those laws, he was presumed to intend the consequences of his act. Since

YAKIMA REPORT

by **RANDY MARQUIS**

Recent acquisitions: Charles Flower, a Sunnyside man, and graduate of Gonzaga Law School, has recently associated with the firm of Halverson, Applegate & McDonald. Charley graduated from law school in 1966. Whereupon he was appointed to the position of Staff Assistant on Senator Jackson's personal staff.

Lawyers in the News: Michael Corless, another Sunnyside man, was recently elected president of the Sunnyside Lion's Club. Mike is also a member of the Sunnyside School Board. He is a partner in the firm of Salvini and Corless.

Items: On April 26, 1968, the State Bar and the U. of W. Law School presented an excellent seminar relating to Private Antitrust Actions. The seminar was highlighted by contributions from University of Washington School of Law Professor Luvern V. Rieke and Charles S. Burdell of Ferguson & Burdell of Seattle. . . . Fred L. Stewart, chairman of Law Day, announces that Law Day 1968 was a fine success. Fred's committee, including W. L. (Bill) Weigand, Jr., and Pat Cockrill, was instrumental in furnishing some 20 lawyers as Law Day speakers at local high schools and junior high schools. President Carl Loy presented the Liberty Bell Award to the League of Women Voters of Yakima for outstanding community service during the past year. The award was made at a special Law Day luncheon meeting of the Yakima County Bar.

he was presumed to know the law, he was presumed also to know his rights under the law, and those charged with the law enforcement, with the protection of society from its "mad dogs" were under no obligation to pause in the performance of their duty to conduct a school of citizenship or raise barriers for the protection of the outlaw, or in denial of society's right to protect itself.

Today the vast majority of our people are deeply concerned at the ever-increasing crime rate, the growing juvenile and adult delinquency, the revolt from those modest disciplines which all must accept if we are to have security in our homes, safety on our streets, and order in our communities. Sentimentalists among us in the name of preserving civil liberties, have, in my opinion, too often rushed to the defense of license as practiced by some of the most heartless and ruthless habitual criminals of our day and time. If these people truly want a better society, then their efforts might better be directed to

YOUNG LAWYERS COMMITTEE

by

LLEWELYN G. PRITCHARD

Gale D. Barbee, Chairman of the Washington State Young Lawyers Committee, and Edmund B. Raftis, Chairman of the Young Lawyers Section of the Seattle-King County Bar Association, will participate in the Young Lawyers Section Seminar at the Denver meeting of the Western Region of the American Bar Association on June 7 and 8. The seminar will include discussions of worthwhile projects being conducted in other states and communities, the mechanics of an effectively organized and smoothly running young lawyers section and other matters of interest and assistance to young lawyer organizations. Also taking part in the program will be J. David Andrews of Seattle, a national director of the Young Lawyers Section.

The Young Lawyers Committee has announced that the Second Edition of the *Directory of Services* has now been published. A copy will be mailed to all lawyers in the state free of charge. The directory is designed to be included in the loose leaf folder previously sent out by the Washington State Bar Association.

The Committee has continued its work in the field of lawyer placement. Identical sets of applicant and prospective employer forms are being maintained in Seattle at the Washington State Bar office and in Spokane at the County Law Library. A new lawyer placement procedure is being implemented whereby either the applicant or the prospective employer, or both, can maintain anonymity by use of a numbering system. A current set of the placement books will be maintained during the 1968 Washington State Bar convention to be held at the Ridpath Hotel in Spokane.

engendering respect for law in a lawful society. Such is the theme given us for the observation of this Law Day—"Only a Lawful Society Can Build a Better Society."

To us, a lawful society is one created under law—in our case our Federal and State Constitutions and laws enacted pursuant thereto by our chosen representatives, limited always by constitutional restraints. Basically, we believe that man is endowed by his Creator with inalienable rights to life, liberty, and the pursuit of happiness. Man, himself, is the sovereign, the

(Continued on page 31)

Bar News Memories—

TWENTY YEARS AGO

by EDMUND B. RAFTIS

Pre-Trial: In May 1948, the King County Superior Court Judges had under consideration a proposal made by the Seattle Bar Association for a Pre-Trial procedure. The proposal was submitted with the approval of the Board of Trustees by a committee consisting of **George E. Mathieu, Samuel Bassett and Judson F. Falknor.** The Bar Association had asked that a pre-trial department be designated to examine all cases ready for trial and arrange for hearings in those which indicated the need of pre-trial hearing. Postscript: The Superior Court judges unanimously voted for what is now King County SCR 30 to be effective August 1, 1948.

