
WASHINGTON STATE BAR NEWS



WASHINGTON WOMEN LAWYERS



MEMORANDUM

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Cover Subject

Barbara Durham is a 1968 graduate of Stanford University Law School and is presently a prosecutor with the office of the King County Prosecutor.

Credits

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- 3, 9, 11, 15, 18, 22

John D. McLauchlan

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Archie Bunker

Editor:

I was dismayed to read the comments of our new President, E. Frederick Velikanje, in the November *Bar News* but was not too surprised at the comments of Pete Tonkoff on the next page because he does not have an official position with the State Bar and we all know Pete . . .

He suggested (and I found this particularly disturbing) that these resolutions were the product of a national scheme to benefit unknown parties. I find such innuendo distasteful coming from one in Mr. Velikanje's position. His remarks reflect a viewpoint of another era which many of us hoped had passed.

One may disagree with the resolutions adopted at the convention (I do not) but to seek to discredit them by innuendo has no place in an association whose members are charged to honor the facts. I, therefore, ask Mr. Velikanje to withdraw his remarks and innuendo or present facts which substantiate them.

During my term on the Board of Governors, I found that the young lawyers worked actively and constructively and sincerely for the benefit of the bar association on continuing legal education, improvement of the internal relationships and practices of the association, and in a strong attempt to better our image and relationship with the public we serve, consequently, I can only find words of encouragement for the junior members of the bar who have worked to benefit the association and the clients the association serves.

ERLE W. HORSWILL

Seattle

Editor:

As one who was directly involved in the scheme (albeit, a local rather than national one), I would be happy to inform Mr. Velikanje, for whose benefit it is. It is for the benefit of those members of the Washington State Bar Association who desire full representation.

DAVID D. HOFF

Seattle

Editor:

There are indeed conspiratorial and pernicious movements afoot, and it takes a man with the vision of President Velikanje to spy them out. Is it conceivable that the source of this mischief lies beyond our shores? Perhaps this matter should be entrusted to the "due deliberation and consideration" of the Washington State Bar Association Committee on Subversive Activities.

WALTER W. EYER
DENNIS L. BEKEMEYER
WILLIAM A. GOULD

Seattle

Editor:

The comments of Fred Velikanje in the President's column of the November issue of the Washington State *Bar News* strike us a lamentable abuse of the president's prerogative. To impugn the motives of the Young Lawyers Section of the bar by suggesting that they are mindless followers of some national conspiracy appears to us to be highly irresponsible behavior.

The resolutions proposed by the Young Lawyers Section at the recent state convention and adopted by the majority of the

bar present, represent an important thrust for reform which is indeed nationwide.

WASHINGTON WOMEN
LAWYERS

Seattle

Editor:

The finely honed sense of humor of the President of our State Bar Association was a pleasant surprise. President Velikanje's column in the November issue of the Washington State *Bar News* was a magnificent satire of the typical programmed response of a past era of the Bar to change.

PAUL E. S. SCHELL

Seattle

The Rural Poor

Editor:

In the November *Bar News*, at page 28, following Michael Fox' article on farm workers in the Yakima Valley, there appears in bold print in a separate block the following quotation from the report of the WSBA Special Committee on Legal Assistance Programs: "The rural indigent however presents a different problem. He is generally not a threat to the community, and his needs, while just as desperate are borne with stoicism." This quote immediately follows Charlie Ehler's remark that the report concluded that the legal services program was not needed in the rural areas because these people were not a threat to the community.

The full reading of the report, however, indicates that this quotation follows a description of the consequences of the failure to have an OEO type program in the urban areas and why Judicare will not function in the urban



setting . . .

The committee (on which I served) recommended free legal services throughout the state with the OEO legal services type program in urban areas and Judicare in rural areas. To acknowledge that objections to Judicare in the ghetto may not obtain in Wapato is not a denial of legal services to the rural poor because they are "not a threat to the community."

KENNETH P. SHORT

Seattle

Dues Increase

Board of Governors:

I respectfully protest the 60% due increase which was recently announced to us. In my opinion, no dues increase is necessary at this time and a 60% increase is exorbitant.

I further protest the deceptive wording in the announcement. Nowhere does it state that you have already taken this action; rather it implies that you intend to and thereby leaves room for hope that members of the association could object and thus influence your decision . . .

Finally, may I suggest that the 60% increase violates at least the spirit of the President's Anti-inflationary regulations.

NORMAN B. ACKLEY

Seattle

All my faithful and expectant readers should be pleased to know that in recognition of my open-minded, unprejudiced, unbiased, tolerant and inspirational attitude expressed in the previous articles of this column, the Yakima County Bar Association elected me the first A.B.A. recipient of the month, (*Archie Bunker Award*), including the *Fickle Finger of Fate*. The plan is to present this each month to the Bar member who most puts his foot in his mouth. I am promised if I win it three times in a row I can keep it.

★ ★ ★

In November, your Board of Governors held their semi-annual meeting with the presidents of the County and various other Bar Associations, and I was very pleased with the meeting and its apparent reception by those attending.

We could have easily used another day as the time was much too short for the excellent reports on Family Law, Auto Insurance Reparations, Organization and Government of the Bar Association, Uniform Probate Code, Disciplinary Board, Lawyer Referral Service, Legislative Committee, Group Legal Services, Court Administrator, and the law schools. The latter included a report on the proposed law school at the University of Puget Sound.

Much of the afternoon was devoted to reports by the officers of the Bar Associations.

It disturbs me that all of the Bar Associations were not represented. How do we communicate with those not present? How do we inform them of our problems, our hopes, our plans and the work being done by dedicated committee members?

We hope those who did attend will report back to their respective Bars, but we were advised by many of the officers that their



local Bars meet infrequently and with very poor attendance. Apparently, there is an unwillingness to make the effort to find out what their Association is doing.

As one means of increasing interest and thereby improving communication, I have suggested to Chief Justice Orris Hamilton that various representatives of our Supreme Court contact and appear before the Bar Associations so that the members will know how our courts work, particularly the Supreme Court. I don't believe that many of us know how cases are assigned to various justices, what transpires after an initial opinion is written, how much additional research and briefing is done by the other judges after the initial opinion has been submitted to them, what conferences are held after an opinion is written, what the procedure and process is when a petition for rehearing is filed, how much actual consideration is given, by whom and what method, what time is devoted by the court to various and sundry petitions, how much time is normally devoted to an opinion and various other mechanics of the court.

It is my feeling that with this kind of communication to the Bar members, they would have a

(Continued on page 10)



Editor's Note

"Legislative enactment would not make white black, nor can it provide the female form with bone and sinew equal in strength to that with which nature has provided man. No more can it reverse the law of cause and effect, and clothe a timid, shrinking woman, whose life theater is and will continue to be, and ought to continue to be, primarily the home circle, with the masculine will and self-reliant judgment of a man."

Thus spoke Judge George Turner dissenting in *Rosencrantz v. Territory*, 2 Wash. Terr. 267, 281, 5 P. 305, 311 (1884).

How far have we moved in extending equal opportunities to women since the days of Judge Turner? Specifically, how do women fare in the legal profession?

Women law students to their chagrin still hear from interviewers — I would like to hire you but: the older partners in my firm would not go along; or the clients would never accept having a woman lawyer; or most normal women would like to stay home and raise a family; or women lawyers are unable to handle female secretaries.

Women lawyers to their chagrin still hear from judges — My, but that is a pretty dress you have on today; or you're too cute to be a lawyer.

Women lawyers to their chagrin still hear from fellow lawyers: Are you really serious about that sex discrimination resolution that was passed at the annual meeting in Portland? Does this mean there can no longer be quarterly bar meetings at the Washington Athletic Club, College Club or other clubs in which women cannot be active members? Do you really believe that women lawyers should be on a W.S.B.A. Prison Reform Committee and be exposed to hardened male criminals? Don't you think it would be better to have a separate women's Prison Reform Committee to visit Purdy Women's Prison?

The time has come for us to be aware of the fact that 26% of the first year class at the U.W. Law School are women. The time has come for law firms to think in more expansive terms than zero, one or two women lawyers. The time has come for all of us to be more sensitive to what engenders chagrin.



The Board's Work

Members of two important new committees were appointed by the Board of Governors at its November 18 meeting in Pasco.

Charles I. Stone of Seattle was named chairman of the **Committee on Certification of Specialists**. Members are **Donald A. Cable**, Seattle; **Robert Seeber**, Olympia; **Rembert Ryals**, Richland; **Robert E. Blair**, Spokane; **Carl H. Skoog**, Tacoma, and **Merle E. Wilcox**, Marysville.

Named to the new Committee on **Group Legal Services** were **Charles F. Warner**, Seattle; **Dennis J. Britt**, Everett; **Donald Sampson**, Vancouver; **Philip M. Raekes**, Kennewick; **Frederick B. Hayes**, Tacoma; **Duane D. Kiel**, Seattle, and **Thomas Malott**, Spokane, chairman.

The Board deliberated at length over the Bar Association's finances and its increasing obligations and responsibilities before voting to **increase the association dues**,

In other actions the Board:

✓ Appointed **Donald H. Brazier** of Olympia to the Administrative Law Committee.

✓ At the committee's request, changed the name of the Subversive Activities Committee to the **Committee on the Rule of Law**.

✓ Referred to the **Legal Internship Committee** a proposal that Gonzaga law students be permitted to assist parties to actions in Small Claims Court.

✓ Authorized payments totaling \$10,000, on recommendation of the **Client Security Fund Committee**, to three clients of a lawyer who has been disbarred.

✓ Indorsed a suggestion that **lawyers serving as arbitrators** be paid a reasonable fee.

✓ Discussed a preliminary report on the statewide **judicial survey** of Superior Court judges taken by the association, and received a communication that the Spokane County Bar had voted, 41-40, to ask the Board to defer action on the survey, and a second communication from the seven Spokane judges reporting they feel the results of the poll should not be tabulated and/or published.

✓ Agreed to co-sponsor a seminar on **Government Procurement Contracts** being presented by the Washington State Chapter, Federal Bar Association, at the Seattle Center February 22-23.

✓ Appointed **John Lycette Jr.**, Seattle, chairman of the **Insurance Committee**, and named **Charles C. Flower** of Yakima to the **Federal Legislation Committee**. □

WASHINGTON WOMEN LAWYERS

Sex Discrimination By Private Clubs Under Attack

The SKCBA Board of Trustees invited to its December 15 meeting representatives of the Rainier Club, Washington Athletic Club and College Club in order to determine if full membership rights are extended to women in the clubs. If not, no further meetings of the SKCBA Board, committees or membership would be held at the clubs. A board resolution forbids such meetings in facilities which discriminate on a basis of sex (race, creed or national origin).

WSBA members in attendance at the 1971 annual meeting in Portland passed a comparable resolution which was adopted by the WSBA Board at its October meeting. The WSBA Board at that meeting went out into the rain to have its lunch at the Hilton Hotel, unsure whether having lunch at the College Club would violate the resolution. They were later assured that lunch alone would not have violated the resolution, just *meetings* in a club which practices sex discrimination in not granting membership status equal to that granted men.

