
WASHINGTON STATE BAR NEWS

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Sequestering Juries

Editor:

Since silence is sometimes assumed to be assent, allow me to state that I am completely opposed to the effort to dispense with justice by goofing around with R.C.W. 10.49.10, the statute that requires juries to be sequestered in criminal cases.

Contrary to the statement of Judge Denoo [December '71 *Bar News*], in one of the most celebrated cases of recent times — the Sheppard case — a trial judge engaged in the same preposterous presumptions as Judge Denoo. And having let the jury be exposed to all of the hatred, prejudice, and hysteria that the media could concoct, the learned judge got a conviction which the United States Supreme Court reversed.

The proposal by Judge Denoo to allow the trial judge discretion in deciding whether to sequester is a flim-flam on its face, that could be used, and would be used, to harass a defendant and usually his attorney. Since trial judges always have pressure from County Commissioners to reduce costs of juries and since all jurors like to go home, one can well imagine the slight likelihood of any judge granting a motion to sequester.

In Judge Denoo's arguments, there is much talk about violation of a juror's right. (The juror may be locked up for a week to a few months performing a high civic duty.) Compare this to a defendant who seeks a fair trial and faces a term of years, or all of his life in a penal institution. The Judge then talks of saving money for counties, lack of accommodations, wanting to get the "very best citizens" for jury duty. It is noteworthy that in the article

there is no discussion of justice, due process of law, or the right to a fair trial. In this day and age when a lot of judges and justices and judicial conferences seem to be talking about economy, abolishing jury trial and other nostrums, it would be very refreshing to hear a judge or a justice say a word for "Equal Justice Before the Law."

One can wonder why any judge who has had any experience as either a prosecutor or a defense attorney would even propose such a drastic and basically anti-fair trial proposal. The statement by the learned Judge, "If the Court can . . . send the jury home with proper instructions," is very revealing. The effrontery of the statement is beyond all comprehension. Presumably we are to believe that in a newsworthy rape, murder, kidnapping or any controversial case, the judge will speak to the jurors. His instructions will drop like silver threads and weave a gossamer shield about these twelve jurors so that regardless of what they may hear from the radio, the papers, T.V., husbands, wives, friends or neighbors, they will return in two days or two weeks with pure and unsullied minds. It is of course, obvious, that neither the judge nor either attorney could possibly check on what out-of-court influences were brought to bear on the jurors either from the media or people.

One wonders about any judge who places economy above Justice, but from the last part of the article, we get our cue. It appears that the Judge is still hung up over the Chicago Conspiracy trial. While the Chicago Conspiracy trial may have had such a traumatic effect on the Judge that he developed a "Kunstler-Rubin Syndrome," there must be some kind of psycho-therapy

that will help him. While he is recovering I suggest that every lawyer who believes in a fair trial contact the Judicial Council and the Legislature and work to preserve some of the laws designed to insure a fair trial.

JAMES E. DUREE

Westport

An Open Letter

Gentlemen:

I PROTEST

I PROTEST the 60% increase in dues of the Association for 1972, \$50.00 to \$80.00, as decreed by the Board of Governors. This is 12 times the guideline percent of increase as established by the Price and Wage Freeze Boards appointed by President Nixon. It is a violation of the spirit, intent and purpose not of stopping inflation but just of "slowing it down a little," if not the letter of the rule itself.

I PROTEST against this 60% increase as indefensible and exorbitant because the Association is a closed shop union and members cannot escape the charge. The law has made it so. Every member must pay or not practice in the courts of the state. As children say, "You must pay or you can't play."

I PROTEST against this 60% increase because it is based on the abuse of the free enterprise system in which lawyers believe . . .

I PROTEST against this 60% increase also because the benefits which the rank and file members of the Association receive do not justify a 60% increase, or any increase at all. The *Bar News* contains so little legal information of value that it stands out in striking contrast to the material in the monthly publication of the



American Bar Association. That is a voluntary membership organization, not a closed shop corporation like ours.

I PROTEST lastly against this 60% increase in dues in the hope that if the existent Board of Governors does not reduce expenditures the attorneys of the seven districts will elect new governors who will compel economy of management to reduce the dues back to their present level instead of increasing expenditures as the present organization has done.

Spokane C. C. DILL

Refreshing Winds

Editor:

Assuming that the new freedom of expression in the *Bar News* applies equally to the bench, and that no particular ethic is being violated, I can no longer conceal my delight and gratitude for the refreshing winds of change now sweeping through the Bar Association, from the resolutions of the Young Lawyers to the insistence of the women that they receive equal treatment as professionals to the format and content of the *Bar News*, not to mention the involvement and dedication of the students coming up. Suffice it to say, these changes are long overdue.

None of us, bar or bench, have anything to fear from these young people. If the public image of the profession is to change, these are the lawyers who will bring it about, for theirs is a moral commitment.

JOHN H. KIRKWOOD

Judge

Grays Harbor Superior Court
Montesano

Leon Jaworski, President of the ABA, in response to the Attorney General's decision to take away from the ABA the former practice of screening nominees to the Supreme Court stated:

"It will be a sad day for the quality of our Federal judiciary if future appointments were made without an independent investigation by those in a position to test qualifications."



we hope all members of the Bar) will support the judiciary in their legislation for salary increases. They are only asking for an amount to bring them current with the cost of living since the last increase some years ago. They wish then to have future increases tied to per capita income of the State. Their legislation also proposes to pay for this increase by increasing filing fees in Superior Court by \$10. Let's get behind this legislation so that this salary will continue to attract the most competent persons.

While we are discussing politics, please note that there is a steady decline of lawyers in our State legislature. We need support and protection for many pieces of legislation which only a lawyer can understand or explain. We know the sessions are long and costly, but let's try to get more lawyers interested.

A word to the wise, get familiar with "Group Legal Services," for you are going to see one of the greatest changes in legal practice in years. It is here and don't let it pass you by.

CENSORED*

* Not by the editor

There must be a more modern method to remove our judiciary from political pressures and keep the high caliber for which we strive.

Your Board of Governors (and



Editor's Note

The new Code of Professional Responsibility, as proposed by the WSBA Board of Governors, has been adopted by the Supreme Court effective January 1, 1972 (80 Wn.2d 1119). There is still an element in the Bar unhappy with Dr 2-103(D) (5), which will allow a great deal of experimentation in group legal services.

It has even been proposed by the dissidents that legislation be sought which would prohibit "closed panels," i.e., group legal services comparable to Group Health Hospital.

DR 2-103 (D) (5) (c) (i) provides that "any member of the organization [e.g., the union] may obtain legal services independently of the arrangement from any attorney of his choice." Certainly this provides the requisite protection.

The forward-looking view can be found in the article in this issue by Board member Jim Curran. He urges the newly formed WSBA Group Legal Services Committee to come up with an "open panel" program, i.e., group legal services comparable to Blue Cross and Blue Shield.

There currently are approximately 1,000 to 3,000 "closed panel" programs nationwide. Union Group Legal Services is the first for Washington State.

There currently is only one "open panel" plan which is in full-scale operation, the Shreveport program. Another program is just getting underway in Los Angeles.

The WSBA Board and the State Supreme Court are to be commended for probably the most progressive position on group legal services in this country and are urged to resist all pressures to amend the new rule to circumscribe group legal services.

Rather than fearing group legal services the concept should be given wholehearted support by all members of the Bar. Only through innovation can the Bar hope to make legal services available to those in the middle income bracket. After all, they do constitute 70% of our population.



Quotes Quoted

Remarks of Brad Gierke, Chairman of the State Young Lawyers Committee to the WSBA Board at its December 16th meeting:

There is a great deal of concern in Pierce County about the labor unions which are going ahead with group practice. We feel it is getting out of hand, the problem of attorneys advertising. For example, the Teamsters recently built a new building in Tacoma. They sent out an announcement which listed services available from doctors, dentists and two lawyers in Pierce County.



This is the kind of thing of which I think you should be aware because it is snowballing fast.

Although I have not verified it, I understand that there are 40,000 teamster members in Pierce, King and Snohomish Counties. When paying their dues, I understand it is proposed that they can check off legal services at \$10 per month. Now that is \$400,000 a month towards a fund. That may sound like an awful lot of money for legal services.

It is moving faster than the Board of Governors can face in terms of once-a-month meetings. I strongly urge some kind of legislation that reserves to the individual a free choice of attorneys when participating in group association.

I suggest that this is absolutely critical. If we don't watch ourselves, the whole chance of getting legal plans comparable to Blue Cross and Blue Shield Medical Plans will be lost.

I think you have got to be aware of this if you are going to protect the practitioner in the law, as is one of your duties, I think.

* * *

Remarks of Dan Alexander, attorney, foreman and purchaser of the Yakima Chief Ranch (a 600-acre hop ranch in the Yakima Valley) in a speech to the SKCBA Young Lawyers' Luncheon on January 5, 1972:

On what has been the reaction to him by the other hop growers as a result of his participation in negotiations with the United Farm Workers Organizing Committee:

I'm not well liked. I come from a different

(Continued on page 20)

UNION GROUP LEGAL SERVICES A BAR DILEMMA

By James P. Curran

The smugness of many Washington State lawyers was recently shattered with the arrival on the horizon in Seattle, King County, of the first accomplished group legal services plan. Developed, sponsored, and implemented by the Seattle law firm of Vance, Davies & Roberts, Union Group Legal Services is off and running. Guinea pigs are the International Brotherhood of Boiler Makers, Lodge No. 104, Teamsters Local No. 741, the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, and other unions.

Rates At One-Half the Minimum Bar Fee Schedule

The plan basically consists of a contractual agreement between the law firm and the labor union to:

(1) Establish a division, Union Group Legal Services, as a separate facility or entity of the law firm.