Juvenile Detention Facilities: **Joseph A. Barto**, then president-elect of the Seattle-King County Bar Association, was advocating the segregation of delinquent and dependent juveniles into age groups. He wrote: "It seems monstrous to place children 10 to 14 years old with delinquents and incorrigibles of the 16 to 17 year age group." He pointed out that in 1946 a majority of the judges expressed the need for intermediate institutions to handle juveniles. Some of the judges favored schools, others forest camps; some expressed a preference for farm camps; most of them felt that a medical center or institution providing medical care was needed. Postscript: There are now 10 State institutions, including five forestry camps, which are available for committing juveniles according to their treatment need.

Judge **James B. Kinne**, accompanied by **DeForest Perkins** and **L. Presley Gill**, attorneys for the Boeing Airplane Company and the union respectively, visited plants struck by the Aeronautical Mechanics' Union (independent) to study picketing first hand.

Former Governor **Arthur B. Langlie** was greeting at Boeing Field his long-time friend, Governor **Thomas E. Dewey**, Republican presidential candidate.

Tracy E. Griffin was reporting on convention plans for the annual meeting of the American Bar Association which was to be held September 6 through September 11 in Seattle.

Letter from Editor to Acting Editor: Twenty years ago **John N.**

Wanted and Unwanted

For Sale: Washington Digest, Washington Reports, Am. Jur., Am. Jur. (2d), Federal Practice Manual (3 vols.), Shepherd's Citations, and 3M Dry Process Photo Copier. **Donald A. Dawson**, 1540 Washington Bldg., Seattle 98101, phone MAin 4-8075.

For Sale: Complete, up-to-date sets: Words & Phrases, USCA, ALR (1st, 2nd and 3rd series). **Alfred McBee**, 211 Pioneer Bldg., Mount Vernon 98273, phone 336-3622.

For Sale: Am. Jur. Legal Forms, Am. Jur. I, BPC set of R.C.W. **Kenneth M. Elliott**, 210 Lake Washington Blvd. E., Seattle, phone EAst 2-0383.

For Sale: Complete set, Corpus Juris Secundum. **Watson & Codd**, 140 S.W. 153rd St., Seattle 98166, phone CH 3-0590.

For Sale: Am. Jur. Pleading & Practice Forms, 1958 Ed. with 1967 Supplement; complete set U.S.C.A. with 1967 Pocket Part. **Williams & Novack**, 501 First National Bank Bldg., Everett 98201, phone AL 9-4141.

Rupp was in New York on a work tour in the offices of AT&T's legal counsel. **DeWitt Williams** was acting editor in his absence. A portion of the letter from the editor to the acting editor is as follows:

"I am amused at the picketing practices in New York. When employees go on strike they don't call it a strike; they carry signs announcing that they are 'locked out.' The employer then enters into the spirit of the affair and puts big signs in his windows telling his side of the story. Nor do the pickets just parade stolidly up and down; they are vocal. 'Pass 'em by, folks,' they say, 'could you live on \$40.00 a week?' They seem to take a personal interest in the whole matter and to enjoy their work. The Stock Exchange strike, where the financial workers were reinforced by the sailors' unions, was quite an affair. The sailors wore white caps and used megaphones and made a tremendous racket. It was obvious that they regarded picketing on Wall Street as a splendid outdoor sport. Another strike that tickled the local press was the one at the Harvard Club. There was an element of the ludicrous in the situation anyway, and it was heightened when children joined the picket lines, yelling things like 'H-A-R-V-A-R-D spells Stinker.' Right out on the street they said things like that about Harvard."

Only a Lawful Society Can Build a Better Society

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receptacle of ultimate power. But, as freedom unrestrained descends to license, man as a social being has found that he must accept restraint if he is to enjoy the fruits of his labors in peace, free from the predatory instincts of other men. Hence, in union, to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, we established our Constitution as the Supreme Law of the Land.

It is under this Constitution that we have built and are building a better society than the world has ever known—the envy and hope of oppressed and enslaved people everywhere. But, as the Constitution protects our rights, so also it imposes duties—the most important of which is that the individual accept those laws constitutionally enacted, and if they are to be changed, or decisions of our courts rendered pursuant thereto, make those changes by constitutional means, for, I repeat, our forefathers wisely reserved for us the right to make changes.