Sex Discrimination By Employers Under Attack

By resolution the University of Washington Law School faculty has decreed that law firms and employers may not use Law School's placement facilities and services if they practice discrimination based on sex (race, religion, creed or national origin). (A motion to add "age" was defeated in 1970.) In attempt to give the resolution effect, the faculty adopted a resolution on enforcement on February 1, 1971:

"If a substantial complaint is made to the Dean of the Law School that an employer or law firm

using the placement services has practiced discrimination, the Dean shall inform that employer or law firm and request an explanation of the incident or allegation. The Dean shall further inform the employer or firm that unless the complaint is denied or satisfactorily explained, the employer will be expected to refrain from use of the Law School's placement facilities."

The Law Women's caucus at the University of Washington Law School presented the faculty in November, 1971, with a proposed addition to Assistant Dean Jack Huston's letter to alumni and employers who make use of the Law School's placement facilities:

"Our services will benefit everyone only when there is a clear understanding of our policies regarding discrimination. Elimination of discrimination on the basis of race, religion, and national origin has received much attention in recent years and justifiably so. Such efforts must be actively extended to elimination of discrimination on the basis of sex. Our first-year class has 37 women out of a total of 151, 25 per cent of the class. The second-year class contains 17 women. Admitted on the same merit standards as men, women students have performed as well as their male classmates. Accordingly, they should be given the same consideration when it comes to employment opportunities. It is not a matter of different standards or filling a quota, but of recognizing achievement, capability, and talent on their merits. With this in mind, the Law School suggests the following as examples of the type of practices which are considered discriminatory:

(a) refusing to hire or promote women



because of the prejudices of clients or of other lawyers in the firm;

- (b) applying standards in hiring and promoting women which are higher than those applied to men, i.e., considering only women on law review when men not on law review are considered, or using a quota system;
- (c) Assigning women exclusively to jobs or departments traditionally considered suitable for women, such as trust and estate work, or not offering women work in jobs and departments traditionally considered unsuitable for women, such as litigation, criminal law, and jobs involving overtime work or extensive travel.

"While certainly not all-inclusive, these examples indicate the types of discrimination which must be eliminated. Therefore, any employer who indulges in such discriminatory practices will be denied use of the placement facilities of the University of Washington Law School."

The Student Bar Association Executive Board resolved at its October 28th meeting to endorse the proposal and to do "all within its power" to see that it is adopted and implemented. The faculty has not acted yet.

Sex Discrimination In the Profession

To what degree is there discrimination based on sex in the legal profession in this state? The *Bar News* surveyed at random women members of the bar to get their reaction.

Seattle District Justice Court Judge **Janice Niemi** points out that in many areas of the state a woman entering the legal profession would be a pioneer. There are no women practicing in Yakima; in Tacoma, there is one in semi-retirement and one District Court Judge; the same situation is true in Spokane, only a District Court Judge and one other woman; Bremerton boasts two women lawyers. Says Judge Niemi: "This means the whole problem of proving yourself as a woman and as a lawyer will exist in these communities: One could also reasonably anticipate difficulties in employment, particularly with private firms."

Shirley G. Cook, Bremerton, received her law degree from the U.W. in 1950, graduating in the upper fourth of her class. She tried "without any success or encouragement" to find a job in Seattle or Tacoma. The two other women in her graduating class became law librarians. She explains: "Being jobless, I returned to my home, Port

Townsend, and became a combination secretary and law associate to our family lawyer. If I had been unable to type I would not have found any employment, unless I started practice by myself. I felt I needed the guidance and experience of an older lawyer and this was the only way I could get it. A few years later I married a lawyer and started practice with him. You might say, I married my job. I know of several other women who have done the same thing.

"I have been told that a female lawyer, starting employment with a fairly large city firm, is usually kept in the back room doing research and more or less menial work, and that she finds it very difficult to work her way into more interesting practice. If this is true, I would certainly say that opportunities are better in small town practice and with a small firm. However, I know of no female attorney who has ever come to Bremerton to seek employment, and certainly none have ever been employed here. There could be as much discrimination here as anywhere, but perhaps it just hasn't come up yet."

King County

There are 4590 lawyers engaged in active practice in the state. Of those 213 (5%) are women. In King County there are 2488 lawyers. Of these 177 (7%) are women.

There are thirty law firms in Seattle with ten or more lawyers. Nearly two thirds have no women partners or associates. Several of the large firms have hired their first woman lawyer within the past two years. The Attorney General, King County Prosecutor, Public Defender and Legal Services have anywhere from two to six on their staffs. Substantial commitment to the hiring of women lawyers is not evident anywhere.

Six women lawyers in Seattle are partners in their firms, **Muriel Mawer, Mary Ellen Hanley, Betty Fletcher, Bernice Jonson, Joan E. Hansen, and Mary Ellen Krug**. Muriel Mawer was asked to size up sex discrimination in the profession and this was her reply:

"As women law students increase in number and meet the qualifications of male applicants, they will find increasing opportunities open to them in the legal profession of this state. In my opinion the selection of a lawyer may be on the basis that he or she is a good lawyer, rather than he or she is a good woman lawyer or a good man lawyer. Lack of professional opportunities comes not from discrimination on the part of the profession, but from the decision of the individual client as to whether he or she wishes to be served on a

particular matter by a male or female lawyer."

Mary Ellen Krug commented: "Opportunities for women entering the legal profession in this state are relatively good as compared with opportunities for women in other states, but not as good as opportunities for men entering the profession here.

"Prejudice does indeed limit the utilization of women members of the Bar. While women are successful in all fields of law as sole practitioners and as members of law firms, there are still law firms loath to employ women lawyers and give them equal opportunities for advancement with the male associates. Relatively few women have been asked to serve on state bar committees. Relatively few women have been appointed or elected to the bench."

Bettina B. Plevan, an associate in the Bogle firm, responded: "I personally have experienced very little prejudice and none that could be considered serious enough to comment upon or from which any general conclusions could be drawn.

"From my own personal experience, it does not seem that the opportunities for women in the legal

profession in Washington are limited, but I imagine that there are many who have found it difficult to secure employment or who, once having obtained a position, have found that the type of work which they are given is different than that given to men of equal experience.

"If I don't get along with another attorney it may or may not be because he hated his mother, but it may be for a number of other reasons for which people don't get along."

Mary Alice Norman, a U.W. student who worked as a legal intern for the King County Prosecutor in district justice courts last summer, had this to say:

"My view may seem heretical, but I believe being a woman in law is at least as much an advantage as it is a disadvantage. After all, from an early age girls must learn to use words to persuade, not having effective recourse to physical force. (Other methods of persuasion, such as crying, are left behind with childhood just as is the boyish tactic of fist fighting.) The woman's long-practiced advocacy is ultimately useful in

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WASHINGTON STATE BAR NEWS

SKCBA Membership Affirms Board's Decision To File An Amicus Brief In DeFunis Case

At its December 8th quarterly bar meeting, the SKCBA membership by a vote of 110 to 32 supported the decision of the SKCBA Board of Trustees to file an *amicus curiae* brief in the *DeFunis* appeal.

The resolution of the SKCBA Board read as follows:

"RESOLVED: That the Board of Trustees of the Seattle-King County Bar Association ask permission of the court to file an amicus curiae brief and that the Vice President of the SKCBA appoint a representative to aid in the preparation of a brief, supporting implementation and continuance of the association's minority scholarship program, in conjunction with the Young Lawyers Section. If such brief is accepted by both organizations, the board of trustees may join in the filing of such with the Court. If the brief is not accepted by either group, the board of trustees may prepare and file its own independent brief. Any brief prepared will be submitted to the full board of trustees for its review and approval prior to filing."

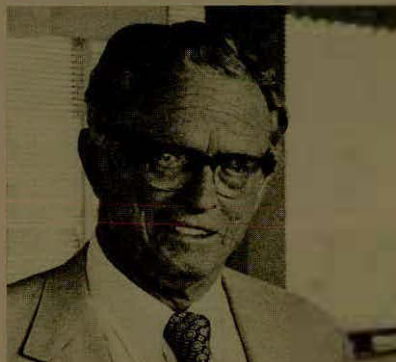
It was on September 22, 1971, that Judge **Lloyd Shorett** held that the Fourteenth Amendment equal protection clause prohibits law school admission policies favoring minority students over more qualified students (*Bar News*, Nov. '71, p.26).

At its October 20th meeting the SKCBA Board of Trustees unanimously voted in favor of filing an *amicus* brief on appeal supporting implementation and continuance of SKCBA's minority

scholarship program. SKCBA contributed \$10,000 to the program in 1970 and another \$10,000 in 1971.

After that meeting SKCBA President **Jack Scholfield** received a letter from Lycette, Diamond & Sylvester, counsel for Marco DeFunis, Jr., telling him that they felt the resolution was improper and that the Board of Trustees should not be filing a brief in the matter one way or another. Scholfield invited them to appear at the November meeting of the SKCBA Board of Trustees to explain their position on the matter. **Jack Sylvester** and **Craig Sternberg** of the firm appeared and spoke at the meeting.

Sylvester accused the Board of seeking to intimidate the State Supreme Court by the filing of the brief and alleged they would be intimidated if it were filed.

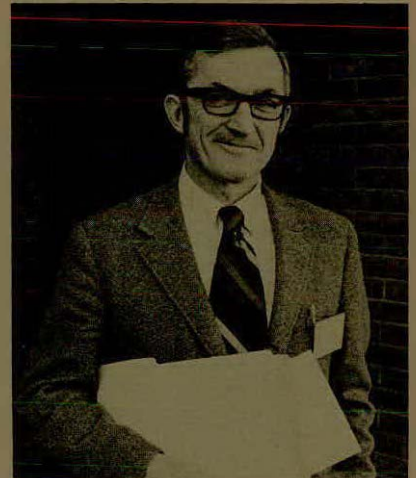


Jack Sylvester

He stated that if the Board did not reverse its position, he would circulate a petition for a special meeting of the membership, and obtain the required 15 signatures to have a vote on the issue by

(Continued on page 12)

County Bar Presidents Meet in Pasco



John W. Riley

Local-bar presidents had their semi-annual get-together November 19 in Pasco, were brought up to date on State Bar activities and had a good chance to hash over mutual problems.

Fred Velikanje, State Bar president, introduced the morning-long procession of speakers. Among them were:

John W. Riley, Seattle, co-chairman of the Committee on Organization and Government of the Bar (COG), said the Bar's committees range from "very busy to nonfunctioning" and over-all performance had to be rated poor. But there has been noticeable improvement in recent months. The committee is considering recommending establishment of at least some State Bar sections in areas of substantive law, and is thinking of recommending that some committees be merged and then divided into subcommittees to improve communication. COG

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The President's Corner
(Continued from page 3)

much better understanding and a closer relationship with our Supreme Court. If this works out, possibly the same request should be made to our Court of Appeals. I believe most everyone on the local level is familiar with the processes in the Superior Court. This is just one thought of enlarging our knowledge.

Your Board of Governors would appreciate any additional thoughts that Bar members have which would enlarge and assist in our communication methods, whether you feel this should be done through our *Bar News*, by direct contact, by seminars or any other method. We would appreciate hearing from you.

You have all been notified by letter of the action of your Board of Governors increasing the Bar dues. We regret that this has become necessary, but due to our deficit spending and the apparent mandate at the Bar convention in Portland that the services of the Bar Association be expanded, the Board of Governors is attempting to hire a full time counsel, a full time investigator and enlarge the Bar staff in other fields. This is your Bar Association — be active in it.