(2) To handle all ordinary legal matters of the union member and his dependents, as may be determined feasible by the law firm.

(3) To bill for such services at a rate, below established Bar Association schedules, which as set forth in the contract would be about one-half the present rates in Seattle-King County.

(4) To be solely responsible to the client for the services performed.

(5) To serve members and dependents in good standing only.

(6) To control documents announcing the program and the method of advertising the same.

Advertising of the Plan

The plan has been announced in writing by the union to each member of the union and the writ-



James P. Curran, Kent, serves on the WSBA Board of Governors as a representative of the Seventh Congressional District. He was one of 300 lawyers from throughout the country who attended the ABA-UCLA Conference on Prepaid Legal Services in Los Angeles November 12 and 13.

ing includes suggested rates for service, the name of the firm, its office address, telephone number and office hours. The plan is not funded in any way, but the responsibility to meet the cost of services rests solely on the union member or dependent seeking the service from Union Group Legal Services.

Lawyers generally are surprised, perplexed, even chagrined, as the literature promulgated to perpetuate and develop the marketing of legal services to these union groups seems to violate many fixed standards of the profession as previously set in the canons of professional ethics. Specifically it was felt that the canons dealing with advertising, solicitation, stirring up litigation, division of fees, intermediaries controlling legal services, and the unauthorized practice of law, all are somehow significant in considering whether or not this action constitutes a violation of these canons. Many lawyers and leaders of the bar urge the stifling of any attempt to permit the development of group legal services or prepaid legal service plans. Leaders reflecting this viewpoint did not wish to see the Supreme Court of the State of Washington adopt DR 2-103(D)(5) of the New Code of Professional Responsibility, which permits such plans within certain fixed limitations and restrictions as set forth in the Rule.

On the other hand, in the judgment of many other responsible members of the Bar, such plans must be permitted, and in fact, responsible reaction to the needs of society today requires Bar leadership in this controversial field. This leadership must entail more than a grudging acceptance of those plans developed by individuals such as Union Group Legal Services.

ABA Committee on Availability of Legal Services

Group legal services are defined by the American Bar Association's Special Committee on Availability of Legal Services as those rendered:

- (1) To individual members of a group identifiable in terms of some substantial common interest,
- (2) By a lawyer provided, secured, recommended, or otherwise selected by:

- a. The group, its organization or its officers;
- or
- b. Some other agency having an interest in obtaining legal services for members of the group.

The ABA Committee has urged that group legal services be found to be in the public interest if, but only if, the members of the group and the public are protected by ten specific safeguards. Among



other things the safeguards would prevent the group from making a profit out of the lawyer's services; require the arrangement between the group and its lawyer to be reduced to writing and filed with the regulatory authority of the Bar; make the lawyer's obligations run directly and solely to the member of the group that he serves; prohibit the lawyer from promoting the organization of the group; and subject the attorney to disciplinary action in the event that he violates the canons or rules of court.

The services contemplated in group legal services are also sometimes referred to as prepaid legal services. The ABA Committee defines prepaid legal services as a program in which legal services are rendered to large members of the



public who are associated in groups rather than to individuals without such a group association.

Closed vs. Open Panel

The most notable variant to a pre-paid plan is that it would allow the group member a free choice of lawyer within his community or in whatever locality the need for legal services arises. Most of the group legal service programs now in effect do not allow such free choice, but restrict the group member to the use of lawyers or law firms selected by the leadership of the group. The difference in the scope of choice has been termed "open panel" or "closed panel." In either case, the funds for payment of legal fees may come from the individual, a group, or a third party such as the employer. Most group legal service plans are restricted in

the scope of the legal services offered and in many cases are limited to job-related matters. The more broad pre-paid legal service plans now evolving in the country offer a wide range of services covering other normally occurring personal legal problems such as consumer, domestic, family and the like.

In essence, regardless of the name attached, this type of service is based on the purchase of the service through a periodic pre-payment method by contributions from each member of the group through wage deduction, union dues, fixed periodic payments or bargained-for fringe benefits paid by the employer.

Comparable Plans in Other Fields and Professions

There is nothing new or novel about supplying services in this manner, as it has been done for many years in other fields and professions. Nor would our profession be the first to resist this change in philosophy and tradition. Group life insurance, group charter flights, group and pre-paid medical and dental plans are now accepted generally, and the plans have proliferated. Services are delivered at less cost and the cost impact of a sudden illness, disease, casualty and the like have been minimized to the participating member. Many members of our own association now pre-pay through the Washington State Bar Insurance Plan for all major medical expense and some not so major, and at the same time we enjoy a free choice of the doctor to serve our medical needs.

Availability of legal services to a large group of low and middle income Americans is now very restricted. Generally legal services for these people are only thought of in terms of an emergency. Auto casualty, divorce, arrest for a crime, lawsuits and death drive people to the lawyer, whom they are reluctant to consult, but must. Preventive legal advice is avoided because of outright suspicion of lawyers and fear of the cost of even the most minimal of services. Budgetary considerations for many lower and middle income Americans will not permit a large unexpected fee for legal services. Thus the benefit, both to the public and the profession, or pre-paid legal services would eliminate at least part of the reluctance of these people to seek and consult a lawyer in times other than under emergency conditions.

The Skilled Intermediary

Likewise a large portion of the people in this class have had no contact with a lawyer, do not know a lawyer and have no easy, acceptable method of choosing a lawyer. Reliance is generally

placed on the recommendations made by a friend, the friendly bartender, the barber, the banker, the local businessman or some member of the family for the selection of a lawyer. We lawyers have, by our canons, made it most difficult for the public to find its way to the door of a lawyer qualified to help in a particular situation. Group Legal Services seems to contain at least a partial answer to this fear of cost and lack of knowledge on the part of the public. A skilled intermediary is injected, who not only provides the vehicle for accumulating the funds, but also chooses the lawyer or law firm on behalf of the group. Most such plans now in effect in our country seem to restrict the panel of lawyers available to the membership and thus are known as closed panel plans.

On the other hand, many leaders in the American Bar and other knowledgeable lawyers see a better answer in a Bar-sponsored pre-paid plan with a built-in referral service for those who have no intelligent way to choose their own lawyer. No such plan is yet fully in effect in this country, but an experiment is under way in Shreveport, Louisiana, under sponsorship of the American Bar Association as well as the local Bar with all local Bar members participating.¹ Another larger and similarly sponsored plan is about to commence in Los Angeles County, California. Both of these plans are pilot programs partially funded by the members of the group along with funds contributed by the American Bar Association and the Ford Foundation. The effects, results or success of either program will not be fully understood for at least one to two years, as it will take at least that long for the information developed to be analyzed, compiled, conclusions drawn, and published.

WSBA Action Since 1968

In September, 1968, the American Bar Association contacted our own Washington State Bar Association, inviting it to participate in early hearings on the whole subject of Group Legal Services. The American Bar Association study was prompted by a series of decisions of the Supreme Court,² which in effect ruled against the organized Bar of various states in their effort to thwart the unions or similar organizations from supplying an attorney for specific members of the organization. Our response was the appointment of a special three-member committee to study the problem. Extensive study by this committee resulted in recommendations to the Board of the Washington State Bar Association in essence as follows:

(1) That there is a need to make legal services

available to all classes of people.

(2) Failure of the Bar to meet this need will encourage other groups, government or lay organizations to enter the field to satisfy this need.

(3) Any plans for group legal services should be controlled by the Washington State Bar and if so controlled, should be permitted.

(4) That a larger committee be appointed to study the entire subject in detail and to make specific recommendations for the implementation of a plan based on its findings.

1972 — A New Code of Professional Responsibility

As a result of this study and recommendations of this committee, DR 2-103(D)(5) of the new Code of Professional Responsibility was designed to permit the implementation of Group Legal Services similar to the plan now under way by Union Group Legal Services in Seattle, King County. The Code of Professional Responsibility was formally adopted by our Supreme Court on December 7, 1971, effective January 1, 1972.

I am sure that those members of the Bar who resisted the adoption of this Rule not only had the best interests of the Bar as a whole in mind,

(Continued on page 18)

¹ Prepaid Legal Cost Insurance, 25 *Washington State Bar News* 9 (July 1971).

² *NAACP v. Button*, 371 U.S. 415 (1963). This case held that activity of the NAACP which provided services of staff lawyers to its members in cases involving racial discrimination could not be prohibited by state law; *Brotherhood of Railroad Trainmen v. Virginia ex rel. Virginia State Bar*, 377 U.S. 1 (1964). The *Brotherhood* decision upheld a union activity in which injured members of the union were advised of their need for legal counsel and referred to lawyers selected by the union. Both activities were sustained on the group that the statutes prohibiting them violated rights guaranteed under the First and Fourteenth Amendments to the Constitution of the United States; *United Mine Workers v. Illinois Bar Association*, 389 U.S. 217 (1967). The Supreme Court held that constitutional protection also extended to an arrangement by which a labor union provided the services of a salaried lawyer to assist individual members in workmen's compensation matters; see also: *United Transportation Union v. The State Bar Of Michigan*, 401 U.S. 576 (1971). The U.S. Supreme Court in reversing the Michigan Supreme Court held that the State Bar could not bar the union from controlling legal fees or preclude the union from stating that a recommended lawyer would defray expenses or make advances. The Court also held that the provision forbidding sharing fees or recoveries was unjustified as not being supported by the complaint or the records. The above prohibitions were held to violate the First Amendment right to act collectively to obtain affordable and effective legal representation.