Time does not suffice to discuss that disrespect for law which many lawyers, and I include myself, feel stems from so-called Activist Judges who would abandon *stare decisis* for their own philosophies of socio-economic values—a total negation of the rule of law—to quote Edward F. Cummerford of the New York Bar in a recent *Wall Street Journal* article, "If the Constitution has no objective meaning but means only what judges think it ought to mean, it is not a Constitution at all, but an empty symbol—a sort of national totem. History shows that vague laws, subjectively interpreted and arbitrarily applied, are the tools of tyrants. The equation is as old as the human race—Power minus Responsibility equals Despotism."

No man and no group of men in an orderly society can be a law unto themselves. Riots, violence, the burning of draft cards, sit-ins to disrupt orderly government or to deny others their freedom of speech or assembly; arson, looting, mayhem and murder give no promise of a better society; and if a self-governing people cannot control these lawless practices, then we only invite dictatorship, admit that our experiment in representative democracy is a failure, and that the Stalins, the Mussolinis, the Hitlers, and the Maos of history are right and man, without

(Continued on page 32)

Superior Court News

by ROBERT F. UTTER

Judge,
King County Superior Court

Judge **Solie Ringold** (King) conducted a seminar on sentencing and probation in May at the Alaska Judicial Conference.

Judge **George Revelle** (King) and Judge **Eugene A. Wright**, retired (King), will teach at the July session of the National College of Trial Judges in Reno, Nevada.

Judge **Wright** will teach a course in community relations and Judge **Revelle** will teach a course in sentencing and probation. Judge **Charles Stafford** will teach a course in sentencing and probation at the August session of the National College of State Trial Judges held in Capitol Hill, North Carolina.

The Superior Court lost one of its most capable jurists in the passing of Judge **James Hodson**. He first sat as a Municipal Court judge in 1942 and then on the Superior Court bench in 1944, replacing Judge **William J. Wilkins** while the latter was on military leave. Judge **Hodson** was selected Superior Court judge in 1948 and had served since.

Judge **Hodson** was active in the work of the committee which established the current justice court legislation. He gained national recognition for his administration of his court and had been a director of the National Safety Council and president of the Seattle-King County Safety Council. He had been vice president of the Anti-Tuberculosis League of King County and secretary of the Seattle Civic Unity Committee and had been on the board of the National Conference of Christians and Jews, receiving its annual award last year.

Judge **Hodson** graduated from Dartmouth College in 1929 and attended Harvard Law School two years. He was a 1932 graduate of the University of Washington Law School.

Judges **Ralph Armstrong** (Cowlitz), **Hugh Evans** (Spokane), **Warner Poyhonen** (Grays Harbor) and **George Revelle** (King) will attend the National Conference of State Trial Judges in Philadelphia as delegates from the State of Washington. Judge **Armstrong** is the immediate past president of the Superior Court Judges Association, Judge **Evans** is president and Judge **Poyhonen** vice president. Judge **Revelle** will be attending as the elected member on the Executive Committee representing the ninth judicial circuit.

KITSAP COUNTY REPORT

by HELEN GRAHAM GREEAR

Our courtroom Law Day ceremonies on Monday, May 6 (Motion Day) landed us smackdab on the front page of the Bremerton *Sun*, with pictures and text. Law Day Chairman, **James Maddock**, had a well planned program consisting of a short but inspiring statement by **Frank Shiers** speaking for the Bar, a response on behalf of the community by Larry C. Greene, President of the local NAACP chapter, on communication between the white and black races which was very well thought out and delivered, a fitting response from the Bench by Judge **Oluf Johnsen** and the announcement of the Liberty Bell Award by **Helen Graham Greear**, President, to Bernadine Langlie, sister-in-law of former Governor Langlie and Assistant Juvenile Officer for many years of outstanding service. The ceremonies were attended by many officials and dignitaries (county, city and state) who also attended our noonday Bar Association May luncheon meeting, where Larry Greene again made an outstanding presentation of the Negro's problems. An all too short question and answer period followed his speech.