Building Seminar Set

Delays and Disputes in Building Construction, a one-day conference on "how to avoid trouble and keep costs under control," will be sponsored by the Construction Industry National Committee and the American Arbitration Association at the Sheraton Motor Inn in Portland January 20, 1972. Among the speakers will be Donald M. Davidson of Ferguson & Burdell of Seattle.

Fox Found Guilty

A Superior Court judge has ruled that a farm union organizer and a Seattle attorney were guilty of criminal trespass when they visited migrant farm workers at a private farm camp near Walla Walla June 19.

Walla Walla County Judge **Albert Bradford** upheld on December 10th the lower court convictions of Guadalupe Gamboa, an organizer for the United Farm Workers Organizing Committee, and **Michael Fox**, a staff attorney with the Seattle-King County Legal Services Center.

(See "Farmworkers in the Yakima Valley," November 1971 *Bar News*).

The decision will be appealed.

Hansen Elected Chairman

Ed Hansen, an Everett attorney, has been elected chairman of the new Northwest Washington Legal Services board of directors.

By January, the board hopes to have the director and a staff of four other attorneys, clerical staff and part-time law students established in three offices in Snohomish, Skagit and Whatcom Counties.

The offices will provide free legal service in civil cases to low-income residents of the three counties and Island and San Juan Counties. The main office will be in Everett.

A federal grant of \$150,000 to finance the project was awarded in September. Nine of the board members represent the bar associations; the other six have been selected to represent various low-income groups. **Charles Olson**, a Bellingham attorney, was elected secretary.

Judge Sharp Takes Oath

Morell Sharp was sworn in as a United States District Court Judge December 17, filling the vacancy created by Judge George Boldt's appointment to head the federal Pay Board. Judge Sharp was slated to begin hearing cases as soon as possible.

In Memoriam

George Kirby Coryell, 83, Vashon Island, died November 12. Graduating from the University of Washington, he joined Carkee, McDonald, Harris & Coryell and later became an attorney with the Army Corps of Engineers, retiring in 1958.

Richard R. Hodge, 59, Tacoma, died November 11. A 1935 graduate of the University of Washington Law School, he was a member of Hodge, Mann, Copeland & King. He was a past chairman of the WSBA Disciplinary Board and a past member of the WSBA Board of Governors.

George C. Kiskaddon, 84, Seattle died December 6. A graduate of Harvard Law School, he was an adjudication lawyer for the Veterans' Administration in Seattle from 1938 to 1956, when he retired.

Richard McBroom, Jr., 29, died December 12 of a rare blood disease. A 1967 graduate of the University of Chicago Law School, he served with the U.S. Department of Justice as a prosecutor in civil rights cases in the South, later as an instrumental part of the federal grand jury investigation of the Seattle Police Department scandal and most recently as head of the King County Prosecutor's staff for the grand jury. His father, **Richard G. McBroom**, practices in Spokane while a brother, **Douglas McBroom**, practices in Seattle.

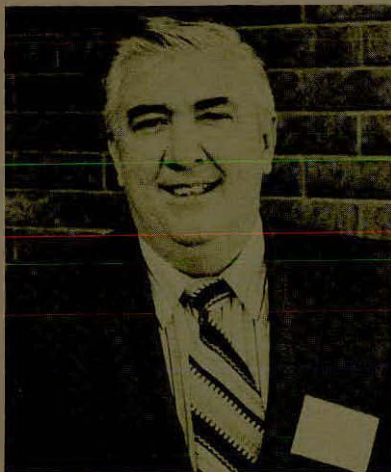
County Bar Presidents
(Continued from page 9)

also is examining the by-laws and Bar Act, and Riley noted that Washington has the smallest Board of Governors in the country. There appears to be little coordination between local and state bar committees, he said.

Ivan Merrick, Seattle, chairman of the Family Law Committee, who briefed the presidents, Board of Governors members and others on the committee's October statewide interdisciplinary conference at Issaquah. The committee's aim, he said, is to help "bring domestic relations law up to date to serve the last quarter of the century." Since the "basic cause of divorce is marriage," marriage procedures need to be modernized and provided with more counseling and judicial support. Obsolete divorce procedures must be replaced.

Claude M. Pearson, Tacoma, Lawyer Referral Service Committee chairman, explained the workings of the State Bar's new statewide service which went into operation December 1 and asked the local presidents to urge their bar members to sign up as panelists. The service can succeed in its mission to provide readily available legal services to all only if it is sufficiently publicized and if enough lawyer-panelists are available. He asked that members of the LRS Committee be invited to address local bars to explain the program.

Lee J. Campbell, Chehalis, chairman of the Legislative Committee, said the committee has an average attendance of 30 at its meetings and there is every variety of opinion on the committee. The committee's criterion in evaluating proposed legislation is "what is best for the public." He urged lawyers to submit proposals for



Michael Hemovich

improvements in the laws, said there ought to be greater state-and-local-bar legislative cooperation, and said the committee plans to have meetings in various cities around the state to which local Bar members and legislators will be invited.

Michael Hemovich, Spokane, Disciplinary Board member, explained discipline procedures, from initial complaint to disbarment. He urged that all accused lawyers retain counsel and not represent themselves at hearings, and noted that lawyers complained against must cooperate with the Bar investigation — failure to do so could bring disbarment.

James P. Curran of Kent, member of the Board of Governors, reported on Group Legal Services. Group services are very much with us and are a future force all lawyers must reckon with, he said, although their ultimate shape and direction still are to be decided. Though lawyers everywhere have tremendous interest in the subject, no precise guidelines in organizing and operating group services have yet been formed, he said. Nationwide more than 200 services have been formed, the ABA is experimenting with prepaid legal serv-

ices plans in Louisiana and California and even in Seattle one law firm is contemplating a group service.

Albert C. Bise, administrator of the courts, said the Supreme Court will have set for the January term all cases that were ready and in addition will take up from the Appeals Courts 19, and possibly 21, cases. He noted that the Spokane Division of the Appeals Court is substantially up to date, and Divisions 1 and 2 should be up to date by the May term with the help of the Supreme Court. This finally will end the delays caused by the unexpected flood of appeals which followed establishment of the Appeals Courts in July 1969.

Dean **Lewis H. Orland** of Gonzaga and Prof. **Robert Fletcher** of University of Washington Law Schools spoke, Orland reporting on his school's recent rapid growth and future enrollment projections and Fletcher on the UW curriculum. Two University of Puget Sound officials, Lloyd Stuckey, financial vice president, and Dr. Maxson Reeves, academic vice president, then disclosed some of UPS' plans for opening a new law school. Surveys by the school and by the Department of Health, Education and Welfare agree that law-school growth will continue about 10 years, then level off; the chief reason, Stuckey said, simply is "more people," plus the fact that more women are interested in studying law. Tacoma, with two million persons within a one-hour drive, is the largest area in the U.S. without at least a night law school. The school will be principally a day school but with night classes. If finally approved by school authorities, which seems likely, the school will open in rented facilities, with major expenditures devoted to faculty and library.

AMICUS Brief

(Continued from page 9)

the membership.

Sternberg questioned the propriety of Betty Fletcher voting on the resolution because her husband is on the U.W. Law School Admissions Committee.

A vote was again taken on the resolution and it passed unanimously with Betty Fletcher abstaining.

The minutes of that meeting reflect the following:

"Bill Dwyer stated the conditions under which he had accepted the Board's assignment to participate in the preparation of the *amicus curiae* brief: to wit, that in the preparation of an *amicus curiae* brief as contrasted to a brief on behalf of a party, he felt it incumbent upon him to investigate the law and to read the court transcript without any preconceived conclusions or any predetermined position. He as well as the Board were hopeful that his conclusions would be such that they would support the continuance of the Association's minority scholarship program. The Board confirmed his appointment with full understanding of the view he took of his assignment."

Jack Scholfield then took the initiative and placed the resolution on the agenda for the December 8th quarterly meeting.

In preliminary remarks at the meeting, Scholfield pointed out that no precedence could be found where the SKCBA Board had on any prior occasion filed an *amicus* brief. However, on many occasions the ABA Board of Governors has authorized the filing of briefs in matters of interest to the ABA and has authorized the filing of a brief *amicus curiae* in behalf of the ABA in the *DeFunis* case.

The WSBA Board of Gover-

nors at its October meeting voted against filing an *amicus curiae* brief in the *DeFunis* case. **Mary Ellen Krug**, representing the WSBA Civil Rights Committee, was to appear before the WSBA Board at its December 17th meeting asking that the Board reconsider its position. The WSBA Civil Rights Committee was unanimously in favor of filing such a brief.

At the December 8th SKCBA quarterly meeting, the first speaker was **Don Davidson** who announced that although his son faced trying to get into law school next fall, he was strongly in favor of the filing of the brief. He thought the law school should grow with the times and embody all variety of students; that grade point average and law school aptitude tests should not be the sole criterion; and that a minority law student program was for the good of the law school and the entire profession.

Lyle Iverson was then recognized from the floor and stated:

The only purpose of putting in a brief of this kind is to exert pressure on the Supreme Court in the name of the Bar Association. Now, the only rule that we have on *amicus curiae* briefs has to do with a lawyer filing a brief. Anyone of you can ask permission to file a brief. The Supreme Court has not heretofore, and I don't think it will here, accepted briefs from organizations. The only object of putting this in will be to undertake to put pressure on the judges of the Supreme Court to decide a legal question in a certain way.

"It seems to me that we as lawyers should be the first to resent that sort of thing. I don't think the thing will produce any particular light because the university is perfectly capable of presenting their own arguments.

But we are going to say, you judges must know that so many X number of lawyers in this organization are going to hold it against you if you don't decide this case a certain way. Now if that is the way that we want our cases to be decided, the pressure on the judges is going to do it; it's highly improper; and it just shouldn't be done."

Bill Gates then came forward and offered this reply:

"It seems to me, Lyle, that what I hope this association would say to the Supreme Court is not that we are going to hold anything against them one way or another about anything. What we want to say to the court with as much strength as can be brought to bear on the subject is that the law ought to be other than announced by Judge Shorett. And I say that with all respect to Judge Shorett.

"I think it is important that there be compensatory programs for advancing the position of minority races in our country. I think that we have achieved a system which discriminates.

"Is there really equality of opportunity in this country? Now the Fourteenth Amendment has been with us for over a century and to me it is a remarkable thing that it would now be used to perpetuate a system which events prove discriminates.

"True, we set up theoretical legal equality. But it didn't work. We are substantially more sophisticated today than we were in the Nineteenth century when the Fourteenth Amendment was adopted.

"We know now that people who are black, people who are yellow and people who are red do not have the opportunities that those of us who are white happen to have in this world.

"They started at the bottom

and there is no way in this system that they are going to work their way up into it to be diffused through it unless we in effect reach down and pull them up.

"Creating the opportunity for minority persons to become lawyers is one of the most practical steps that can be taken in the direction of achieving equality as we in a more sophisticated way realize what equality of opportunity means in this country."

Josef Diamond, counsel for DeFunis, then delivered an impassioned speech:

"It is unbelievable to me that the Bar Association would contemplate the action they are talking about.

"Marco DeFunis is a 20 year old lad who graduated from the University of Washington in 1970. He graduated *Magna Cum Laude*, *Phi Beta Kappa*, and had a 3.71 or 3.8 GPA, depending on how you figure it. He is not a usual student. He made application in 1970 to enter the law school. He was put on a waiting list and then turned down. We wanted to find out why. Well, there were too many students and there wasn't room for him but try again next year.