WASHINGTON STATE BAR NEWS

WSBA Board Will Not File Amicus Brief In DeFunis Appeal

At its December 17th meeting, the WSBA Board of Governors reaffirmed the decision reached at its October meeting of not filing an *amicus curiae* in the *DeFunis* appeal. Board members Short, Lynch, Day, Ripple and Hoff voted not to file the brief.

The WSBA Civil Rights Committee, without a single dissenting voice or vote, had recommended to the Board that it authorize and direct the preparation and filing of such a brief in support of the appeal of the University of Washington.

Mary Ellen Krug, chairman of that Committee, appeared before

the Board at its December meeting. She stated in part:

The committee identified three questions, all of which must be answered in the affirmative in order to justify its recommendation.

1. Is the EOP program as it affects the law school of concern to the Washington State Bar Association? The committee concluded that it was.

RCW 2.48.050 provides in part as follows:

"The said board of governors shall have power, in its discretion, from time to time to



Mary Ellen Krug

adopt rules . . . (2) concerning the enrollment . . . of membership; . . . (7) providing for all other matters, whether similar to the foregoing or not, affecting in any way whatsoever, the organization and functioning of the state bar."

RCW 2.48.060 provides:

"The said board of governors shall likewise have power, in its discretion, from time to time to adopt rules, subject to the approval of the supreme court, fixing the qualifications, requirements and procedure for admission to the practice of law."

Thus the training of candidates for admission to the bar is of immediate concern to the Board of Governors of the Washington State Bar Association.

* * *

3. What should be the position of an integrated bar association with respect to preferential admission of students of minority races, particularly blacks, to the one state supported law school?

(Continued on next page)

Statewide Legal Services For the Poor Urged

Greg Dallaire, Director of the Seattle-King County Legal Services program, urged at the December WSBA Board meeting that an application be prepared at this time for filing with federal authorities for funding for a statewide legal services program for the poor. "We would be remiss in not preparing an application at this time," stated Dallaire.

He pointed out that the WSBA Legal Aid Committee has engaged in study and statewide hearings the past two years and thus a study comparable to that completed by the Oregon State Bar this year would not be necessary. "Such a study would only duplicate what the WSBA Committee has already done," said Dallaire.

According to Dallaire, there is a very good chance that the bill for a National Legal Services Corporation will be passed by Congress in early 1972 with increased appropriations; those

states with applications ready stand the best chance of having a program funded. In Dallaire's opinion, Washington is grossly underfunded with reference to legal services programs in other states. "We have the equities on our side," he said.

President Fred Velikanje observed that there had been some criticism of the proposed federal bill because there was no provision for judicare. Further, the history of the WSBA Board of Governors had been very much in favor of judicare but the Board had been shot down by the federal officials.

Bob Day stated: "I think we have to recognize that nationally judicare is dead."

Dallaire's suggestion, that the Board appoint a committee to prepare such an application, was adopted. The committee may be reporting back to the Board as early as February.

The question is not an easy one to answer, and any simple, facile answer based on broad generalities is almost sure to be wrong.

RCW 20B.20.130(3) gives the Board of Regents broad power to set standards of admission to the University of Washington.

There is ample historical precedent for special privileges for admission to the University of Washington. In the Laws of 1877, page 241, the legislature appropriated money to pay for 45 scholarships, free of tuition, at the university, the appointments to be made by members of the legislature. Similar provision was made in Laws 1883, page 68, 1885-6, page 149 § 5, and 1887-8, page 232. These provisions were cited by the Supreme Court of Washington without question as to their constitutionality, *Litchman v. Shannon*, 90 Wash. 147.

The decision of the trial court does not show full appreciation of the seriousness of the issues in the case or the significance of this decision to the national policy of eliminating invidious racial discrimination.

The trial judge is one of learning and experience. Strangely enough, in this particular case he observed in the opening paragraph of his brief memorandum decision that the case should be reviewed by the Supreme Court and that he would just state his views and the Supreme Court would decide the matter. There was no attempt to review the law. The judge concluded without citation of authority, that the University had denied the plaintiff the equal protection of the laws.

One may well quarrel with the plan adopted by the University of Washington to increase the number of black law students in

the face of limited law school facilities. Some of the practical problems with it and similar programs are pointed out in the article by D. A. Ijalaye, Concessional Admission of Underprivileged Students, 20 Buffalo L. Rev. 435, Winter, 1971. Mr. Ijalaye is a Lecturer in Law at the University of Ife, Nigeria. He obtained his legal education in England.

However, unless such plans are inherently illegal as repugnant to the Fourteenth Amendment of the Constitution of the United States or sections 3 and 12 of Article I of the Constitution of Washington, the Board of Regents should have broad discretion in tailoring its policies on admission of students to accord with national policy and educational objectives.

The civil rights committee submits that whatever the intrinsic merits of the preferential admission policy, it does not violate the equal protection or any other clause of the Fourteenth Amendment and the Board of Governors should authorize the filing of a brief *amicus curiae* supporting in general the position of the Uni-

Drunk Drivers

Reference was made to two "court approved" alcohol rehabilitation programs on page 16 of the December *Bar News*.

A third program is APOAR (Applied Principles of Alcoholic (Addictive Recovery). The program is currently conducting classes at Edmonds Community College and elsewhere. It has been and is now receiving referrals from the Justice and Superior Courts in King and Snohomish Counties.

For further information, contact APOAR, P.O. Box 1183, Everett 98206 (252-9717).

versity of Washington because:

1. This bar association is responsible for making recommendations with respect to qualification for admission to the practice of law.

2. Discrimination on the basis of race taints the administration of justice as it does other aspects of American society.

3. Being directly concerned with the administration of justice, and serving as the mediators between the police and courts on the one hand and the community on the other, lawyers occupy a unique position from which to influence respect for law and the preservation of order in society.

4. The gross disproportion of black lawyers to black population is socially undesirable.

5. The organized bar has an interest in redressing this imbalance.

6. The problem is nation-wide in scope, with the result that this case has attracted nation-wide attention.

7. The Board of Regents of the University has authorized the law school to try one approach, for which there is respectable support and also responsible

In Memoriam

Evans C. Bunker, 66, Colfax, died December 20. A 1930 graduate of the University of Washington Law School, he practiced in Seattle in the 1930's and in the Lacrosse-Colfax area since 1949. He had been judge of the Colfax district court since 1958.

Francis J. Butler, 48, Spokane, died December 26 of a heart attack. A 1950 graduate of the University of Montana School of Law, he was a lecturer in taxation at Gonzaga University and practiced in Spokane since 1959. He had been on the University Board of Regents the past two years.

criticism, in trying to alleviate the fundamental problem.

8. The approach, namely preferential admission, may not be the best one; but it does not violate the Fourteenth Amendment, and is within the discretion of the Board of Regents.

9. The Washington State Bar Association being disinterested in the result of this particular litigation, is in the best position of anyone to advise the Supreme Court on the applicable law and to view the case in proper historical and juridical perspective.

Thus ended the presentation of Mary Ellen Krug.

Board member **Jack Ripple** from Spokane then stated:

"First of all, it seems to me that we are being asked to take a position. I don't believe that I can say from my cursory examination what the correct position on the law is. But it seems to me that this will be adequately covered by people who are interested in this matter. I don't think it is really necessary for us as a group to take sides. If there were some indication that the matter will not be presented adequately to the Supreme Court then I would feel differently about it. But otherwise, we are simply being asked to get on one side of the matter and I am opposed to doing this."

Whereupon Board member **Jack Lynch** from Olympia moved that the Board reaffirm its decision not to file a brief. The motion was seconded by Board member **Bob Day** from Pasco.

Bob Day stated: "My real concern is this: I don't believe that there is a correlation necessarily between admission to the practice of law in the State of Washington, which is governed by this Board of Governors, subject to the approval of the rules by the Supreme Court, and admission to law school. If this

Board takes a position in a brief before the Supreme Court, that we are in favor of admitting minority students of lesser scholastic qualifications than we do white students, then it seems to follow logically that at some future time a minority student who has taken the Bar exam and failed can say 'I want to be admitted even though I didn't pass it because I am a minority student.' It seems to me that it is going to be presented to this Board, and I don't want to make that decision at this time. I don't want to go on record as saying I recognize that we are going to admit them to practice because of their color."

Jim Curran, Board member from Kent spoke against the motion: "I strongly urge you to consider backing up the Civil Rights Committee on this issue. We do control to some extent, not only who enters practice, but who enters law school. And even if the deprived individual who gets through law school doesn't get into the practice, at least he is brought up the ladder another step where he can contribute to alleviate the problems that are in that field."

Neil Hoff, Board member from Tacoma, stated: "I think that what society has done to minorities has not been fair. I don't think that they are getting equal opportunity, particularly in the lower grades. I think probably getting into college is a problem for them. I think that the Bar Association should concern itself with the admissions to law school. I think that is part of our problem.

"We have been trying for two years now to get communication with the University of Washington Law School. As far as I am concerned, we have had very little success with it. They have not been attending the meetings and



Neil Hoff

the Bar functions. They consider themselves to be placed outside.

"We have had this question of *amicus curiae* come up several times while I have been on the Board these past two and one-half years and I have taken a position consistently that I don't think the Bar Association has any business getting into litigation on any question. I think that before we take any position *amicus curiae*, we should poll the members of the Bar and see what their feelings are. And of course that would be expensive. Until I am satisfied that the people in my area want me to vote this way, then I have to support Jack's motion. Until I can get in some way a sentiment out of the 6th Congressional District, I wouldn't care to go along with it because I have divided thoughts on it. At this point, we are being pushed into something that I would have to go down and justify.

"I feel just as strongly as you do that we have failed as a Bar Association to bring the minorities into the mainstream of practice. I do not believe an *amicus curiae* filed by the Board of Governors without having any sentiment of our people is a proper procedure."