A delegation from Kitsap County, including this reporter, attended the May 3-4 Conference on the Administration of Justice at the Seattle Center. The sessions were largely promotional efforts for SJR 6 (appellate court) and HJR 13 (instant pay raises) but they were enriched by two notable addresses, one from Chief Justice William S. Richardson of the Supreme Court of Hawaii, on Friday evening, and on Saturday noon a never-to-be-forgotten verbal indictment — the plain unvarnished truth—delivered by Howard James, Chief Midwestern News Bureau of *The Christian Science Monitor*. I have never heard anything like it. Like a cold shower, it was shocking, bracing and (hopefully) cleansing. It had to be heard to be believed. Mr. James is the author of the book *Crisis in the Courts* (David McKay, New York) developed from his series of newspaper articles of the same name which ran a year ago in *The Christian Science Monitor*. (Ed. Note: Mr. James has been awarded his Pulitzer Prize for his series, *Crisis in the Courts*.)

The last item of the session was a slick presentation by Merry, Calvo, Lane and Baker, public relations men tentatively engaged to bring about passage of SJR 6 and HJR 13. The bloom came off the peach, however, when Howard James pointed out that in spite of all the newsworthy personages and

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despotism, is incapable of enjoying the fruits of life. But, the Stalins, the Mussolinis, the Hitlers have had their day in the sun, as Mao is having his.

Man's will to liberty has destroyed and is destroying each in our time. Man learns each day in pain and in suffering, in spite of frustrations, in spite of the ignorance implicit in mob violence, urban riots and isolated renunciation of the greatest privilege on earth today—American citizenship; that only a lawful society can build a better society. So, today it is the duty of all parents to impress this fact upon their children and it is the duty of the Bench and Bar to teach and preach this fact of history to our people and to the world—let every lawyer, every judge strive for the rule of law among men and among nations; for, in that course alone can liberty be preserved and peace accomplished, for it's as old as Paul's advice to Timothy:

"And if a man also strive for masteries, yet he is not crowned, except he strive lawfully."

ideas at the Conference, nary a radio or TV man was present; no public utilization of the brains and talent being poured out on the believers was being made. Where were the publicity men when the Conference was being planned? It is a puzzlement.

This column mentioned recently that Kitsap County needed a new Deputy Prosecuting Attorney. As a result of reading that item, **Ronald J. Marpert**, a 1954 graduate of the Gonzaga University Law School, has left the legal staff of General Electric Corporation to come to work in the Prosecutor's office. In addition to his General Electric employment, Marpert has taught labor relations and business law at Chaffee College in Ontario, Calif.

William Fraser (Wallace and Fraser) was married to Diane Lynne Southern on April 5, 1968.

Who will ever forget the **First Ten Days of April, 1968?** They made our little restraining orders and show cause emergencies seem rather picayune, but no doubt all the little pieces have their place in the grand design of the great mosaic.

*The moving finger writes, and
having writ,
Moves on, nor all your piety
nor wit
Can lure it back to cancel half
a line
Nor all your tears wash out
one word of it.*

OLYMPIA REPORT

by STANBERY FOSTER

Sorry for the protracted delay in reporting news (significant and otherwise) from the Capital City. The lapse was the proximate result of my hospitalization at the University of Oregon Medical School Hospital in Portland. With the excellent care afforded at that fabulous institution, recovery was complete and I can now negotiate with the scouts of the Green Bay Packers (if they show).

Louis Bruno, Superintendent of Public Instruction, received the 1968 Thurston-Mason County Bar Association's Freedom Award. It was close. The Committee locked in on Louis in recognition of his cooperation with the bar in presenting the Law Day message to the children of the state school system. Congratulations, Louis!

Ralph Swanson, (one of the affluent partners of Pebbles, Swanson & Lindskog) and his lovely wife, Mary Lou, are new members of the Olympia Yacht Club. This distinction was achieved through the usual combination of the payment of initiation fees and acquisition of a salt water, ocean-going 32-foot Chris Craft, much to the delight of their children and the members of the Thurston-Mason Bar Association. The latter are making plans to reinstitute a summer meeting schedule to be held aboard the "Extra Legum," as soon as Ralph has completed instructions in navigation and operation. His Marine Corps training did not reach that level.