"So he went to the University of Washington Graduate School for one year where he received a straight "A" and then made application again. And again he was put on the waiting list and just before school opened this fall, he was denied admittance.

"With that kind of record and grade — now Marco DeFunis was born in Seattle; his parents lived here for 50 years and contributed to the University and he and his parents felt that he was entitled to go to the law school.

"Now, if that kind of a boy can't get into the University Law School, who can get into our law school? Are your sons and daugh-

ters going to have those kind of grades and get in? Or are they going to go elsewhere?"

"Now, there is something wrong with our institution when a boy of that caliber can't get in.

"You also should know that they don't have any interviews. So you can't say that at the interview, something was wrong. So all they have to go on is the grades.

"When we tried to get him in by conferences — we met with the Dean of the Law School and we met with the Board of Regents and they were going to do nothing about it. I tried to avoid the publicity. I advised them that I did not want a lawsuit but there would have to be one if this boy couldn't get into the law school.

"So we had to take the only alternative left, start a lawsuit. Everyone of you lawyers would have done the same thing if that boy had come to you. He was entitled to go. There is nothing wrong with it. He is an exceptionally capable boy.

"I received about three days ago the practice grades, the first grades he has received from the law school. I think the records from his contracts course was A plus plus; next grade A plus; next grade was B minus to A minus; next grade was A plus, plus, plus; on the paper was written 'best paper in the class — good work'; the next paper was another A plus with the statement 'Excellent — very fine work'; this is the boy we got into law school that they tried to keep out.

"Now the record also showed — and may I say that when we tried to get him in before the lawsuit, we couldn't get any information to why he was kept out. There were just 1,500 applicants; there wasn't room and he couldn't get in. I couldn't believe that there could be 330

offered admission to the law school that had the grades that this boy had.

"So when I tried to inquire why — Yes, they were better students. When we got the records after considerable difficulty, not at depositions but after we got into trial with a court order, and I might also add that one of the records at least was not presented in the form in which it existed and they had to go back and return the proper record and not a falsified record.

"Now that's the record that was presented. (**Bob Fletcher** of the U.W. Admissions Committee thereupon rose to object) and Joe Diamond continued: "May I finish my — you can take all you want — it's true — it's the record — you can read the file.

"Now that's the record that we had to go on. Now, what is the Bar Association doing in trying to write an *amicus curiae* brief to get a reversal — I assume it's the only reason they would — to keep this boy out of law school. This boy belongs in law school.

"Now the publicity that has already been in the newspaper would lead everyone to believe that the Bar Association and all the lawyers were in favor of a reversal of that decision.

"Well, I can tell you that Judge Shorett has 150 letters, more than he has ever received in any case that he has had — he has asked me to come down and see them but I haven't — all favorable to the decision that he entered.

"I have received more 'phone calls and more people have stopped me on the street before final decision than after that we were right. I have yet to have anybody tell me that we were wrong or that Judge Shorett was wrong in that decision.

"Maybe we were wrong and

the Supreme Court will make the final determination. But what's the Bar Association got to do with it? It's a lawsuit. It involves a boy. I wasn't concerned and I wasn't trying to make issues of black and white and minority groups and what not. I argued just as much and probably more that he was a resident and residents should have preference. Judge Shorett held against us on that phase. When I went into the trial I really thought that if I was going to win it was going to be on that basis.

"But when I got into the trial I found that there was the so called minority — I had never heard of it — and the CLEO program and that they were admitting students who did not have the qualifications. Students with 2.5 grade averages.

"Now somebody has said — Davidson — that grades are no indication of a good lawyer. Maybe they are not. And if you want to set up some other basis, I have no objection but treat everybody alike.

"If DeFunis has to pass a different test as to whether he is qualified, make a different test but have the same test for him as you have for these so-called minority groups — not a separate test; not a different test. Let everybody stand on his own. If you want to say, let everyone write a composition, forget their past records or grades or have an interview — and if they had had an interview, I suppose that maybe I would have had a rough time. I wouldn't have been able to say that this boy was better than the others. But they went only by a record. And their records showed that he was better than at least 30 that were admitted — considerably better. His record was way outstanding.

"Now, I don't know what the

Bar Association is doing trying to keep this boy out. I am sure that the University has enough lawyers — and I understand that there are two or three professors who are going to write briefs *amicus curiae* too, in addition to their local counsel. I don't know how many briefs we are going to have to answer. But if you all want to put them in, put them in. We are going to win because we are right. And if you want to put it in, all you are going to do is give me some publicity and I think you are going to hurt the Bar Association. You don't belong in litigation. You have never done it before. Please don't do it now. It's just wrong. It isn't right. From my own standpoint I'm not concerned. This boy is going to stay in school. He belongs in school."

Ken MacDonald then assumed the rostrum:

"I would hope that we don't become polarized about a very important young man. We are also dealing with very important constitutional human issues.

"I call your attention to the denial of certiorari yesterday by the United States Supreme Court of the lawsuit decided by Judge Lindberg where affirmative action employment programs were required of four construction unions. The programs embody quotas of blacks and other minorities that had to be hired or else there would be certain sanctions imposed against those unions.

"The grounds for appeal were that this was reverse discrimination and in violation of the Fourteenth Amendment.

"I also call your attention to the *Yale Law Journal* of March 1971 which has an article entitled "Preferential Admissions — Equalizing the Access of Minority Groups to Higher Education." The first sentence of that

article says this and this is why it seems to me that our Bar Association should be in the thick of things and in the making of American History, hopefully starting here and hopefully across the rest of the country: The preferential admission of minority students to colleges has become one of the most divisive issues in American higher education.

"The one matter that we are basically in dispute on is this: Joe Diamond says essentially that everyone is the same. Let's take the grades. Let's take the competition. Bill Gates — You're not all the same because the white is about three quarters of the way around the track on the first lap and the black hasn't even started. And it seems to me that that is factually and historically true.

"The question is what can responsible professional, sympathetic, understanding people do about this? It is easy for all of us to sermonize — it's easy for us to engage in generalities and of course the problem always is — and this is the genius of the law and perhaps of an association such as ours — what do we do when we come down to a case? What do we do in the face of this fine young man? What do we do in the face of the needs of the University and the amplification of equal opportunity in America? How do we define the problem and then solve it?

"I don't profess to know the answer but I do suggest that this body is acting in its highest tradition to seek to file an *amicus* brief — to give to our courts and ultimately perhaps to the United States Supreme Court our guidance, our leadership, our thinking, our morality, if you will, on this issue, which is still, despite all of our laws, the most important issue in America and its survival.

"I believe that the action of the Board of Trustees is appropriate; that it does not trespass on anybody's rights; and I for one at least am not asking that Bill Dwyer come down with a pat formula. I ask just what he has suggested that he look it over without condition; that he make up his own mind; that this be reviewed by the Board of Trustees; that from that we get knowledge, wisdom and understanding; and with that this association moves America along in this most vital and important matter."

Thereupon the membership defeated the motion of **Frank Eberharter** to refer the matter to a vote of the entire membership and voted to approve the action taken by the Board in its resolution.

The meeting adjourned.

Heirs and Legatees — Tracing — Social Security Assistance

Attorneys for estates may not know that estate beneficiaries may be traced through the Social Security Administration. The procedure is simple and inexpensive. Here's how:

1. Write a letter to the person to be reached, telling him the reason for the contact and asking him to communicate with the writer — SSA reads the letter and will act thereon only if it states a proper purpose.

2. The letter should be placed in a stamped envelope with no name or address and left unsealed to permit SSA examination.

3. Enclose the unsealed envelope containing the letter in another envelope addressed to SSA, Bureau of Data Processing and Accounts, Baltimore, Maryland 21235, with a request that the letter be forwarded; the request should give the person's social security number, if known, and as many of the family statistics as possible, such as last known address, age, birthplace, names and birth-places of parents, mother's maiden name, etc., to help identify the person.

4. Enclose a check for \$3.00 to cover costs. SSA normally sends the letter to the person's employer for hand delivery. If the person cannot be found, the letter will be returned. Normally, SSA is more than happy to forward all letters to persons involved in estate matters, especially to heirs-at-law, legatees, missing persons, witnesses to wills, children or other relatives of mentally incompetent persons, parents of children and children of parents.

Study of Uniform Probate Code Moves Forward



Cameron Sherwood

The proposed Uniform Probate Code now is under intensive study by a special committee headed by Judge F.A. Walter-skirchen of Seattle under sponsorship of the State Judicial Council.

The committee November 5 had its first meeting and appoint-

ed subcommittees which schedules several December meetings to study sections of the code, a product of the National Conference of Commissioners on Uniform State Laws and the Real Property, Probate and Trust Law Section of the American Bar Association.

Idaho, where the code becomes effective in July 1972, is the only state so far which has adopted it.

Cameron Sherwood of Walla Walla, a committee member, told a November meeting of the local bar presidents that the purposes of the code are:

1. To simplify probate procedures and make them uniform among the states.

2. To speed up probate by ending outdated and cumbersome procedures and to lower the cost of probate.

3. To guard against widespread use of often costly and questionable arrangements to avoid probate.

4. To restore public confidence in the probate system.

5. To overcome conflicts in the statutes of the various states and close gaps in probate laws which bring unnecessary litigation.

"If the Bar is educated on the meaning and purposes of UPC, it can take the lead in educating the public into a mood to demand that our legislators support and work and vote for enactment of the code," Sherwood said.

"We can convince the public that the Bar itself is interested as a profession in upgrading our laws and lowering the cost of dying to reasonable levels by simplification of our probate laws to avoid delays and burdensome intermediate court procedures between date of death and estate distributions."

U OF W Law School Admissions Policies

Professor Richard O. Kummert, in a recent luncheon speech to SKCBA, explained the U of W Law School admission policies. The law school can translate a candidate's undergraduate grades and LSAT scores by means of a formula and arrive at a predicted first year law school average for that candidate.

Is it a numbers game? Is it a computer exercise? Professor Kummert explained:

The process does *not* simply reduce itself to a numbers game for two very basic reasons. The first is that the statistical formula producing the predicted first year averages is itself a rather high powered kind of averaging device. As with any average, it is heavily influenced in making predictions by the type of student we see the most of in our law school classes, a graduate of the University of Washington majoring in the social sciences. When we try to apply the formula to a student from a different school, from a different major, or with unusually heavy work or extra-curricular activities, we must make adjustments to the predicted first year average to reflect these differences from our average student. To cite a common example, if the applicant has had to work 40 hours a week while attending college full-time, we assume that his grades, absent the extraordinarily heavy work load, would have been higher, and hence that his predicted first year average should be higher than the "numbers" indicate. Thus, the committee must interpret all of the information in a candidate's file in order to assess the significance of the predicted average — a process which consumes uncounted man hours of committee deliberation.

The second reason that the admissions process is not a numbers game is that the committee, faithful to the broad criteria of possible contribution to the law school educational process and possible contribution to the community, have articulated one general and two specific exceptions to the general rule of selection of candidates on the basis of relative predicted first year averages.