Jack Lynch replied: "I think the Board of Governors should be prepared to vote as representatives. I know how the people in my district feel. I think it is easy

enough to avoid a tough question but I think that we are going to have to face the darn thing down."

Bob Day commented: "I don't think I know how mine feel. I know how some feel and some others feel differently."

A vote was then taken with five of the seven Board members voting not to file such a brief.

Ken Short, Board member from Seattle then advanced the following course of action to **Mary Ellen Krug**: "Would a resolution of the Board — I don't know if you are going to



Ken Short

get one — supporting the minority program at the University without filing a brief be of help? You know there is a hangup on this brief filing thing. Some of the members don't know where you quit. In what case in the Superior Court don't you file one in which lawyers have an interest? Would a resolution be of any value to someone filing an amicus brief?"

Mary Ellen Krug replied that she thought it would be in many ways.

Ken Short then concluded: "Could you make one up for us because I think it would be a very fine idea. I am very impressed with your proposition that the stance of this Board ought to be that the Constitution does not prohibit the regents from exercising discretion. If that is what I

am voting on, I wouldn't pause a moment. But, I don't like the Board of Governors filing briefs because I can't see the end of it."

A resolution has been prepared and was to be presented to the WSBA Board at its January 20th meeting.

E. Glenn Harmon on The DeFunis Case

Editor:

I read the article in the January 1972 issue of the *Bar News* about the furor in the Seattle-King County Bar Association over whether to submit an amicus curiae brief to the State Supreme Court in the *DeFunis* case. The coverage was excellent.

I agree that the judges of the State Supreme Court are grown men now, and should not be intimidated by a brief from any source. But I wondered why no one spoke about the real issue.

The real issue, though no one put it in so many words, is whether the bar association, or any bar association, should be defending racism. However, since we are lawyers, perhaps we should define our terms before starting any discussion of racism.

For my own information only, I tried some time ago to write a definition of racism, and a "racist." Here is what I concluded:

"A racist is a man who takes into account or gives weight to a man's racial origin or color in judging his ability or basic worth or the correctness or incorrectness of his position in a situation in which the man judged is or may be in conflict with another man or men of a different race or color. A 'white racist' assumes that the white man is right and the man

of another race or color is wrong in every conflict or potential conflict between a white man and a man of another race or color. A 'black racist' assumes the black man is right and the man of another race or color is wrong in every conflict or potential conflict between a black man and a man of another race or color.

"Amazingly, most blacks and almost all whites who consider themselves 'liberal' think only of 'white racists' and 'white racism' when they talk of 'racists' and 'racism.'

"The truth is that, in the final analysis, a 'racist' is a person whose opinion or judgment of another is significantly affected by the race, color or origin of the other person."

I cite no authorities for the propositions I set out above, since they rest on nothing more than my own common sense, which I either have or do not have.

However, I point out that, judged by the standards set out above, for which I accept full responsibility, all those who would deny Mr. DeFunis a place he has earned in law school by standards acceptable for a great many years because he is of the wrong color or race, are undeniably labeling themselves as racists and apologists for continued racism. They would oust Mr. DeFunis from law school for no other reason than that he is white, and put another student in his place for no other reason than he is of a different color. I do not know Mr. DeFunis, I should add.

I believe that the greatest favor the white man could do for the black man would be to become completely color blind in his relations with all others. Conversely, the greatest favor the black man could do both for

himself and his white brothers would be to become similarly color blind. On a man to man basis, many people do this. Collectively, we don't.

All schemes designed by the supposedly superior "white man" to raise the black man's lot to that of the whites starts out by emphasizing and in fact encouraging and rewarding an exercise of the acts of racism. When we start down that road, which we have done, how long do we stay on it? And who will judge when the blacks have been raised to the level of the whites — the white man or the black? And what level of intelligence will be required of the judges of the success of the programs? Are the programs to be adjudged a success, and the use of racist techniques to destroy racism be discontinued, on the judgment of college level whites or noncollege level whites? Or by college graduate blacks or by those blacks who have not yet reaped those educational benefits? Or by a plebiscite in which every person casts his vote for continuance or discontinuance of reverse racism? When do we call it quits?

Isn't it strange that the same persons who so strongly denounce "racism" in all of its forms are the strongest supporters of its validity and indeed its positive necessity in today's world?

I do not know about you. But for myself, I consider it hypocrisy of the highest order to continue to worship the existence of a practice which I curse and condemn when I turn my back and look the other direction or at a different color.

If racism must go — and I agree it must go — let's not enshrine it by such false worship under the guise that such worship is necessary now to kill its past bad effects. If racism is bad, and it is, the sooner it is wiped out

the better.

It should be possible to aid blacks without penalizing whites. Why not let the collective legal brain power being exercised by lawyers demanding action of the bar association in the DeFunis case be channeled toward finding solutions for racism, looking to its discontinuance, rather than demanding its continuance with the full sanction and blessing of the law and the courts?

Lawyers should be responsible for improving not only racial relations, but the condition of our society as a whole. A great controversy over whether a bar association should or should not try to put pressure on the Supreme Court in the DeFunis case is a waste of legal talent. Let the Supreme Court decide the legal issues involved in the case without a choosing up of sides by the lawyers. The Supreme Court judges aren't doing their jobs if they are affected by such nose counting. I'm confident that whether the Seattle-King County Bar Association does or does not submit an amicus curiae brief will have no effect on the outcome of the appeal.

I'm aware that my comments may bring torrents of wrathful replies, if published. At this point, I feel my shoulders are broad. I'm not running for any public office. I'm merely speaking my convictions.

E. GLENN HARMON
Spokane

Schroeter Suspended

In an opinion dated October 14, 1971, Leonard W. Schroeter was suspended for one year from the practice of law in this state. *In re Schroeter*, 80 Wn.2d 1 (1971).

Juvenile Court Code Revision Underway

A committee, representing a cross-section of various disciplines, has been working on revision of this state's juvenile court laws for over a year now. Chairman is Judge **Charles Z. Smith**, who represents the Superior Court Judges Association. Committee members are: **Donald Horowitz**, representing the Department of Social and Health Services; Richard Buckland, representing the Probation Officers Association; **Phillip Winberry**, Staff Counsel of the Washington Judicial Council; Major Tony Gustin, representing law enforcement; and **Quentin Steinberg**, a member of the State Bar.

The committee has yet to receive firm commitments from each agency involved that a new statute is desirable.

The current statute (RCW 13.04) has recently been challenged by the King County Public Defender's Office on the grounds that many of the acts that constitute offenses of delinquency and dependency are vague and afford neither the child nor his parents a clear statement of proscribed conduct and fail to provide courts with a fixed standard by which to measure conduct.

Should dependent children face juvenile court proceedings? The King County Juvenile Court has announced that it will not entertain such cases after 1973.

Should a revised statute go beyond *Gault* and provide that the right to legal counsel cannot be waived whenever there is a possibility that commitment may result?

These are some of the questions facing the committee.



News Around the State

BENTON-FRANKLIN REPORT

By ED MCKINLAY

Gene Schuster finally got tired of all that money being paid him as Franklin County's Public Defender and resigned in favor of his private practice. His place will be taken, as we understand it, by Mike Pickett of Richland who is reportedly able to withstand the temptations that will be presented him by that handsome remuneration.

A new concept has recently been instituted in the local Family Court procedures. Under the new rule, a divorcing couple does not have to attend a Family Court hearing unless one of them applies for it. This forward step brings us back to where we were eight years ago.

Fred Staples, who officed in his home for many years, has finally opened an office downtown where he is at home to his clients. No more dipping in the pool between sessions with clients!

The annual Benton-Franklin Bar Christmas Party was held December 22nd in what appeared to be the broom closet of the Sahara Motel in Pasco. Liquid refreshments were enjoyed by all, and those few who got in line early enough even got some hors d'ouvres. There were several survivors of the event, some of whom remain in critical condition.

EAST KING REPORT

By CHARLES F. DIESEN

Bill Kinzel has been elected the Vice-President of the East King County Bar Association. This means that in January of 1973 he will succeed Joe Miller as president as provided in new

Constitution and By-Laws adopted at the December 20 meeting of the association. **Hartly Newsum** of Bellevue was elected to a three-year term as trustee.

P. Bruce Wilson of the Office of Public Defense was the guest speaker at the December meeting held at the Jolly Troll in the K-Mart Plaza, Bellevue.

Fred Barnhart of Bellevue formerly a Major with the Army Judge Advocate General's Corps, has returned to civilian practice and is working for the King County Prosecutor's office. **Richard Kelley** left Powell, Livengood, Dunlap and Silvernale effective January 1 to work for the code revisor in Olympia.

Tom Russell has accepted an appointment from the board of directors of the National College of State Judiciary to be the director of a Federally funded program involved with the training of justice and municipal court judges across the country. His headquarters will be Reno, Nevada. Tom is taking a leave of absence from his North Bend farm and his position as assistant U. S. Attorney.

GRAYS HARBOR REPORT

By JOHN L. FARRA

James Stewart and **Ralph Thomas** of Montesano have recently moved into newly renovated office space. The office space includes two refurbished offices for Ralph and Jim. Jim Stewart's office was formerly part of the Justice Court, before the Justice Court was moved to County owner property.

The Bar Association recently requested the County Commissioners to provide adequate jury facilities for the Courthouse. It seems that the plans failed to allocate the proper amount of funds

to put in new facilities in the old Courthouse. Presentment of the Bar Association's case to the County Commissioners was made by **Jack Burtch** of Aberdeen.

A ceremony was held for Judge **John Schumacher** after he was sworn in on Friday, December 3, 1971. Four members of the Wash. State Supreme Court attended that ceremony.