The annual dinner bash of the local bar was held May 23rd at the Tye. Bar President **Vern Lindskog**, who returned from Europe that afternoon, was master of ceremonies. Judge **Stanley C. Soderland** (King County Superior Court) was lured to Olympia to give his treatise on "The Man With the Pencil." The bar also met the junior member of the Supreme Court, Judge **Walter T. McGovern**, and honored his predecessor, Judge **Charles T. (Carl) Donworth**. Louis Bruno received the Liberty Bell award (supra) and the Mud Bay Walking and Chowder Society presented a talent-loaded skit, replete with professional sidebustlers. For the benefit of any strangers who might have happened by, the small group of aloof intellectuals gathered in the corner were holding a continuation of a rump seminar on Section 9 of the UCC. The reason they were barefooted is that this simple device increases the counting capability of each intellectual to twenty. It is a local rule that no more than

News from the

COURTS OF LIMITED JURISDICTION

Bail for failure to appear in any of Snohomish County's six district courts automatically will go to \$150, Everett District Judge **Mark T. Patterson** has announced. The bail will be effective in all state and city traffic cases and includes the cities of Everett, Mukilteo, Lake Stevens, Lynnwood, Arlington and Monroe. A warrant will be issued for the arrest of any person who does not appear in court within 72 hours after being cited by an officer. This higher bail, which Judge Patterson said is unique in Washington state, is part of a program of uniformity in Snohomish County District Courts. A uniform bail schedule for traffic and criminal cases was recently adopted in the county.

■ ■ ■

Clark County District Judge **Lyle A. Truax's** recent nationally published article, "Let's Abolish Traffic Courts," resulted in his being flown to New York City to appear on "To Tell the Truth," a nationally televised program.

■ ■ ■

The Washington State Magistrates Association met in Seattle May 11 and approved a 1969 legislative program including provision to abolish garnishment of wages before judgment, to provide automatic claims of exemptions in garnishments, to authorize deferred sentences for up to three years, and to establish uniformity of salaries for all full-time district judges in the state. The Legislative Committee is headed by Airport District (King County) Judge **Gary N. Utigard**. The Board also approved the recommendations of the Constitutional Revision Committee, chaired by Kitsap District Judge **Gerard N. Fisher**. These included provisions that the state court system be composed of district courts, superior courts, a court of appeals and a supreme court and that the district courts be courts of record, administered by the state supreme court.

five are welcome in such a group at any one time; too confusing.

The shutterbugs were disappointed this year with the failure of the famous Capital Cherry Blossoms to make their Easter appearance. Doane Brodie, our official horticulturist and photographer, explains the phenomena with a short thirty-minute talk on arctic air.

SEATTLE-KING COUNTY REPORT

by EDMUND RAFTIS

Announcements: Harold D. Johnson and Harold R. Rooks have become partners in Helsell, Paul, Fetterman, Todd & Hokanson. . . Patrick J. Donnelly has joined Clodfelter, Lindell & Carr as a partner. . . Gustav G. Kostakos is now officing with McDonell, Cook & Dunlap, 577 Dexter Horton Building.

The Establishment: The April issue of *Seattle Magazine* published its list of the Seattle establishment. Attorneys listed in the business category included among the "Top of the Heap"—"James R. Ellis (attorney; head of Forward Thrust);" among the 27 "Inner Circle," "Lowell P. Mickelwait (vice president, Boeing; speaks for Bill Allen);" "Joseph P. Gandy (attorney; World's Fair and Stadium Mover);" "Paul Ashley (attorney; biggest libel lawyer, major doer);" "Gordon S. Clinton (attorney; ex-mayor; swings votes of city employees);" "John N. Rupp (attorney and chief counsel for Pacific Northwest Bell; influential by reason of personal verve);" "Harold Shefelman (attorney; quintessential committeeman);" "Robert F. Buck (senior vice president, National Bank of Commerce; community activist from second most powerful bank);" "Wheeler Grey (attorney; just inside)." Among the 17 "Just Outside"—"Donald A. Schmechel (attorney; articulate on civic issues)." Among the 11 "Patriarchs"—"Cassius E. Gates (attorney; retired from the fray);" among the two "Olympians"—"William M. Allen (president, Boeing; 'Praise God from whom . . .');" among the 12 "Independents"—"Alfred J. Schweppe (attorney; idiosyncratic and rebellious)," and "Henry L. Kotkins (president, Skyway Luggage; prickly bear)."

Names: Among the seven members of the newly appointed Seattle Park Board are Gary D. Gayton, J. Vernon Williams (the only holdover) and Calhoun Dickinson. . . Court Commissioner Horton Smith was selected by the judges of the Superior Court to represent them at a national conference on juvenile delinquency sponsored by the ABA on May 3-4 in Washington, D.C. . . Rear Adm. Jim K. Carpenter, Naval reservist, has been named to the National Naval Reserve Policy Board by the Secretary of the Navy. . . The Municipal League of Seattle and King County has moved full scale into the Civil Rights area with the creation of an Urban Social Problems Committee with Bennett Feigenbaum as chairman. The following are serving as co-chairmen of various subcommittees: Payton Smith, Education; Peter LeSourd, Employment; George Mack, Housing; Richard Weil and Edmund B. Raftis, Police and Community Relations; Larry M. Carter and Norman Ackley, Law and the Poor; Ronald J. Bland, Health and Welfare. . . Robert W. Graham has been appointed by President Lyn-

don Johnson to a two-year term as a member of the Administrative Conference of the United States.