General Exception

There is a general exception. In our final selection of candidates for admission, we consider a number of applicants far in excess of the number of open positions. Since many of these applicants

are reasonably close in terms of predicted first year average, we tend in selection of this final group of applicants to choose on the basis of possession of outstanding potential not demonstrated in the predicted average rather than solely on the basis of the numbers. For example, one candidate in this range was selected because of her having undertaken a series of independent research projects which led to publications. Another was selected because he was a doctor of medicine.

Minority Applicants

A specific exception to the predicted first year average standard is the result of our procedure for minority applicants. In 1971, it operated as follows: After we had applied the predicted first year average criterion to select a substantial portion of the class we examined the prospective class to determine the representation of minority students in it. We found 5 Asian-American students in the class. In the fact of that situation, we extended offers of admission to the best qualified students from minority races not represented in the class. These offers eventually produced 18 minority group students in the 1971 class (10 Blacks, 3 Chicanos, 3 American Indians, and 2 Philippine-Americans). Our reasons for this minority admission policy, as I am sure you have heard our dean state, relate to our general admissions criteria: first, such students can and do make a significant contribution to the law school educational process by providing different and illuminating perspectives to legal rules and institutions; and second, such students on successful completion of law school will help reduce the great underrepresentation of minority races in the legal profession, hopefully diminishing the distrust of those races for the law and lawyers.

Despite these considerations, our minority procedure was found by Judge Lloyd Shorett to constitute a violation of the legal protection clause of the 14th amendment. We were advised before that decision, and continue to be advised by all three of our constitutional law teachers, that our procedure is constitutional. The university is currently appealing Judge Shorett's decision.

When is an LRS Panel Lawyer a Specialist?

The SKCBA Lawyer Referral Service recently revised its rule to provide that before a panel lawyer may serve on the (1) criminal, (2) patent, trademark, and copyright, (3) immigration and naturalization, or (4) workmen's compensation panels, he must self-certify himself as a specialist in that area (p. 17 Dec. '71 *Bar News*).

As a result, the Committee received the following inquiry:

"I don't know what your definition of 'specialist' is but I presume it means a practitioner who devotes the majority of his practice to that particular field. The result of the new rule as applied to me, a general practitioner, is that although I regularly operate in three of the four specialized fields, I cannot honestly certify myself as a specialist in those fields. Therefore, under the rule, I could not even indicate that I would be willing to accept cases in those areas. I like the idea of self-certification but I think the question should be that of competency rather than specialization."

In replying to the inquiry, the Committee cited a passage from Christensen, "Lawyers for People of Moderate Means," a 1970 American Bar Foundation publication:

"The level of proficiency required by the term 'specialist' is, of course, that level necessary to protect the public who rely on it. This, in turn, can probably be defined only in terms of the level of proficiency thought to be reasonable by lawyers presently practicing in the various specialized fields. Thus it becomes apparent that

qualifications for specialized practice will have to be formulated, at least at the outset, with reference to presently existing standards of practice.

"Determining the existence of special proficiency is a practical problem. Possibilities include examination, formal training, experience, rating by colleagues, and various combinations of these. Self-evaluation is also a possibility." (p. 118)

The LRS Committee wanted to experiment in the area of certification of specialists this year. The Committee rejected the Pittsburgh LRS approach requiring a number of years of experience before allowing membership on certain panels. The Committee also rejected the approach of special training or requiring attendance at continuing education seminars and the like as a prerequisite to panel membership.

Instead the Committee believed that the best approach was to start with self-certification in a limited number of categories and follow that by rating by colleagues on that specific panel.

The colleagues will be looking for "special proficiency" not whether a lawyer devotes the majority of his practice to that particular field. It is believed that "special proficiency" should constitute something more than just "competency." DR6-101 of the Code of Professional Responsibility already imposes that obligation:

"A lawyer shall not handle a legal matter which he knows or should know that he is not competent to handle, without associating with him a lawyer who is competent to handle it."

Christensen in his article "The Need for a Better Lawyer Referral Service" in the November

1970 *ABA Journal* stated that lawyer referral is not in the business of certifying specialties:

"Basically there is only one objective: to send a client needing a legal service to a lawyer who is able to perform that service capably and who is interested in doing so. It is unimportant whether the lawyer possesses qualifications that would generally be regarded as 'expertise' or 'special competence'." 56 *ABA Journal* 1059 (1970).

Nevertheless Christensen does recognize special panels and although he does not discuss them in the terms of specialization, he does use the same criteria for selection of panel members, i.e., longer period of experience, restriction of practice to the field involved, special training or membership bestowed by a lawyer's peers as a recognition of "exceptional ability." (The LRS of the San Bernardino County Bar Association in California takes the last approach.)

Court of Appeals Openings

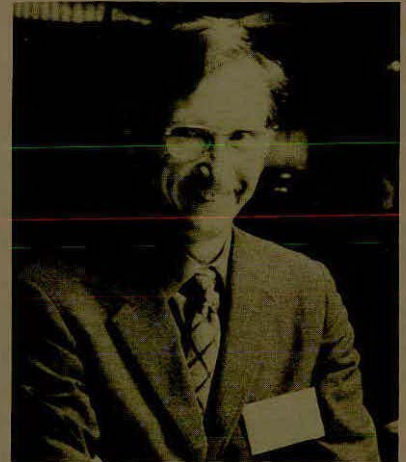
Lawyers wishing to be considered for possible appointment to any future openings on the Court of Appeals bench are urged to submit their names to the appropriate chairman of the State Bar's judicial-selection committee for the court. Chairmen are Thomas P. Keefe, Seattle, Division 1; Charles B. Welsh, South Bend, Division 2, and Robert McNichols, Spokane, Division 3. The confidentiality of all such communications is protected.

Deadline for next issue of the *Bar News* is January 3, 1972.

McLAUHLAN AT LARGE



Hon. James J. Lawless, Pasco (L) and Hon. Gerald N. Fisher, Port Orchard



Robert S. Mucklestone, Seattle,
The Red Baron



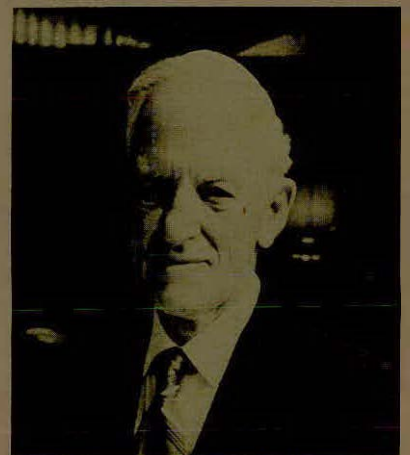
Paul C. Gibbs, Seattle



Hon. Janice Niemi and Preston Niemi, Seattle



Board Member Jack Lynch and Noni



Past President Robin V. Welts,
Mount Vernon



COWLITZ REPORT

By O. H. HUSEMOEN

Barry J. Dahl, formerly of Seattle, has joined the law firm of Walstead, Mertsching, Husemoen and Donaldson. **Vernon Guinn** is now in residence with Studley, Purcell and Spencer, and his new child was born a day or two after his arrival.

The Cowlitz County Modified Public Defender Program, wherein **Wayne Roethler**, **Don McCulloch** and **Jess Minium** handle most of the court-appointed cases, has been operating smoothly with a minimal amount of problems, relieving the burden of court appointment from other attorneys.

The Lawyer Referral Service operated by the Cowlitz County Bar Association in cooperation with the Longview Chamber of Commerce has been operating for approximately one and one-half years with some apparent success. All attorneys are reporting some referrals, although the demand for the services would not be considered heavy.

The annual Christmas party was well attended, including Supreme and Appellate Court judges and the Clark County Bar as guests. **William Dowell**, entertainment chairman, finally succeeded in presenting an adequate program.

Copies of the new local rules for the Cowlitz County Superior Court are now available through the Clerk's office in Kelso, Washington. There are certain changes, including a change in the schedule of jury terms.

EAST KING REPORT

By CHARLES F. DIESEN

With the guidance of city attorney **John Lawson**, Redmond

has adopted an enabling ordinance permitting certain games of chance when sponsored by civic and charitable groups. We all know there may be some question about all of this. When John was selling chances on the Lions Club "Turkey Shoot" before Thanksgiving I raised illegality as a defense to his sales pitch. The result was that I got two chances, one from the police chief and one from the city attorney . . . on the theory that if I was a co-conspirator with both arms of the law I need not fear being prosecuted should the ordinance prove invalid.

Joe Miller of Bellevue has been elected as the new president of the East King County Bar Association. Names of the new trustee and vice-president will be available after the forthcoming election.

PIERCE REPORT

By DAVID E. SCHWEINLER

Announcements

Frank Witt and **James Witt**, formerly associates with the firm of Binns, Petrich, Mason & Hester, have moved their offices to 16 North Tacoma Avenue, Tacoma, Washington, and have now become associated with **Sam Alotta** for the general practice of law.

Dino Batali announced the relocation of his offices to 221 South 28th Street, Tacoma, Washington . . . **Harold E. Winther** has become an associate in the firm of Combs, Small & Kucklick . . . **LeRoy C. Boyce**, formerly an assistant city attorney, joined the law firm of Estes & Damis as an associate.

Kenneth D. Beyer has associated with **Nile Aubrey** for the general practice of law . . . **Larry J. Couture**, University of Oregon

Law School 1971, has joined the staff of the Pierce County Prosecuting Attorney.

Programs

The November meeting of the Tacoma-Pierce County Bar Association was held on Thursday, November 8th, at the Top of the Ocean. Following social hour and dinner a panel discussion was presented concerning the proposal by a private law firm for the representation of all indigent felons in Pierce County. Participating in the panel discussion were **Ed Wheeler**, of the firm of Witt, Hutchins, Plumb & Wheeler (proponent), **David Manger** of the firm of Oldfield & Manger, representing the Young Lawyers section (opponent), **Ron Hendry**, Pierce County Prosecuting Attorney, and **Dave Gago**, Chief Assistant to the Pierce County Commissioners.

The program was moderated by our President, **Warren Peterson**, and the meeting was well attended by both judges and attorneys and at times heated discussion ensued. The recommendation was made that the Pierce County Bar Association poll its members individually as to their thoughts concerning the proposed private contract.

SEATTLE-KING REPORT

By GERALD G. TUTTLE

Betty Fletcher, First Vice President of the Seattle-King County Bar Association, has been appointed by Gov. Dan Evans to a newly created State Women's Council to deal with the rights of women. The Council will be financed by a subsidy from the Governor's emergency fund. The Council has fifteen members. Mrs. Fletcher also has been active in the organization of a women's

political caucus for Washington State which held an organizational meeting on the University of Washington campus on November 4, 1971.

Llewellyn G. Pritchard has been appointed Vice Chairman of the National Legal Aid and Defender Association's National Membership Committee for the western region of the United States. The appointment was made by the American Bar Association. It is the intent of the Defenders Association to involve members of the legal profession in supportive legal aid and defender programs.

John W. Hempelmann of Perkins, Coie, Stone, Olsen and Williams will take a leave of absence from that firm to join the presidential campaign staff of Senator Henry M. Jackson. Mr. Hempelmann has also resigned his chairmanship of CHECC.

Named Acting Chairman of CHECC in Mr. Hempelmann's absence, is **Joseph D. Murphy** of Matsen, Cory, Matsen and Sprague with **Randall Revelle** of Perkins, Coie, Stone, Olsen & Williams becoming Acting Vice Chairman.