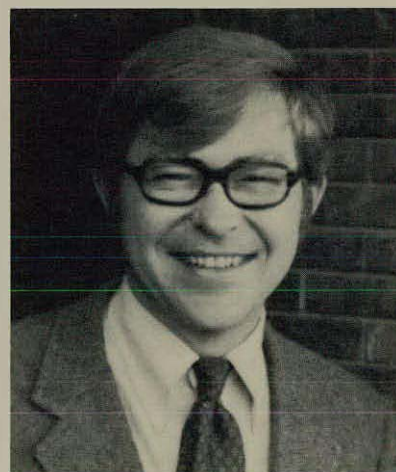
The annual Bar Association Christmas party was held on Dec. 16, 1971. This year's festivities were held at the Golf Club outside of Elma. The usual enjoyment of crab and beverages were noted.

Paul Stritmatter of Hoquiam was recently appointed the Municipal Court Judge of the City of Ocean Shores. **John Wolfe** of Aberdeen was recently appointed the Municipal Court Judge of the City of Westport. **Bill Morgan** of Hoquiam was recently appointed the City Attorney of Westport.

B. Rolf Espedal of Aberdeen has moved his offices from the Becker Building to 228 West Market Street, Aberdeen.

PIERCE REPORT

By DAVID E. SCHWEINLER



David E. Schweinler

Arthur Paulsen and **Ralph Rogers** announce the opening of new offices at 906 South 10th Street, Tacoma.

Leslie O. Stromsvik, 1970 graduate of University of Washington Law School and **Hugh Ellis**, 1972 graduate of Willamette University have joined the firm of Kane, Vandenberg & Hartinger as associates.

Michael E. Perino, 1966 graduate of Marquette School of Law, formerly an Assistant Attorney General, Wisconsin and formerly Judge Advocate, United States Air Force, has joined the firm of Ross & Schweinler as an associate.

Programs

The December 16 meeting of the Tacoma-Pierce County Bar Association at the Top of the Ocean featured a continuing legal education program entitled "Romancing Fees into the 20th Century" and "Some Thoughts and Suggestions on Legal Fees and Statements." **Claude Pearson** was the moderator and presented the film sponsored by the A.B.A.

SEATTLE-KING REPORT

By **GERALD G. TUTTLE**

Judge **Janice Niemi** of the Seattle District Justice Court has been named Presiding Judge for the 1972 calendar year. She succeeds Judge **Edmund Quigley** in this position.

Members of the Young Lawyers Section of the SKCBA are reminded that they must reserve their places for the Young Lawyers SNOWqualmie CAPERS by Wednesday, February 2, 1972. The affair, to be held at Alpentel between 3:00 and 10:00 p.m. on Sunday, February 6th, will include seven hours of lift privileges and a German buffet supper. In addition, there will be ob-

stacle course races for every level of skier, with the winner receiving the 1972 Comparative Negligence Cup. All other participants will enjoy the derisive cheers of their fellow Bar Association members.

Betty Fletcher is seeking ideas from other members of the Bar Association concerning the possibility of implementing the creation of a Lawyers' Club to be located in Seattle. The idea has been presented to the State Bar Association's Board of Governors, and there appears to be significant interest in the project. Mrs. Fletcher indicated that the Club facilities could be used for the offices of the State and Seattle-King County Bar Associations, for meetings of those Associations, for use by out-of-town lawyers in Seattle on business, and for social purposes.

Roberts, Shefelman, Lawrence, Gay & Moch announce the advancement of **Lee R. Voorhees, Jr.** to membership in the firm.

The following resolution was passed by the Seattle-King County Bar Association Board of Trustees at its December 15th meeting:

Resolved: That the Board of Trustees of the Seattle-King County Bar Association strongly recommends that the results of the Washington State Bar Association Judicial Poll be distributed to the Court Administrator for the State of Washington and to the Judicial Grievance Committee of the Washington State Superior Court Judges Association for the purpose of distributing the results as to each Judge to the individual Judges involved and that no further dissemination be given to these results; and it is

Further Resolved that the Board of Trustees of the Seattle-King County Bar Association has seri-

ous concern as to the advisability of conducting judicial polls and as to the advisability of conducting judicial polls and requests that the matter of such polls be thoroughly restudied before future judicial polls are undertaken.

The WSBA Board has yet to make a final decision on what to do with the results of the poll but had this question on its January 20th agenda.

Gerald L. Bangs and associates announced the reorganization and relocation of their offices, to continue the practice of law under the name **Bangs, Castle, Hart, Prediletto, & Murphy, Mark L. Litchman**, of Counsel. The new firm will be located at Suite 420, Lake Union Building, 1700 Westlake Avenue North, Seattle, telephone 285-3900.

Houger, Garvey & Schubert announce the association of **Donald P. Swisher** and **John K. Hoerster** and the change of the firm name to **Houger, Garvey, Schubert & Barnes**, a legal service corporation.

Jones, Grey, Bayley & Olsen announce that **Victor Van Valin** has become a member of the firm and announce the association of **Charles F. Vulliet, Charles G. Preston**, and **James E. Rottsoik**.

Schweppe, Doolittle, Krug & Tausend announce the change of the firm name to **Schweppe, Doolittle, Krug, Tausend, Beezer & Beierle** and announce the advancement of **David G. Knibb** to partnership in the firm.

Graybeal, Barnard, Uhlir & Hughes announce the formation of the firm composed of **John O. Graybeal, Delbert J. Barnard, James R. Uhlir**, and **Robert B. Hughes, Ford E. Smith** of Counsel, located at 2810 Sea 1st Bldg. **George M. Cole**, formerly a partner in the firm of Graybeal, Cole & Barnard will continue practice at 2124 Sea 1st Bldg.

SNOHOMISH REPORT

By MICHAEL W. HERB

Max Klein is successfully recovering from open heart surgery and back on his feet. **Mick Moynihan** and his family are now residing in Europe and Mick is currently in Morocco. He intends to race Formula 4 cars in England and on the continent. **Patrick Jorgensen** and **Jeffrey Hahn** are now associating with **Robert Milligan**. Both are from Seattle.

Kent Millikan is the new director of the Northwest Legal Services Center and his main office will be in Everett. Kent is a William and Mary graduate and recently was employed in the Seattle Legal Services Center.

A member of the Snohomish County Bar Association has recently announced that he is seeking the office of President of the United States. **Senator Jackson** is supported by **Ed Hansen**, along with **Charlie Flower** and **Betty Drumheller**, as co-chairmen, of the Washington Citizens for Jackson Committee.

Gay Riach, President of the Snohomish County Bar Association, has selected **Henry S. Chapman** in the Everett area as legal advisor for the Snohomish County Legal Secretaries Association for the year 1971-72.

Bruce Keithly has associated with the firm Minor, Cogdill, and Deno in Everett, and **Terry Neal** has associated with Johnston and Woody in Mountlake Terrace.

There are many changes in the Snohomish County prosecutor's office. Leo Forrest has been hired for a new position of record systems analyst. Leo is up-dating office records and analyzing management procedures with the objective of ultimately having rec-

ords computerized. Stephen Palmberg is currently a legal intern. Steve graduated from Illinois Law School in 1971, and is working full time. He is married and planning to settle in this State (although a certain loyalty remains towards the Illinois football team and Steve predicts they will be in the top ten next year). **Doug Marsh** is a new deputy. He is married and attended Gonzaga Law School. **George Darkenwald** is now a deputy. George worked as a legal intern prior to passing the Bar and after graduation at the University of Washington and has now become a deputy prosecutor, working full time. Two other new deputies are **Randy Furman**, a recent graduate from the University of Oregon and **Jim Twisselman** who graduated from the University of Washington Law School and then worked as a clerk for one year for Judge Swanson in the Court of Appeals.

YAKIMA REPORT

By RANDY MARQUIS

Relocation:

Harry Hazel announces relocation of his offices to the fifth floor of the Miller Building, Yakima, as of January 1, 1972.

Acquisitions:

John Monter, a graduate of Whitman College in May 1970, was recently employed by **Walter Weeks** as a para-professional. John has a B. A. in History and is a potential law student.

College Employs Attorney as Instructor: Yakima Valley College has announced a new course in individual rights. Political Science 199, offering three college credits, will be taught by Robert M. Leadon of the firm of Felthous, Brachtenach, Peters and Schmalz.

Leadon says the course will cover four categories: freedom of expression, freedom of religion, administration of criminal justice and discrimination.

The law offices of **Smith, Scott and Hanson** have been relocated in the historic Alexander Miller home at 314 North Second Street. The Miller home is one of the show pieces of Yakima having survived majestically since circa 1893.

Subscriptions Sought to Law School Newspaper

Condon Commentaries has been replaced by *The Law School Newspaper* as the official publication of the Student Bar Association at the University of Washington Law School.

Although the orientation of the publication is of necessity directed to problems of the law school itself, an attempt is also made to give coverage to problems of law and of the legal profession which may be of interest to law students who are likely to practice in this area.

Since many members of the Washington State Bar Association are graduates of the University of Washington School of Law, and since all practitioners in the state are affected by changes occurring in legal education here and elsewhere, perhaps some of WSBA members would be interested in subscribing to *The Law School Newspaper*. The subscription rate is \$4.00 for ten issues. A subscription beginning in February for the remaining six issues in the current volume would be \$2.40.

Contact the SBA, University of Washington, Condon Hall, Seattle 98105.

McLAUCHLAN AT LARGE



(L. to R.) Judges Jay W. Hamilton, Robert J. Bryan and Oluf Johnsen-Kitsap County Branch of the State System of Justice.



Paul Schell, Seattle



Philip M. Raekes, Kennewick, President Benton-Franklin County Bar.