Bar Activities: The nominees for the upcoming election are: President, Pinckney Rohrback; First Vice President, William Gates, Jr.; Second Vice President, Bradley Jones and Charles P. Moriarty, Jr.; Treasurer, Eldon W. Anderson and Jerome Farris; Secretary, Suzanne B. Amacher and Gayle Barry; American Bar Delegate (2-year term), Kenneth P. Short and Willard J. Wright; Board of Trustees (three to be elected), Robert R. Beezer, P. Cameron DeVore, John D. Ehrlichman, Raymond W. Haman, William A. Helsell and Gerard M. Shellan. . . The fifth and last issue of "Youth and the Law," written and distributed by the Young Lawyers' Section deals with the military draft. . . The C.L.E. Seminar held April 20, conducted by the Law Office, Economics and Management Section, Carl A. Johnson, Chairman, entitled "A Law Office in Motion—How to Earn More Money by Better Use of Your Time" was attended by more than 160 attorneys and legal secretaries. A few copies of the syllabus used in the seminar are available in the Bar office. . . Robert Mucklestone, Pinckney Rohrback and William Gates, Jr., recently traveled to Vancouver, B.C., to speak at the Province C.L.E. program on various aspects of Washington State Law. . . The Public Relations Section, James Turner, Chairman, is currently developing a series of approximately sixteen one-half hour programs to be viewed on Channel 9 TV concerning legal topics. Donald Horowitz is chairing the special committee formed for that purpose. Committee members are Peter Steere, Harold Vhugen and Donald Navoni.

The Courts: Robert A. Berst, Fred R. Butterworth, T. Patrick Corbett, Jerome M. Johnson, Hugh R. McGough and Payton Smith have been appointed as pro tempore judges for Municipal Judge James A. Noe's court. Holdovers who will continue to serve are Betty B. Fletcher, Gustav G. Kostakos, Bruce McDougall, Robert S. Mucklestone, Peter K. Steere, Liem Eng Tuai and William J. Wong. . . The *P.-I.* and the *Seattle Times* in

SKAGIT REPORT

by DAVID A. WELTS

After a brief absence from these vital pages, the Skagit Bar (like Springtime) is again in bloom. To prove it, 14 members and their ladies ventured to Rosario on Orcas Island for the weekend of April 27th. Some traveled on the Washington State ferry system. Then there were those who made it over with George McIntosh in his sail boat, and others with John Cheney in his sail boat. They got back, too. With that risk of exposure, no one fell off either the boats or the island.

We were advised today (the deadline for this issue) that Judge Charles Stafford has been hospitalized due to illness. His doctor reports that no accurate diagnosis can yet be made. Needless to say, we all wish the Judge a speedy return to the bench and to his energetic work in the Judiciary.

Law Day 1968 proved more rewarding here than ever. We started our annual May 1st presentations back in 1962 when a "pioneer" went into one of the high schools for six one-hour talks to combined classes. Since then we have coordinated news media advertising, founded the "Liberty Bell Award" given to an outstanding community citizen in an open court ceremony, conducted many presentations every year in all the schools, and held a free public forum at the Skagit Valley College. The topic at the forum was real estate and allied transactions, a subject chosen after much debate. The opponents believed that the average citizen would have little interest in something concerning him probably only once in his lifetime. But then we remembered the full house we drew in 1967 to our forum on probate. As one member put it, "How often does one go through that?"