Adair, Kasperson & Hennessy and Maxwell & Petersen announced the merger of their firms under the new firm name of Adair, Kasperson, Petersen & Hennessy, Robert W. Maxwell of Counsel.

Casey & Pruzan has moved its offices to 18th Floor Pacific Bldg. . . . **Hillis, Schell, Phillips, Cairncross, Clark & Martin** has moved its offices to 403 Columbia Street.

William Erxleben, executive assistant to U.S. Attorney **Stan Pitkin** since March 1970, has been named Seattle regional director of the FTC, succeeding Frederick Lukens.

Max D. Crittenden has been

named corporate and legal Vice President of Cascade Airways, the Spokane-based commuter airline.

Larry M. Carter has become a partner in Preston, Thorgrimson, Starin, Ellis & Holman and **C. Kent Carlson, Robert L. Gunter, Robert F. Stein** and **Jackie L. Ashurst** have become associates.

Charles I. Stone has been named to the executive committee of the board of governors of the United Way of America. Stone will serve for three years. United Way represents more than 2,240 local organizations throughout the United States and Canada.

SPOKANE REPORT

By **THOMAS R. CHAPMAN**

Sticks & Stones

The problem of correctional reform seems to have turned into a political Punch-and-Judy show in Spokane County. With charges and counter charges piled higher and deeper on every side, and no end in sight until the '72 gubernatorial race is run, the County Bar Association has moved to extricate penal reform from the political arena and study the problem in less of a carnival atmosphere. County Bar President, **Del Smith, Jr.**, has appointed a special committee to sink its teeth into the question and make recommendations. One of the thorny subjects for discussion: What is the role of the state and local Bar in the area of correctional reform?

Onward & Upward

Will Halpin, the mustachioed mystic of the Attorney General's Office in Spokane, will take his soup strainer to Nashem, Prediletto & Brooks of Yakima. Central

Washington barbers, please take note. I think you've got a live one.

Randall & Danskin has announced that **John Murray** has become a partner and **Don Douglas** and **Ric Fancher** have joined the firm. Ron came to Spokane from the University of Idaho Law School. Ric has been at the public trough as chief assistant Corporation Counsel for Spokane.

THURSTON-MASON REPORT

By **STEPHEN J. BEAN**

Herb and Carol Fuller, husband and wife, have opened their office for the general practice of law.

Stanbery Foster, Jr. led his local touch football team to the City Championships and rumor has it that he will *not* be a high draft choice in the 1972 NFL-AFL Football Drafts.

YAKIMA REPORT

By **RANDY MARQUIS**

Relocation:

President **Jim Hovis** announces removal of the offices of Hovis, Cockrill & Roy to the beautiful newly constructed building at 316 North 3rd Street, Yakima.

Special Award:

State Bar President **E. Frederick Velikanje** has further distinguished himself by becoming the first recipient of the Yakima County "Archie Bunker" Award, otherwise known as the ABA. A handsome sculptured trophy was presented to Fred by a secret committee headed up by **John S. Moore**, who gave special mention to our fearless leader's official rhetoric.

Washington Women Lawyers

(Continued from page 8)

court, in negotiating, and in getting along with co-workers."

Washington Women Lawyers

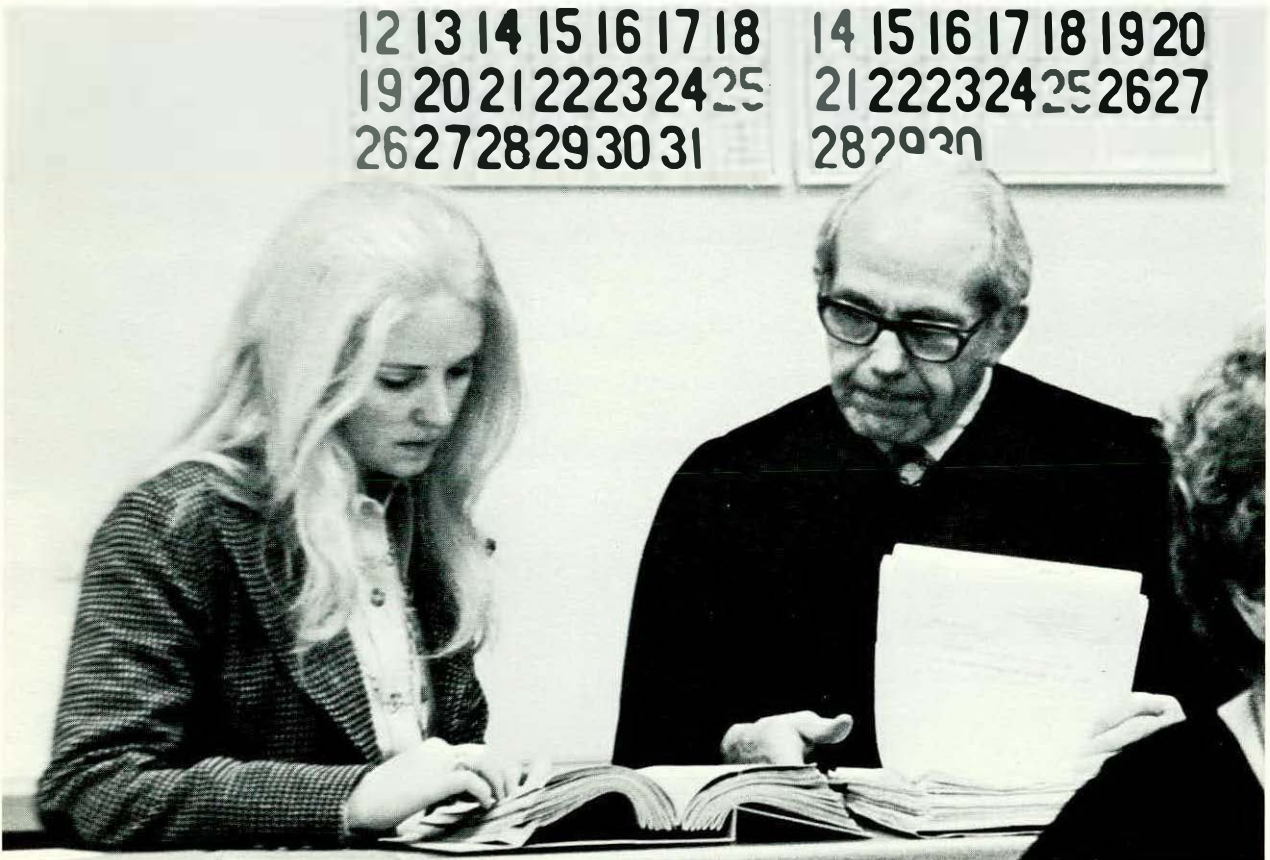
In August of 1971, several women lawyers decided that the time had come for an organization of women lawyers and law students dedicated to concerted action on women's rights issues. They had become disenchanted with existing groups which were oriented to social gatherings.

All women lawyers statewide are invited to the monthly meeting of the group. The only officer for the group is a Treasurer, the thought being that authority should not be centered in one or two persons. The focus should be on the group, not individuals. Chairmanship for each meeting rotates.

The December 7th meeting was attended by 26 women lawyers. It was held in a conference room on the 16th floor of the IBM Building. **Jackie Ashurst** served as chairman ("chairone").

The agenda was varied. **Marilyn Sloan** reported that a letter had been sent endorsing the equal rights amendment before Congress; **Chris Young** reported a letter had been sent endorsing a specific woman candidate for the now filled vacancy on the federal bench; **Betty Fletcher** reported on three priority items of legislation for the 1972 legislative session, i.e., revision of the community property laws to provide either the husband or wife could be manager of the community — women could sue in their own name — and neither husband nor wife could assign wages without consent of the other.

Comment was made on the fact that only one woman lawyer was named to the Administrative and Trial Committee of the W.S.B.A. **Betty Bracelin** reported she had received a reply from W.S.B.A. President **Fred Velikanje** to a letter in which the group had pointed out the paucity of women on W.S.B.A. committees. President Velikanje explained how committee appointments are made. He suggested that women lawyers be surveyed to determine on what committee they wished to serve. The W.S.B.A. Board could be



given the result of the survey and appointments could be made. President Velikanje went on to observe that in Yakima "there is no distinction between young lawyers or women lawyers (although we have none) and other lawyers."

To what extent individual members of the group could speak for the group was discussed. It was jokingly agreed that everyone was authorized to do everything necessary for the good of the order, short of overthrow of the government unless the means were necessary to the end.

It was agreed that the group would hold its first press conference in January as a part of announcing their legislative program. A part of that program may be decrying the inordinate amount of public money or facilities expended on sports for boys (e.g., little league) and the pittance spent on sports for girls. Another question posed was why shouldn't there be legislation prohibiting class H licenses to facilities discriminating on a basis of sex.

More Women Lawyers On the Way

Last fall it was strongly urged by women on the University of Washington Campus that the Law School ought to give special consideration to all qualified female applicants in order to raise the number of women practicing law.

In May of 1971, EEOC Chairman William H. Brown III in a speech in Seattle noted that women comprised about 40% of the total student population at the University of Washington, but only about 10% of the Law School. He called the disparity "intolerable." *Bar News*, June '71.

University of Washington Professor Richard O. Kummert in a recent speech to the Seattle King County Bar reported that the Law School rejected the argument that special consideration should be given to all qualified female applicants.

"We rejected that argument in part because it was clear that a substantial increase in applications from qualified women were already in hand and thus that a substantial increase in women in Law School was likely to occur without any special consideration being given. That increase occurred — in our 1971 class of 151 students there are 39 (26%) women; in our 1970 class of 160 students there were only 17 women."

Professor Millard H. Ruud, Consultant on Legal Education to the ABA, pointed out in a recent article that there has been an increase of almost fourfold in the number of women students during the past decade — from 1,429 to 6,937. Almost

three-quarters of this increase occurred during the past two years. In 1970 8½% of the Law students in this nation were women.

The Future

It is clear that the influx of women into the legal profession can be expected to proceed at an accelerated rate, given the enrollment of women law students.

How will the legal profession receive them?

King County Superior Court Judge **Nancy Ann Holman**, the only woman judge of a court of record in this state, offered these observations:

"The resistance of many offices to hire should break down as successes become more numerous and not viewed as being 'exceptions'. As in all things, ignorance by those doing the hiring is often overcome slowly, notably because their own field of acquaintance encompasses so few women in the profession.

"The real test is not of course simple employment and a job, but the acceptance to a full partnership in the law office setting. Without a 'sponsor' of some sort, this position is more difficult



Judge Holman and daughter Carrol

for women to attain than for men. Part of the problem is the less favorable business-producing capacity of a woman assigned to work produced by other members of the firm.

"The situation is further complicated by the fact that many young women as well as young men are today not as inspired toward risk undertakings, including the building of law firms over a long period of time. Many gifted and talented young lawyers are being drawn to public service law practices outside of the traditional law firm form. This factor, although not as pronounced in

Seattle as in some eastern cities, is changing the law practice picture."

On the subject of prejudice against women lawyers, Judge Holman remarked:

"There are a hopefully diminishing minority whose pure prejudice is so strong and unyielding that women are in exactly the same, if not worse, status than a young black or chicano — not only isolated from board rooms but an awkward problem at the businessman's club dining room."

A final comment by Judge Holman was of particular interest:

"You might be interested to know that we have had an exceptional number of women foremen elected, apparently with far greater frequency than is otherwise experienced in courts having male judges. It points up the necessity for people to have examples."