(L. to R.) Edward G. Cross, Ritzville, President Adams County Bar and Claude K. Irwin, Pullman, President Whitman County Bar.



(L. to R.) Victor D. Lawrence, Timothy R. Clifford, David B. Sweeney, Harold S. Shefelman, David A. Bennett, James S. Turner, Lee R. Voorhees, Jr., George M. Mack, Seattle.



Hon. Albert Yencopal, Richland

Union Group Legal Services

(Continued from page 8)

but likewise see the public interest as being adequately served by the present method of delivering legal services to members of the public. However, a rising tide of this type of practice cannot be stemmed by obstructing the development of group legal service plans. Nor can we hope to prevent the ultimate implementation of such plans in the light of the U.S. Supreme Court decisions earlier adverted to in this article.

An Enlarged WSBA Group Legal Services Committee

The Board of Governors of the Washington State Bar Association recently appointed a further enlarged committee to study and make recommendations on the subject of group or pre-paid legal services. Hopefully, the committee will see fit to make recommendations which will induce the Board of Governors to go further than the recommendations of the earlier committee set forth above, which in essence is an acceptance of the U.S. Supreme Court decisions and the adoption of changes in the canons to accommodate these decisions. The interest in this field, as well as the preservation of the traditional free choice of lawyer by the public, demand more than a stamp of approval for group legal services, such as Union Group Legal Services.

The Need for a WSBA Open Panel

We need to move forward to foster and encourage a pre-paid plan or plans, because without the formation of such plans that allow open panels of lawyers, there is no alternative available to meet the demands of groups for this service. They must then turn to the single lawyer or law firm to accommodate the needs of the group, and, as already indicated, the trend in those known plans is to utilize a closed panel of lawyers to serve the group members.

There is a fertile field in the trade unions for such plans and it is being cultivated now. Other interested groups are teacher associations, cooperatives, student groups, church congregations, municipal employees, and similar groups. Growth of such plans depends on their availability and the action of our professional association. Our interest must be transmitted to the public. Together we can eliminate and overcome the shackles now restricting the rapid expansion of this method of marketing our services. The future of pre-paid legal service plans will obviously depend on our reaction as a profession. All of us know how difficult it is to achieve change. Many of us react to

change out of a desire to preserve the "status quo," or "how we did it in the good old days."

However, the opportunity to participate in this change, shape it, control it, is upon us now. Union Group Legal Services has made it crystal clear. If we wish to preserve some of our cherished traditions and values, particularly the right of the public to have free access to the lawyer of his choice, and at the same time meet the public need and demand, which is our responsibility, then we must act now. A Bar sponsored or directed pre-paid legal service plan is a solution to this dilemma. Each of us and the leaders of our State Bar Association, as well as our local Bar Associations, must become immediately and broadly involved to assure such a plan or plans ultimately become a reality.

Missed Opportunity for a Pilot Program

It is no time for trepidation or a committee pigeon-hole. Too much time has elapsed already since we first received a communication from the American Bar Association which would have permitted us to participate in a pilot program partially funded by the American Bar and other interested foundations. There is still time, but we must act. We can then better serve our function to society by satisfying the need of the vast group of middle Americans whom we do not now adequately serve.

I know of no better conclusion to this article than to quote the President-elect of the American Bar Association, Robert W. Meserve, in his recent article "The Forgotten Client — The Average American."³

"Exploration of and action on the problem of providing legal services to the client of moderate means are of bedrock importance to all lawyers. The American Bar Association has never raised a war chest to support intransigent opposition to the changing needs of society. It has relied on the great common sense of lawyers to discern when change is needed and to make changes that preserve the essence of our independence as a profession serving the public. We want to achieve or at least approach the goal of being an advocate and counselor of all persons in our society. To do this we must live in this century, not the last."

□

The Board's Work



In-person presentations by a number of State Bar leaders highlighted the December 17 meeting of the Board of Governors.

Appearing before the Board on a wide variety of Bar business were:

DeWitt Williams, Seattle, member of the Disciplinary Board, who raised questions concerning the Board of Governors' previous approval of a plan to add three **lay members to the Disciplinary Board**. After extensive discussion of possible problems the plan might cause, the Board of Governors and Williams agreed the Disciplinary Board should submit positive recommendations as to how public contributions might best be used in improving the Bar's discipline procedures and their public acceptance.

Chief Justice **Orris L. Hamilton**, Olympia, discussed with the Board of Governors possible ways to avoid "drop-by-drop" publication of rules and proposed **rules changes** scattered through the advance sheets. It was agreed that the most feasible solution would be personal mailings of proposed changes to lawyers, with printing to be provided through court facilities and addressing by the State Bar Office. The court then hopes to officially promulgate rules changes only twice a year, in January and July advance sheets, so they may be more conveniently available to lawyers.

The chief justice also explained a proposed change in the generally accepted plan for **revision of the judicial article** of the state constitution; the change would exclude Superior and District Court judges from the tenure provisions of the "Nebraska Plan" of judicial elections proposed for the new article. The Board voted to approve the change.

Also discussed briefly was the state judges' request for **salary increases** in the forthcoming legislative session. The Board later in the day voted full support for increases in judges' salaries, which have been unchanged since 1965 while virtually all other salaries, the cost of living and the state's per-capita income have increased substantially. The judges have noted that the State Committee on Salaries has recommended increases much larger than those the judges themselves are requesting — to \$31,600 for Superior Court, \$34,600 for the Appeals Court and \$37,600 for Supreme Court. They are proposing that all or much of the cost could be met by increasing the court filing fee to \$35.

Mary Ellen Krug of Seattle, chairman of the State Bar Civil Rights Committee, presented to the Board the committee's unanimous recommen-

dation that the Bar submit an *amicus curiae* brief in the appeal of the case of *De Funis vs. Odegaard*. She pointed out that both the American and Seattle-King County Bar Associations planned to submit briefs and urged that the Board authorize a State Bar brief. After discussion the Board voted to reaffirm its earlier decision not to submit a brief; it did not necessarily take a stand on the issue but acted as a matter of policy for an integrated bar association (see page 9).

Muriel Mawer, Seattle, chairman of the Board of Bar Examiners, discussed with the Board of Governors several matters pertaining to the **bar examination** and obtained Board approval of mechanical changes in the method of giving the exam.

Alfred J. Schweppe of Seattle, one of the authors of the original legislative Bar Act of 1933, provided the Board with much background information concerning the Act and the history of the association and discussed with the Board possible pros and cons of bar integration by court rule vs. legislative act.

Gregory R. Dallaire, director of the Seattle Legal Services Center, reported on the proposed national Legal Services Corporation, for which congressional approval is expected in early 1972. At the Board's suggestion, Dallaire and a small committee were to report at the Board's January meeting on possible bar involvement in a state-wide legal services program which may be established (see page 9).

At its December meeting the Board of Governors also:

✓ Accepted with regret the resignation of **James Leavy** of Pasco from the Disciplinary Board and appointed **Walter L. Minnick** of Walla Walla to succeed him.

✓ Appointed to the Judicial Council Task Force Committee on Courts of Limited Jurisdiction **Albert J. Golden** of Walla Walla, **H. John Hall** of Chehalis and **Paul Codd** of Seattle.

✓ Voted to permit the Local Administrative Committee to provide a complained-against attorney with a precise statement of the complaint plus the name of the party filing the complaint (or the name of the person on whose behalf the complaint is filed).

✓ Dispatched a variety of matters concerning bar-exam applicants, law clerks, and attorneys wishing to represent indigents in federal courts.

✓ Approved, on a six-month pilot-program trial basis, a program whereby Gonzaga University

law students will assist parties in Spokane small-claims court.

✓ Voted to recommend to the Supreme Court that a new, short and unadorned oath of attorney be adopted, abrogating a Bar Act provision prescribing a longer and more elaborate oath.

✓ Approved changes in the membership of the Legal Internship Committee.

✓ Decided to have the Board's February meeting in Tacoma on the 12th, with the members to attend the Tacoma-Pierce County Bar's traditional Lincoln Day banquet the 11th.

✓ Received from **Bradford M. Gierke** of Tacoma, Young Lawyers Committee chairman who sits with the Board, a report on Young Lawyers current activities.

✓ Referred to the Committee on Unauthorized Practice of Law a report that an insurance adjuster had solicited employment as representative of claimants in insurance matters.

✓ Decided to have a two-day January meeting (January 20-21), with most of one day to be devoted to studying and discussing the subject of prepaid and group legal services. Philip Murphy, American Bar Association staff member and authority on the subject, was to be invited to attend. Meeting with the Board were to be the members of the Bar's new Group Legal Services Committee, of which **Thomas Malott** of Spokane is chairman; the Thurston-Mason County Bar also was to be invited to attend the Board-Committee luncheon at which Murphy was to speak.

✓ Appointed **Alice O. Ralls**, retiring association executive director, to the new Corrections Committee.

✓ Authorized the Legislative Committee to employ a legislative intern to assist **Quinby Bingham**, State Bar legislative representative, during the forthcoming legislative session.

✓ Approved three bills proposed for submission to the Legislature by the Legislative Committee; the bills concern estate and trust matters.

✓ Appointed **Charles W. (Bill) Beresford** the Bar representative at meetings of the Seattle Mental Health Center. □

Quotes Quoted

(Continued from page 4)

background. It's understandable. I have a different attitude. There are still some hop growers who think Harding is in the White House.

* * *

On why he has not signed the contract proposed by the union:

I'm not going to sell my friends, my co-workers on the ranch down the river into some sort of contract such as Heublein did. You have some man back in New York and he calls out to the manager in California and says "Get these people off my back." He doesn't have a concern for these workers. "Sign the contract. Get Cesar off my back." Not that way. Just, not that way. These are people who are close friends. I'm not going to do it.