By the time this is in print, we will be in hard training for the Whatcom County Golf Tournament, picnic and social exchange in July. We lost the golf last year, just to keep up the Whatcom spirits. But this is another year. I understand we are including the Snohomish County Judges this time. We figure that after what happened to DeVicenzo at the Masters, we might need them to keep score.

recent editorials lauded Judge David W. Soukup for his recommendation that a municipal night court, principally for traffic cases, be established for a seven-month trial period beginning June 1. The session would be held one night each week. . . Howard James, in his just published "*Crisis in the Courts*," quotes such notables as

SNOHOMISH REPORT

by DONALD J. LYDERSON

Some lawyers were recently surprised by notices they received from the County Clerk's office. The County Clerk has now started a uniform program under Rule No. 41(b) whereby civil cases are being dismissed on the Clerk's motion if there is no action in the file for a twelve-month period. The Clerk's office indicates they have received numerous calls regarding reasons why a particular case should not be dismissed, and they wish to point out that an attorney must petition the Court and secure a proper order if he wishes to keep the case from being dismissed. The County Clerk will be going through the files back to the year 1959 to pick up all inactive cases. In light of the large number of cases that are just left hanging, it certainly would seem that the use of this rule would clear up a great deal of uncertainty as to the status of certain cases. There is no doubt that title companies will find their jobs a great deal easier.

As in the past, Snohomish County was quite active during Law Day. David Metcalf of the Prosecutor's Office, who was our Law Day Chairman this year, reports that 15 schools requested and received programs which included either mock trials or speakers. Our county was also honored by having Judge Matthew W. Hill of the Washington Supreme Court speak to a noon meeting of the Kiwanis. In addition, Judge Marshall A. Neill of the Supreme Court spoke to a large group of attorneys at Paine Field on the evening of May 2 at one of the first Law Day programs sponsored by the USAF.

Merle Wilcox, Chief Criminal Deputy, will be leaving the Prosecutor's office this month to set up private practice at 1603 3rd Street in Marysville. . . Another member of the Prosecutor's staff, Bruce Jones, will be leaving that office on June 1 to accept the full-time position as Assistant City Attorney in Everett. . . Prosecutor Robert Schillberg reports that he has hired one new deputy but still has one position vacant. Any interested party should contact Mr. Schillberg. The new deputy is Miss Faye Collier, presently a clerk for Chief Justice Robert C. Finley. She will join the staff in July.

Chief Justice Robert C. Finley, Municipal Judge Vernon W. Towne, Eugene A. Wright and Robert C. Wetherholt, James, of *The Christian Science Monitor*, was a speaker at the conference on the Administration of Justice held in Seattle on May 3-4. He is the recipient of the 1968 Pulitzer Prize for National Reporting.

COWLITZ REPORT

by ODINE H. HUSEMOEN

Law Day, 1968, was observed here by the participation of numerous members of the Bar Association in activities in the local high schools. The local Law Day Committee, headed by **Gerry Reitsch**, worked with the local high schools to establish a highly successful program. Cowlitz County has not yet been able to break the ice with the local school administration to establish a year-round lawyer liaison program.

As of May 1, there have been a number of changes affecting our lawyer community. As of that date, the law firm of Callahan & Minium was dissolved by reason of the departure of former Superior Court Judge **J. R. Callahan**, who has moved his residence to Portland, Oregon. **Jess E. Minium, Jr.**, will continue to practice at the same address but has a new phone number (636-3640) and is looking for another attorney to help. The first of the month also saw the effective date of **Wayne Roethler's** resignation as Prosecuting Attorney and the opening of his private practice at 1417 15th Avenue, Longview. . . . With Wayne's resignation, **Henry R. Dunn**, the former Deputy, was appointed by the County Commissioners to the position of Prosecuting Attorney until an election can be held this fall to fill the unexpired term. (The Prosecutor's office is actively seeking a replacement for the position of Deputy and offers a starting salary of \$650.00 a month and the ability to engage in private practice, along with the duties of the office. Inquiries into the position should be addressed to Mr. Dunn, c/o Cowlitz County Courthouse, Kelso, Washington 98626.

Judge **Ralph Armstrong** has been serving as pro tem with the Supreme Court during a portion of the month of May. This is his second trip to Olympia to serve in that capacity.

The law firm of Springer & Norman have announced that very close to June 1, they will be moving to new and larger offices and their new address will be 1325 14th Avenue, P.O. Box 757, Longview. . . . **Alan Hallowell**, golfer extraordinary, tied for first in the Cowlitz County Golf Tournament and **Jerry A. Houston** recently returned from playing in a golf tournament out of the county, results unannounced.

At a special meeting of the Bar Association held recently, **Herb Hadley**, a local insurance agent and former State Legislator, spoke on the Keaton-O'Connell Plan, about which he is well informed.

Around the State

by EDMUND B. RAFTIS

Charles L. Powell, judge of the U.S. District Court in Eastern Washington, will be presented the Gonzaga University law medal May 26. The medal is presented annually at commencement to a person contributing outstanding service to the legal profession. A graduate of the University of Washington Law School, Judge Powell was in legal practice in Kennewick when he was appointed to the federal bench in 1959.