Conclusion

Women lawyers in Washington certainly can't be stereotyped, nor would they want to be.

Lady Willie Forbus does not hesitate to disaffiliate herself from young women lawyers:

"Unfortunately, the young women lawyers today by their personality, appearance, and mode of dress belie their ability.

"If I were a middle-aged man or woman prospective client, or a judge on the Bench, I would have some mental reservations as to her qualifications and ability, if she appeared in a mini or maxi skirt, or with long, flowing or disheveled hair, or heavy boots, — or a combination of all.

"The tendency would be to treat her as a teenager, lacking in experience and dignity; and to call her by her first name, which she now so openly resents."

A young woman lawyer was heard to retort: "Listen. Don't give me this superwoman approach. Just because you have made it, don't lay it on me. Are you telling me there is no room for the average female lawyer? Do I have to measure up twice as good as a male lawyer to succeed? I don't want any part of it."

It's a subject that we are going to hear a lot more about. □

SUPREME COURT PRACTICE

By WILLIAM M. LOWRY

Supreme Court Clerk

The Supreme Court will hear arguments on the merits in 56 cases during the January, 1971, Session. Cases raising issues of possible interest to the Bar are summarized below:

APPEALS CALLED UP FROM THE COURT OF APPEALS

42187 — *Freehe v. Knoblauch* — **Husband and wife:** Does the doctrine of interspousal immunity bar a tort action by husband against wife when the alleged tort was committed by the wife's separate business?

42190 — *In re Stoddard v. The Dept. of Revenue* — **Inheritance tax:** For computing the state inheritance tax, should the amount of a decedent's loan on his life insurance be listed as a debt or should it be considered as reducing the value of the insurance?

42193 — *In re Riemcke, Schreiner v. Riemcke* — **Probate:** Bequest to parents, but if they predecease to sister. Testator predeceases parents and parents renounce the bequest. Does bequest to sister fail since condition that parents predecease not met?

42195 — *Hinzman v. Palmanteer* — **Damages:** Wrongful death of child; (a) Are parents entitled to recover for destruction of parent-child relationship in addition to loss of companionship? (b) Is the estate entitled to damages representing the value of deceased's estate if deceased had lived a normal life? (c) Was defendant entitled to instruction not to consider grief, mental anguish or suffering of the parents?

42201 — *Yakima Fruit & Cold Storage Co. v. Central Heating & Plumbing Co.* — **Constitutionality:** Does RCW 4.16.300-320 providing a statute of limitations on construction defects to contractors, designers and architects grant a special immunity since it does not cover others — materialmen for example?

42202 — *Harding v. Will* — **Pleading:** May a plaintiff obtain a judgment against a third party defendant joined pursuant to CR 14 without amending and serving his complaint to include the third party?

42204 — *State of Washington Dept. of Motor Vehicles v. McElwain* — **Implied consent**: Can a driver who has voluntarily ingested so much alcohol that he is incapable of responding to a question of whether he will submit to a breath or blood test be held to have refused to take the test?

42208 — *Bixler v. Hille* — **Privacy**: Do RCW 9.73.030 and 9.73.050 bar the introduction into evidence of a "pen register," a device which records the number called, but not the conversation?

42211 — *Baker v. Baker* — **Divorce**: Are child support and college expenses within the jurisdiction of the trial court after the age of majority — now 18 years?

42212 — *Charu M. Rao, M.D. v. Board of County Commissioners* — **Hospitals**: Is a hospital's exclusion of a doctor from staff membership reviewable by the court on the grounds that a hospital is a quasi-public institution?

42186 — *State ex rel. Daniel J. Evans, et al. v. Amusement Association of Washington, Inc.* — **Gambling**-declaratory judgment: Can the Governor and Attorney General institute an action for declaratory judgment as to whether the operation of pin ball machines constitutes a crime which can be enjoined? Would such an action deprive defendants of their right to a jury trial?

APPEALS FILED ORIGINALLY IN THE SUPREME COURT

41968 — *Rody v. Hollis* — **Constitutional law**: Is it unconstitutional for the legislature, under the provisions of RCW 49.60.225, to empower an administrative hearing tribune to determine the amount of a civil penalty to be assessed against a person found to have committed an unlawful act of discrimination involving real property?

41999 — *Wenatchee Federal Savings and Loan Association v. Clark Coleman & Rupeiks, Inc.* — **Liens**: Appellant after performing engineering work filed a lien in accordance with RCW 60.04.010 (Mechanics Lien). Was it necessary that the lien be filed pursuant to RCW 60.48.010-020 (Engineering Lien) to be good against a prior mortgage?

42033 — *Barry and Barry, Inc. et al. v. State of Washington Dept. of Motor Vehicles* — **Constitutional law**: Does the Department of Motor Vehicles have authority to regulate maximum fees to be charged by private employment agencies under RCW 19.31?

THE COURT OF APPEALS

By ROBERT F. UTTER, Judge
State Supreme Court

Judge **Ward Williams** of Division One of the Court of Appeals was appointed, effective October 14th, to the rank of Colonel in the Judge Advocate General's Corps of the United States Army Reserve. Judge Williams, a resident of Bellingham, served four years of active duty in World War II as an infantry officer in the 77th Infantry Division in the Pacific area. For fifteen years, he was legal officer of the 448th Civil Affairs Company and presently is an instructor of the Command and General Staff School at Fort Lawton.

Division II of the Court of Appeals, in *State v. Fitzpatrick*, 5 Wn. App. 661, 668, has held that unpublished opinions of the Court of Appeals will not be considered in the Court of Appeals and should not be considered in the trial courts. Judge **Ralph Armstrong** reasoned, in a unanimous opinion, that they do not become a part of the common law of the State of Washington and if the trial courts were to consider them, it would not only be wasteful of their time, but would permit any group of lawyers to collect such opinions and create an unfair advantage by citing cases not available to their opponents.

In discussing the legislative history, Judge Armstrong noted the legislature recognized that opinions which do not have precedential value to affect the common law of our state should not be published and to continue the publication of cases which merely restate well established principles of the law fills up our book shelves, complicates legal research and will inevitably adversely affect the computerization of the case law of our state.

SUPERIOR COURT NEWS

By ROBERT M. ELSTON, Judge
King County Superior Court

King County's 26 Superior Court judges have voted to establish a criminal law department of five judges with primary responsibility for all criminal matters including arraignments, pleas, motions, trial and sentences.

Departmental judges will be assigned non-

criminal matters or non-departmental judges will be assigned criminal matters, depending upon the criminal case volume. Judges will be assigned to the criminal department for a specified term to be succeeded by other judges on a rotating basis so that all judges may maintain currency with both criminal and non-criminal matters. Judge **David W. Soukup**, chairman of the Court's Criminal Law Committee which fostered the plan, says the new system is designed to expedite criminal trials and promote uniformity of criminal procedures, including sentencing.

* * *

A new executive committee has been elected by King County judges. Members chosen by their associates, all for a one-year term, are Judges **Story Birdseye**, **Keith M. Callow**, **James W. Mifflin**, **Stanley C. Soderland**, and **F. A. Walter-skirchen**.

* * *

Gordon C. Swyter, a Ritzville, Adams County, attorney, has been appointed by Gov. Dan Evans to the Superior Court bench in Adams County to replace Judge George H. Freese who will retire December 31. Swyter will serve until the general election next November, when he will have to enter the general election to maintain the judicial post. Swyter has had a private law practice in Ritzville since 1969, and he has been a special assistant to the Adams County prosecutor since last May.

* * *

Judge **Story Birdseye** (King), president of the Washington State Superior Court Judges Association, has completed appointment of committees. Chairmen, in addition to those announced last month, are Judges: **Frank D. Howard** (King), Auditing; **Walter J. Deierlein, Jr.** (Skagit), Bench-Bar-Press; **Edward M. Nollmeyer** (Snohomish), Budget; **Bartlett Rummel** (Pierce), Courtroom Security; **James J. Dore** (King), District Court Liaison; **Nancy Ann Holman** (King), Family Court; **Edward E. Henry** (King), Institutions; **Edward P. Reed** (Clark), Mental Health and Retardation; **William J. Wilkins** (King), Nominating; **Jay Hamilton** (Kitsap), Parole Board; **F. A. Walter-skirchen** (King), Pensions; **Carl L. Loy** (Yakima), Practice and Procedure; **George T. Shields** (Spokane), Probate; **W. R. Cole** (Kittitas), Public Relations - Information; **James J. Lawless** (Benton-Franklin), Revision of Canons of Judicial Ethics; **John T. Day** (Benton-Franklin), Spring Conference; **George H. Revelle** (King), Trial Judges' Center; and **John D. Cochran** (Pierce), Bench-Bar Liaison.

NEWS OF COURTS OF LIMITED JURISDICTION

By **MURRAY A. McLEOD**, Judge
Aukeen District Court

The North American Judges' Association (NAJA) held its annual conference in Tucson, Arizona, November 15-20, 1971. This organization, made up of judges of special courts throughout the United States, is dedicated to the improvement of the system of judicial administration in the lower courts.

Many judges from Washington participated in the conference and attendant trips and seminars held in Tucson. Among them were several judges from King, Pierce and Snohomish Counties, among others, representing the state of Washington. Judges attending were, Spokane County; **Kathryn Mautz**; King County, Judges **Gary Utigard**, **Anthony Wartnik**, **Melvin Love**, **Robert Stead**, **Patrick Corbett**, and **Bill Lewis**. Snohomish County was represented by Judges **Arnold Zemple** and **Donald Priest**. Other Judges from throughout the state attending were: Judge **George Mullins** of Yakima; Judge **Ronald Huntington** of Kelso, Judge **Waldo Stone** of Tacoma, and Judge **Tom Gable**.

The agenda for the conference included many seminars of pertinent interest to present day judicial officers plus a trip into Mexico to visit with and observe the judicial system in another country. President Gary Utigard (WSMA) reports that it was an interesting and stimulating conference to attend. Should any judges be interested in joining this organization, please contact this correspondent, at the Aukeen District Court, 810 - 28th N.E., Auburn, Washington 98002.

The Municipal Research and Services Center in Seattle, was the scene for the fall meeting of the Washington State Association of Municipal Attorneys. Among the many speakers who highlighted the conference was Judge **Waldo Stone** of Tacoma.

News from around the state indicated that two judges have recently been appointed to fill vacancies in courts of Limited Jurisdiction. Judge **George Stivers** was recently appointed to fill a vacancy created by the leaving of Judge **Joseph Perry Jr.** at the Pateros Municipal Court. Judge E. Edison Kennell, who recently passed away, was replaced at the Friday Harbor Municipal Court by Judge **Ray Wood**.



Francis J. Bolduc, New Jersey State Bar executive director, in the New Jersey State Bar Journal:

Imagine the most opulent public relations campaign in history on behalf of the legal profession. Unlimited finances, unlimited talent, unlimited technology . . . a chorus of seventeen-year cicadas hymning "We love lawyers" in three-part harmony.

All focusing on the lofty ideals of the legal profession, the social service performed by lawyers, and the importance of the Rule of Law to the American Way of Life. There is no doubt that these facts are well worth publicizing and do make a favorable impression.