* * *

On the question of availability of legal services in the Yakima Valley:

The farm workers need help from you people in Seattle. I would like to see somebody come forward and say "I'll give them a hand. We'll forge the relationship in accordance with what the farmworkers desire." Unfortunately in Yakima, the Bar Association is somewhat tied to the growers' side of this controversy. There is just no question about that. It has got to be because they are the only ones who really have had legal assistance. We really don't have a good system of legal assistance.

So I came to Seattle two months ago and I 'phoned a good friend here and I said "Hunt around and see if you can find some firm that will devote a portion of its time and talents to come over and work with the farm workers themselves." You can sit here and say this is a bad situation but let's have someone come forth and say "I'll give these people help." I can't do it myself. Obviously, I am an adversary. Somebody can and at least I will put you in contact with them.

* * *

On the future:

There's lots of room for improvement. This is where the public enters into it, which is the higher price which is passed by us on to the consumer. One ranch or ten ranches cannot control the price to pass it on. But if all ranches were unionized and all had the same labor overhead, the consumer would be the one to pay for it each time he picked up a bottle of beer. At the same time, we would be able to provide more salaries, better living conditions, and the whole gamut.



SUPREME COURT PRACTICE

By WILLIAM M. LOWRY

Supreme Court Clerk

The Supreme Court will hear argument 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

42188 — *Fleming v. City of Tacoma* — **Conflict of interest:** What constitutes a "sufficient appearance of conflict" so as to render a decision of a City Council in adopting a rezoning ordinance void?

42189 — *Harris v. Kuhn* — **Proximate cause:** Can an automobile accident rendering a driver unconscious be the proximate cause of an injury to a nurse by the unconscious flailing of the driver in a geographically separated hospital?

42191 — *In re the Petition of the City of Anacortes to Condemn Land* — **Condemnation:** Is the owner entitled to interest on the award from the time of stipulated possession by the condemnor until the award is paid into the registry of the court and if a new trial is granted and the award is not withdrawn, is the owner entitled to interest until the determination on retrial?

42192 — *Roza Irrigation District v. The State of Washington* — **Municipal corporations-Labor:** Does RCW 41.56 (Public Employees Collective Bargaining Act) apply to irrigation districts?

42197 — *Hall v. Corporation of Catholic Archbishop of Seattle* — **Landlord-invitee:** What is the duty of the owner or occupier to an invitee with respect to known and obvious dangers?

42200 — *Anderson v. Anderson* — **Probate:** Expenses to be borne in the proportion each beneficiary's interest bears to entire estate. Is the interest of the wife in a joint account with right of survivorship included in the determination of proportionate obligations?

42206 — *American Discount Corp. v. Saratoga West, Inc.* — **Corporations:** Corporation "A" organized to purchase and develop realty. "A" mortgages to corporation "B". Stockholders of "A" have a controlling interest in "B". What kind of showing must creditor of "A" make to intervene in "B's" action to foreclose?

42207 — *C. A. Swanson v. Noel H. White* — **Landlord's Lien:** Tenant leased office equipment from "A." Is landlord's lien for rent superior to "A's" interest?

42221 — *Cook v. State of Washington*; 42222 — *Shafer v. State of Washington* — **Constitutional law:** Does the 120 day notice requirement of RCW 4.42.120 when strictly applied bar a constitutional right to sue?

CERTIFICATIONS

42184 — *State v. Satiacum* — **Indian fishing rights:** Is the holding in 70 Wn.2d 245 that there is no longer a Puyallup Indian Reservation in conflict with the U. S. Constitution?

42185 — *H. J. Carroll, et al. v. Louis Bruno, et al.* — **School funds:** Is the distribution of Federal Forest funds in accordance with RCW 28.41.130, providing the equalization formula, in conflict with federal law?

APPEALS FILED ORIGINALLY IN THE SUPREME COURT

41996 & 41997 — *Public Utility District No. 2 of Grant County v. State of Washington* — **Taxation:** Is the State prohibited by the commerce clause from including in the measure of public utility tax gross income derived from sales of power by the P.U.D. to Oregon Utilities, when such power (1) is delivered to the Oregon Utilities at points in this state, (2) is then transmitted by Bonneville for the Oregon Utilities to points outside the state, and (3) is then resold by the Oregon Utilities?

GRANTED PETITIONS FOR REVIEW

42081 — *In re Donnelly, Kelly v. Iverson* — **Wills-probate:** Whether under existing statutes, the adoption of a child by another terminates the rights of inheritance in the natural family?

42114 — *Omstead v. Brader Heaters, Inc.* — 42163 — *Deutsch v. West Coast Machinery Co.* — **Constitutional law:** Do the courts of this state have personal jurisdiction over a Japanese corporation, when a product of that corporation is placed in the channels of international commerce by sale to an intermediary in Japan with the knowledge that the product would be sold in the U.S., and the product subsequently results in damages in the state of Washington?

WRITS

42106 — *Citizens Against Mandatory Bussing v. Palmason, et al.* — **Constitutional law:** Does a school board have the constitutional authority to implement a program of desegregation which includes the mandatory reassignment of pupils?

NEWS FROM THE COURTS OF LIMITED JURISDICTION

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

The North American Judges Association Annual Conference, held in Tucson, Arizona, November 15-20, 1971, saw many judges from the State of Washington in attendance, as reported in the last issue of the *Bar News*. One very significant item, not known at the time of previous printing, was that the Honorable **Charles V. Johnson**, Judge, Seattle Municipal Court, was elected to the Board of Governors of NAJA. Washington, thus, has had a Judge as an officer, or Board member for over the past four years. Our congratulations to Judge Johnson on his election to this most important post in one of the few international associations of Judges.

The Honorable **C. Conrad Green** has been appointed to serve as the Judge of the Municipal Court for Poulsbo, replacing Judge **Rudie Iverson**. Congratulations are in order, belatedly, to Judge Green on this appointment.

The King County Magistrates' Association, with the co-operation of the County Council, has unanimously voted to inaugurate a program aimed at setting up an Administrator for Courts of Limited Jurisdiction in King County. Application will shortly be made to the Federal Government to assist in funding this project. This project, if funded, will go a long way to develop more uniformity throughout the courts of King County.

The King County Juvenile Court and the Courts of Limited Jurisdiction have commenced a new project to study the best manner in handling Juvenile Traffic Offenders. Three methods of handling juveniles will be studied to determine the most effective method. Some of the Courts will act as pro-tem juvenile judges; a second set of courts will act as juvenile court referees; and a third segment of the court will take the cases on a direct decline of jurisdiction, treating them as adult traffic offenders, except that in all cases, should there be confinement prescribed as part of the sentencing, it will be served in the youth detention center.

Judge **Murray A. McLeod**, Aukeen District Court, King County, has been appointed by Mr. James Economos, Director, Traffic Court Program American Bar Association, to serve as a lecturer for the Regional Traffic Court Seminar, to be

held, January 24-28, 1972 at Los Angeles, California. Judge McLeod's topics will include drinking offenses and handling of DWI offenders and mandatory and non-mandatory court offenses.

SUPERIOR COURT NEWS

By **ROBERT M. ELSTON**, Judge
King County Superior Court

Governor Dan Evans has appointed two King County Superior Court judges. **Robert W. Winsor** was named to succeed Judge **Keith M. Callow** (elevated to the Court of Appeals to replace Justice **Robert F. Utter**, advanced by the governor to the State Supreme Court). **Jerome M. Johnson** was selected to fill the vacancy created by Judge **Henry Clay Agnew's** retirement. At a January 12 ceremony, Judge Johnson was welcomed to the King County bench by Judge **Frank H. Roberts**. Judge **Solie M. Ringold** gave the address of welcome to Judge Winsor.

The Snohomish County Superior Court, under the pioneering direction of Judge **Alfred O. Holte**, is translating the term "Family Court" from one of art to one of description. Rejecting the traditional piecemeal approach represented by separate juvenile court, divorce court, and criminal court, the new concept provides a common forum for identifying problems manifested by juvenile difficulties, non-support, ill-considered divorces, assaultive or other criminal behavior, non-support, etc. and then utilizes individual and family counseling and community resources to treat family illnesses rather than simplistic symptoms. The pilot project is registering gains in its effort to strengthen family units and may well point the way for the rest of the state.

King County Superior Court judges have selected Judges **Stanley C. Soderland**, **Edward E. Henry**, **David W. Soukup**, **Theodore S. Turner** and **F. A. Walterskirchen** for its new criminal department. Judge Soderland has been designated as chairman of the department.

Judge **Henry Clay Agnew** served as presiding judge on his last active day as a King County Superior Court judge December 30, 1971. He retired as of the end of 1971 after 21 years on the bench because of reaching the mandatory retirement age of 75.



University of Idaho:

Thirteen third-year law students at the University of Idaho Law School have been admitted to limited practice in Washington under Rule Nine as legal interns. The students staff the office of the Legal Aid Society of Pullman which was founded by the Pullman Bar Association in 1970. The office is located in the basement of the Baptist Church of Pullman. 75% of the clients are Washington State University students. Clients who fall into the category of "indigent" pay only \$5 for their legal services. "There's no paid help," says **Kenneth B. Myklebust**, who was instrumental in founding the society. "The secretaries all are volunteers too." The office is open every weekday afternoon for four hours. The other attorneys who were instrumental in establishing the Society are **Charles O. Shoemaker, Jr.**, and **Wallis W. Friel**.