The University of Washington Board of Regents has authorized the designation of the first School of Law degree as "Juris Doctor" instead of "Bachelor of Laws." The new professional doctoral degree will be awarded for the first time at Commencement next June. Graduates who received Bachelor of Laws degrees last June or later will be permitted to exchange their diplomas for Juris Doctor diplomas without fee.

In recommending the change, **Dr. Lehan K. Tunks**, Dean of the Law School, pointed out that the new degree designation will better indicate the extent and rigor of University legal education and its appropriate relationship to higher degrees. "This first degree in law is at least a second university degree for our graduates," he explained. "Forty years ago, not more than a half dozen universities required a previous degree for admission."

Dean Tunks reported that 78 of the 135 approved law schools of the nation now use the name "Juris Doctor" for their first law degrees. "Our students have persuaded us that receiving a bachelor's degree leads to misunderstanding of their achievements in law school," he commented. "Their careers also suffer some damaging discriminations in comparison with graduates of other schools who receive the doctoral degree for the same level of accomplishment."

LeRoy C. Kinnie, Spokane, has left Michaelson, Richard, Pool, Kinnie & Shaw to join the Spokane County prosecutor's staff.

Robert A. O'Gorman (see January issue) is now at Issaquah Villa Nursing Home, 733 10th Ave. S., Issaquah 98027. He would like to hear from his many friends.

1968 ANNUAL MEETING
WASHINGTON STATE
BAR ASSOCIATION
Ridpath Hotel, Spokane
September 5-7, 1968

POINTS OF VIEW...

An invitation to express opinions on current topics

Since Dan Reaugh has repeatedly refused to debate me on the subject of letter-size pleadings, and because the Program Committee of the Seattle-King County Bar Association has declined to give me ten minutes on the subject, I thought perhaps you might print my views, which I believe are shared by many lawyers, judges and officials.

Change for the sake of change is not progress. If it were, no doubt Westminster Abbey and the White House would both be replaced by more "efficient" structures. The 11-inch pleading is more desirable than the 13-inch pleading only if argument can be adduced in its support other than merely "shorter."

There is nothing magic about either of these lengths. There is no uniformity around the world in the length of either letterhead or legal documents, as those who deal with businessmen or lawyers abroad must know. But the longer pleading is in wider use than the shorter pleading.

A very substantial investment has been made, not only in filing cabinets but in architectural layout, in the longer pleading. No possibility exists of using narrower cabinets, because Clerks will continue to receive 13-inch sheets, and a narrower cabinet would mean folding — a worse problem than length. Use of existing wide cabinets to house short pleadings will involve a 20 percent space wastage. It's important to remember that the short pleading does not take up less space, but only changes the shape of the space used, unless either smaller type is used or the lines typed are put closer together.

Shorter pleadings will, of course, mean greater expense, since copying and certification are charged on a per page basis.

Mr. Reaugh has argued that there is indeed a space saving because the same number of lines can be put on the shorter pleading. This suddenly makes the argument one for the elimination of traditional double-spacing, rather than one for shorter pleadings. It may

be that a majority of lawyers wish to eliminate double-spacing, but the argument should be presented to them frankly, not disguised as something else. Personally, I think double-spacing is invaluable for ready reference, and that the vast majority of lawyers are not prepared to give it up.

There is a definite advantage, from the point of view of the lawyer, to having fewer sheets. Bulk is more of a problem in terms of thickness than of length. All lawyers carry the longer briefcase, and it's a simple axiom, which Mr. Reaugh has chosen to ignore, that a shorter pleading will fit in a long briefcase, but a longer pleading won't fit in a short briefcase. This means no effective reduction of the bulk which the lawyer must tote around unless and until all the documents of whatever character which he may have to carry are 11 inches long. There is no prospect of this in the foreseeable future.

A cogent argument might be made for the shorter pleading if the reduction in length aided in the packaging of paper for mailing or transmission. But since the two pleadings are of the same width, and each folds easily, and since most mail is folded anyway, no real advantage appears here.

Finally, the new practice in King County, and perhaps in other counties, by which space is left at the top of the pleading for filing and copy-received stamps, substantially reduces the space available on the first page and makes it less desirable, rather than more desirable, that the page be shortened.

—Irving Clark, Jr.

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