Yet I submit to you that the mightiest public relations effort of all time could only create an image with feet of clay if no attention were paid to the most important factor in lawyers' status before the public — the relationship of each lawyer to each of his clients. This is The Source, the most critical contact with the public.

Dramatic improvement of image is unlikely to be achieved overnight.

Prejudice against lawyers is not new. Lawyers have not only the weight of history to roll back, but many present-day complaints to counter — the bad apples, misunderstandings, delays and the fact that many lawyers do not keep their clients informed enough of the progress of their case, take pains to return calls, provide itemized billings, etc.

Lawyers have several avenues by which to convey their concern for individual clients, and society generally: First and foremost, the manner in which they themselves deal with their clients; second, the vast amount of pro bono publico work done, and associations like this one.

Through attitude toward clients and advancement of the aims and activities of this association, which are truly public-spirited and which reflect favorably on lawyers who participate, more can be done to enhance the image of lawyers than press releases or trained cicadas. Of course, headquarters is always ready to help out in the first area and is increasing its activities in providing public information. As to the insects, it may take a few years.

— Public Relations Committee

Chairman **Eugene A. Wright** announced that radio stations across the state were clamoring for records regarding the program "You and the Law." The city of Battleground was particularly interested. There was great concern about it in Walla Walla, Kelso, and Spokane. Maybe this project should be renewed!!

Births

Ellensburg announced **Richard C. Smith** had been called to the Navy and was able to get assigned to Pearl Harbor, a favorable spot this time of year . . . **Cleary S. Cone** joined Kern & Dano in Ellensburg. He had been law clerk to Justice Charles Donworth . . . From Wenatchee came word that **Carl Dahlberg** had deserted Seattle to practice there. **Earl Foster** had left Spokane for that city also. **Edward Engst** withdrew from Grand Coulee to return to practice there . . . Walla Walla announced a new lawyer, **William M. Tugman** . . . Tacoma stated **Paul J. Nolan** had joined **S. J. O'Brien** . . . **David B. Hallin**, Longview, was elected president of the Cowlitz County Bar . . . In Seattle **Ralph H. Foster** was elected President of Washington Title Insurance Company, **C. Edwin Courtney** was elected senior vice president, title officer and secretary and **George B. Garber** was elected executive vice president. Nice some of our members had steady work.

Crossed the Bar

Spokane lost **Fred J. Cunningham**; **Henry I. Carey**, 28; **Mansfield Edward Mack**, 73; and **LeRoy B. Way**.

Tacoma announced **Harry H. Johnston's** passing.

Seattle lost **John E. Burkheimer**, 70; and **Edward H. Chavelle**, 67, survived by law partner-son, Cornelius C. Chavelle.

Finally Volume I of the Revised Code of Washington made its appearance. **Stanbery Foster**, Olympia, suggested to the editor he write a short review of this book. Pundit Rupp was flattered but declined saying "we do not intend to use these columns, now, to pile any more pebbles on the cairn of commentary about the Revised Code of Washington."

Thus endeth the news for the year Nineteen Hundred Fifty-One!

WE TRUST YOU'LL HAVE A LOVELY YULE!!!

David J. Williams



University of Puget Sound

The University of Puget Sound's faculty has approved a proposal for the university to add a law school. A large majority of the faculty at the November faculty meeting voted to recommend to the school's trustees that "a day and evening law school be established at a time deemed appropriate by the trustees."

The group said it was taking the action because "an apparent need has arisen for additional legal education in our state, a need which our university is able to fill." Stipulations attached to the motion included financial feasibility, reservation of places for U. P. S. graduates, integration into the university structure in location and educational philosophy, and major faculty participation in selection of a law-school dean.

Professor Millard H. Ruud, Consultant on Legal Education to the ABA, reports:

"The past decade has witnessed a remarkable growth in law school enrollments in the United States. The enrollment in accredited law schools has more than doubled, growing from 40,381 in 1960 to 82,041 in 1970. *It is noteworthy that one-half of this growth occurred in the last two years.*

"This dramatic increase in the demand for legal education has not been accompanied by a comparable increase in opportunities. There was no expansion of approved legal education in 1969. In 1970 Hofstra University started its law program and Gonzaga University and Lewis and Clark College opened their day divisions. No accredited university opened a law school in the fall of 1971. Although several universities have announced decisions to establish law schools, no firm plans have been announced by an accredited university for the opening of a new law school in the fall of 1972. *Indications are that there may be literally no approved law school that has an unfilled seat in next fall's entering class.*"

The University of Puget Sound may be the only new law school in 1972, with a first year class of 150.

Charter Flight Europe 1972

The Travel Committee has arranged for the charter of a DC 8 aircraft from Canadian Pacific with departure from Vancouver, B.C. on September 12 for London and return from Amsterdam on October 11, 1972. The round trip price is \$250 and is deluxe in all respects. Members of the Washington State Bar, their spouses, dependent children and parents, living in the same household, are eligible.

The time of year is the best — neither too warm nor cold — the hippies have departed and accommodations are open and at lower cost. Fall colors are out in all their splendor; the English cider has nicely hardened and bird watching opportunities, particularly on the beaches of the Greek Islands, are at hand, for the enthusiast.

Seats (140 of them) will be reserved on a first come first served basis. Use the application form below and mail to the bank (address indicated below) with your check in order to reserve space.

The Travel Committee
by: John D. McLaughlan, *Chairman*

APPLICATION FORM

Travel Committee, WSBA
c/o Seattle First National Bank
P.O. Box 24186
Seattle, Washington 98124

Attention: William A. Mobley, Trust Officer

Enclosed is my check to the order of Travel Committee, Washington State Bar Association in the amount of \$_____ (at \$250 per seat reserved) for _____ seats on the proposed CPA charter flight from Vancouver, B.C. to London on September 12, returning from Amsterdam October 11, 1972. A bank charge of \$2.50 will be deducted from each remittance.

Name	Address	Relationship
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_____	_____	_____
_____	_____	_____
_____	_____	_____

(signed - member, WSBA)



Calendar

- Jan. 3-7 Sixth Annual Institute on Estate Planning, Americana Hotel, Bal Harbour, Florida.
- March 3 (Friday) 1 to 6 p.m., Washington Civil Practice After Trial, State Bar CLE seminar, Ridpath Hotel, Spokane.
- March 18 9 a.m. to 4 p.m., Washington Civil Practice After Trial, State Bar CLE seminar, Olympia Hotel, Seattle.
- March 25 9 a.m. to 4 p.m., Washington Civil Practice After Trial, State Bar CLE seminar, Evergreen Inn, Olympia.

State Bar Convention
September 7-9, 1972
Ridpath Hotel
Spokane, Washington

Will Information Sought

Anyone having knowledge of a will drawn for Carroll Edwin Buckston of Shelton, Mason County, please contact Philip H. DeTurk, 706 Meridian N., Puyallup 98371.

LAWYER PLACEMENT SERVICE

By DAVID L. BROOM

The Young Lawyer's Committee of the Washington State Bar Association operates a Lawyer Placement Service at the State Bar Office, 505 Madison Avenue, Seattle, Washington 98104, and at the Spokane County Law Library, Paulsen Building, Spokane. The service is available to members of the Association and recent law graduates seeking legal opportunities and employers seeking legal personnel. The service is offered without cost to either the applicant or prospective employers. The following are summaries of a few of the many applicants on file:

- (1) A great number of applications for employment have been received during the past month. The Placement Service application file now contains 70 resumes or about 20 more than in any prior month during the past three years.
- (2) Upper-third graduate of Denver Law School, also holder of M.B.A. degree (Business), five years' experience in various positions with large corporation, seeks executive position with business.
- (3) Third-year California-Davis law student, Law Review, seeking position with Puget Sound area firm to begin next summer.
- (4) Former Air Force staff judge advocate, also 2½ years' private practice, seeks private general practice in Western Washington.
- (5) Recent Editor, Oregon Law Review, admitted in Washington July 1971, seeking position in private practice.

The above notes reflect the great surplus of applicants' files on hand over known available job openings. We all recognize that the legal job market is tight these days in response to a down economy. However, the profession can help heat things up by utilizing the Lawyer Placement files whenever an attorney is being sought for any position. Our service will be useful only if it can be comprehensive and reflect a good percentage of the openings and applicants therefor statewide.



Notices

Wanted or Unwanted

For Sale: Wash. Terr. Rpts., Wash. Rpts., Wash. Rpts. 2nd and Wash. App. Rpts., all bound with current supps; 59 vol. RCWA subject to \$10 per month contract; Wash. L. Rev.; Shep. Wash. Cit.; 11 vols. Hillyer Ann. Forms of Pldg. & Prac.; 3 vol. Gray's Atty Text of Med. (3rd ed.); Wash. Dig. Ann.; 9 vol. Nichols Encyc. of Legal Forms; Black's Law Dic.; 58 vols. of Am. Jur. (1st ed.); other misc. books. Edson Dow, P.O. Box 691, Wenatchee 98801 (509-662-2655).

For Sale: ALR 2nd and 3rd with Digs.; Wash. Rpts to date; going prices or best offer. Art Barnett, 909 Northern Life Tower, Seattle 98101 (MU 2-1931)

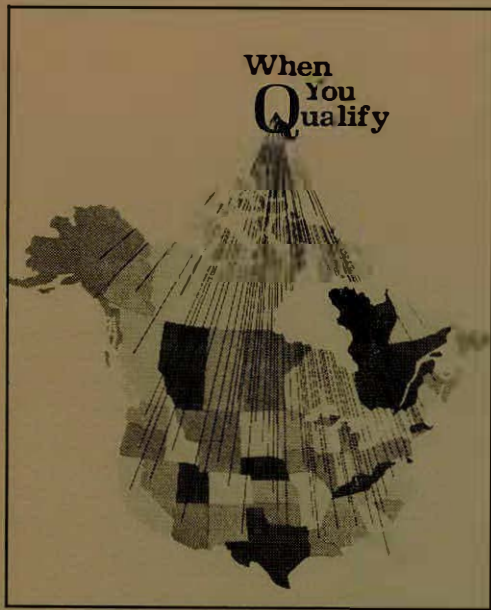
For Sale: Complete, up-to-date RCWA, ex. con. \$750.00. Take over balance of appr. \$550 at \$15.00 per month. Complete, up-to-date, Washington Practice (vols. 1-8) \$125. **Wanted:** Wash. Rpts. vols. 1-200. James B. Gorham, 2215 Marine View Drive, Des Moines, Wash. 98188 (TA 4-5630).

For Sale: RCW; Am. Jur. Proof of Facts; Rabken & Johnson, Current Legal Forms with tax analysis. Richard Mah, Jr., 2131 Seattle-1st Bldg., Seattle 98104 (MA 2-8265).

For Sale: Complete ALR; Am. Jur.' U.S. Sup. Ct. Rpts. (83 L. Ed. through 19 L.Ed. 2nd); Proof of Facts; Trials; Frumer, Products Liability; Remington on Bankruptcy. Charles O. Shoemaker, Jr., P.O. Box 29, Pullman 99163 (LO 4-1189).

For Sale: Complete set of RCW Annotated one vol. missing, set of Wash. 2nd up to vol. 70, \$175. Ted Ryan, P.O. Box 542, Millwood, Wash. 99212 (509-WA 6-3585).

For Sale: RCW (Book Pub. Co.). Charles R. Branson, 321 Evergreen Bldg., Renton 98055 (BA 8-3860).



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