Gonzaga University:

Gonzaga University Law School students have formed a clinical law program with a \$4,200 budget. \$3,200 was granted by the Law School students' association and \$1,000 came from the Law School Service Fund of the ABA Law Student Division. Richard L. Barbieri, a second-year Law School student and founder of the program, said that the amount granted by the Gonzaga law students was "... a switch in policy. Previously they gave money to social events and strictly academic activities. This is a move toward a program with considerable social overtones. The money was approved by an overwhelming vote." Seven separate projects are in the program, with each geared at a different community need. The projects are legal education for high school aged students; a bail bond and prison rehabilitation project; work with the Washington Public Interest Research Group (WashPRIG); assistance to the Spokane American Civil Liberties Union (ACLU) chapter; work with Spokane Resource Advocates (SRA); expanded work with Spokane County Legal Services, and a small claims court project.

University of Puget Sound:

Establishment of a School of Law at the University of Puget Sound was approved by the board of trustees on December 20. Opening of the school, which will have both day and night classes, will depend on how soon a quality faculty can be assembled, and library and other facilities can be obtained. A study of available off-campus rental

facilities is under way. The initial goal is for 100 daytime and 100 nighttime students. The long range goal will be to have the Law School on campus within three years to five years. A special fund drive will be conducted for that purpose. Joseph Anthony Sinclitico Jr., 56, dean of San Diego law school from 1964 to 1970, was selected as the new dean on January 11.

University of Washington:

Ten University law students filed suit on Jan. 4, against 17 law professors in an effort to open faculty meetings to the public. The suit is brought in King County Superior Court against the individual faculty members and their husbands and wives. It charges that the faculty is a sub-agency of a public agency and therefore must open its meetings to the public under Washington's 1971 Open Meetings Act. The students do not simply want an interpretation of the Act, said Professor Arval Morris, since the law school had already asked the state attorney general's office to give them a formal interpretation. Assistant State Attorney General **James Wilson**, who is counsel for the University, has given an oral opinion that the faculty meetings do not fall within the Act. If the students had wanted to open faculty meetings peacefully, Morris continued, they could have obtained a declaration on whether or not the Act applied, without bringing a suit against the professors. If the students won, "the faculty would comply," said Morris, "for after all, we're men of the law." The students are after the \$100 fine that they will get from each professor if they win, Morris said. "There's clearly a monetary angle," he added. "What we have is basically a vindictive lawsuit," Morris continued, "and what I do resent is my wife being sued and my marital community." The suit is causing bad feeling between professors and students, Morris said. "How would you like to be a faculty member sued by the students and then when they want something from you try not to treat them like adversaries?" He also said the suit is part of "the old Oedipus complex where the adolescent tries to hurt the father."

— Liz Dash
U of W Daily
Jan. 7, 1972



Lawyers were needed. The U. S. Army offered lawyers the rank of first lieutenant, pay \$249.38 and \$42 subsistence allowance, \$67 in lieu of quarters but if you had dependents, \$82.50. That, of course was before the dollar was devalued and was comprised of 100 solid cents.

Births

Hardyn Soule was appointed Superior Court Judge, Pierce County, by Governor Langlie. New bar presidents announced were: **D. A. Shiner** of Chelan County, **Tom C. McCrea** of Snohomish County, and **Edward A. Niemeier**, Poulsbo, Kitsap County. **William A. Stiles**, newly graduated from law school, returned to his home town, Sedro Woolley, to practice. **William F. Lubersky** left Seattle to become a partner in Koerner, Young, McColloch & Dezendorf, Portland. **Edward S. Franklin**, **Tom M. Alderson**, **Thomas L. Morrow**, and **Orlo B. Kellogg** became partners of Bogle, Bogle & Gates, Seattle. This brought the number thereof to 14. **Donald D. Fleming**, recent law graduate, joined Lenihan & Ivers, Seattle. The new firm of **Nobel & Hanson**, Republic, was announced. **Gilbert Whitley** joined the ●. P. S. in Seattle. The firm of **Dolch & Follman**, Mt. Vernon, announced their new partnership. **Harold S. Shefelman**, Seattle, succeeded Ivan L. Hyland as Chancellor of the Episcopal Diocese of Olympia. We understand the duty of the Chancellor is to maintain peace in the episcopacy.

Crossed the Bar

Judge **Ernest M. Card**, 74, Tacoma. He had served 41 years. **Noah Shakespeare** of Everett passed. **Horace R. Dougherty**, 76, and **Jack McWalter**, 45, both of Seattle, left us. The Spokane Bar Association held a memorial service for the eleven members who had died during the past year.

Of Bow Ties and Poetry

Kirkland, through **Albert A. King**, announced the birth of an informal group to discuss such weighty matters as the influence of bow ties on juries. To prove he was also a poet, he submitted 22 lines of verse thereof regarding lawyers. Typical are the last two:

He needs a wry, astringent tonic
To teach his tongue to be laconic.

We wonder if Al has since dedicated all his time to the muse and sings his good wife lawyer Mary into doing all the serious work.

David J. Williams

A veteran Southern lawyer and bar association leader, asked recently for his advice on how to build a practice, replied:

"Leave those things alone which, in your mind and in your own good judgment, you know you have no business with. Those things that you *do* take, do a good job, turn out the work. If you have a client who comes in and says he has this particular work to be done, tell him you are going to get it done and do it; don't procrastinate. The other thing is to be basically honest with your client."

An Illinois bar official put it another way to the lawyers in his state:

"Another strange (thing) is the apparent reluctance of some of our colleagues to seek help from others. If our clients 'knew it all' they wouldn't come to us, and no lawyer should be so presumptuous as to think he knows everything about everything.

"Why should a lawyer be reluctant to associate a tax specialist to interpret a difficult tax statute or rule? Why should a lawyer be reluctant to associate one from another state to handle a problem there, or at least learn what the statute of limitations is there? It is submitted that the answer is patently clear — there is no valid reason why and no acceptable excuse."

He was noting that one big cause for liability-insurance losses, forcing lawyers' premiums upward, was the failure to research the limitations period in other states when a cause of action rose there.

The Washington State Bar now has a new Code of Professional Responsibility. It puts the subject yet another way (DR 6-101 A):

A lawyer *shall* not: (1) 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. (2) Handle a legal matter without preparation adequate in the circumstances. (3) Neglect a legal matter entrusted to him.

Public Relations Committee



Wanted and Unwanted

For Sale: Complete set of Trials, Proof of Facts, Am. Jur. Pleading and Practice forms and Am. Jur. Legal Forms. New condition. Contact Paul J. Fisher, 501 Third Ave., Seattle 98104 (MA 3-8140).

For Sale: Am. Jur. 2d with 1970 Supp. Pat Geraghty, Jr., 1010 Dexter Horton Bldg., Seattle 98104 (MA 4-1442).

Wanted: Trial Judges Journal for July 1965, Vol. 4, No. 3. Marian G. Gallagher, Law Librarian, 205 Condon Hall, Seattle 98105 (543-4089).

For Sale: Complete Wash. Reporter, Vol. 1 to Vol. 77, Second Series. Perfect condition. \$1,200.00. M. P. Nadeau, Office Manager, Law Department, Burlington Northern Inc., 840 Central Bldg., Seattle 98104 (MA 3-5560, Ext. 313).

For Sale: Am. Jur. 2d (& 1st); Am. Jur. Proof of Facts; condition like new. Roderick D. Dimoff, 6718 - 35th Avenue S.W., Seattle 98126 (WE 7-5821 or CH 3-3039).

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

Deadline for the next issue of the *Bar News* is February 7, 1972

Remember to make contributions to the WASHINGTON STATE BAR FOUNDATION.

Calendar

- Feb. 12 Questions Never Answered for the Beginning Attorney in General Practice . . . Bridging-the-Gap Seminar . . . HUB Auditorium at U of W . . . 8:30 A.M. to Noon . . . \$10.00
- Feb. 22-23 Government Procurement Contracts, co-sponsored by WSBA and Federal Bar at Seattle Center: Registration 8:00 A.M. Feb. 22, Fidalgo Room; \$25, includes luncheon, materials; nine speakers from government and private law firms in Washington, D. C.
- Feb. 26 Federal Taxation . . . Bridging-the-Gap Seminar . . . HUB Auditorium at U of W . . . 8:30 A.M. to Noon . . . \$10.00
- March 3 Washington Civil Practice After Trial, State Bar CLE Seminar, Ridpath Hotel, Spokane 1 - 6 P.M.
- March 18 Washington Civil Practice After Trial, State Bar CLE Seminar, Olympic Hotel, Seattle, 9 A.M. to 4 P.M.
- March 25 Washington Civil Practice after Trial, State Bar CLE Seminar, Evergreen Inn, Olympia, 9 A.M. to 4 P.M.
- April 12-15 Second National Conference for Courts and Correctional Institutions Using Volunteers, sponsored by Volunteers in Probation, Inc., Keith J. Leenhouts, President . . . Memphis, Tenn. . . . Registration fee \$30.00
- July 17-28 7th Program of Instruction for Lawyers at the Harvard Law School . . . Estate Planning by Caner Securities Regulation by Loss and others . . . Enrollment fee for two-week period is \$475 and for one-week period is \$250

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) Western Washington county seeking Deputy Prosecutor to handle full range of duties with emphasis on trial work. \$11,000 to begin if no prior experience.
- (2) Air Force Judge Advocate, to be discharged about March 1, 1972, seeking position in general practice with emphasis on government contract law.
- (3) Attorney in smaller western Washington community seeking associate in practice with prospect of partnership.
- (4) High ranking 1958 graduate of Kerala University, India, admitted to Washington Bar, currently county government employee, seeks practice with international aspect, or position in international trade.
- (5) A number of new applications have been received from third-year law students contemplating the June 1972 bar examination.

WASHINGTON STATE BAR ASSOCIATION

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