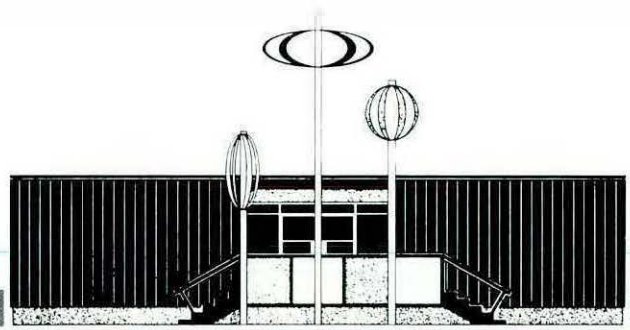
Volume 33, Number 8
August, 1979

WASHINGTON STATE BAR NEWS

LONG-RANGE PLANNING FOR THE LEGAL PROFESSION



Volume 33, Number 8
August, 1979

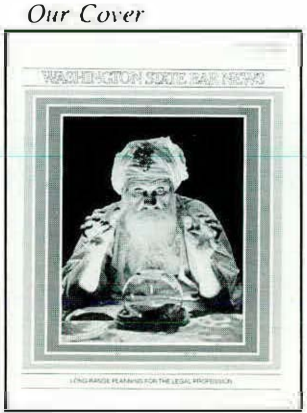
WASHINGTON STATE BAR NEWS

FEATURES

IN THE NEWS

DEPARTMENTS

Our Cover



This month's Bar News *is devoted to recent thinking related to long-range planning for the future of the legal profession. Feature articles were prepared under the supervision of David L. Broom and Wilbert Anderson, who served as coordinating editors. Broom is chairman and Anderson is a member of the Editorial Advisory Board.*

Published by

WASHINGTON STATE BAR ASSOCIATION
505 Madison Street Seattle, Washington 98104

Jay V. White, *Editor*

All editorial material, including editorial comment, appearing herein represents the views of the respective authors and does not necessarily carry the endorsement of the Association or of the Board of Governors.

Published monthly on the first day of the month. Deadline for editorial and classified advertising materials: 25th day of second preceding month.

Direct all correspondence and editorial copy to Washington State Bar News, State Bar Office, 505 Madison, Seattle 98104. Telephone: (206) 622-6054

Subscription price is $12.00 a year, $1.00 a copy. Subscription included with active membership. Back issues $1.00 per issue

Printed by United Graphics, Seattle

Change in UCC Financing Statement Filing

Editor:

In the State of Washington Uniform Commercial Code Financing Statements which formerly were filed with the Secretary of State's office must now be filed with the Uniform Commercial Code Division of the Department of Licensing. The Department of Licensing has advised that a number of lawyers continue to send them to the Secretary of State's office. This results in a delay in filing and if it continues may result in the items being returned to the lawyers' offices, causing further delay. The 1977 Session of the Legislature changed the central filing office from the Secretary of State's office to the Department of Licensing.

EDWARD N. LANGE

Seattle

Pay the Doctor, Avoid "Economic Euthanasia"

Editor:

In the May issue [*Bar News* 33:5:5] you published a letter from Dudley N. Perrine concerning physicians' fees and the widow's homestead. The letter contains some outrageous statements by Mr. Perrine concerning the necessity of medical care of the terminally ill. Mr. Perrine has clearly decided that he has sufficient medical expertise to determine who should be treated and who should be left to die without benefit of modern medicine. It is also apparent that the author places economic concerns (most specifically any threat to probate fees) before the concerns of the physician for his patient's welfare. It cannot be said that such a position will improve interprofessional relations between physicians and attorneys and it can certainly do nothing but offend those who feel that human life, or at the very least, the reduction of human suffering should take some precedent over the probate lawyer's fee.

I can sympathize with the widow's economic plight; however, at the present time public policy and medical ethics mandate that *physicians* should use their best professional judgement to maintain the life and reduce the suffering of those who are terminally ill. The degree of such maintenance is the focus of much current philosophical agonizing by the medical profession. I do not believe, however, that a decision as to who shall have terminal medical care and who shall not, should appropriately be made by first consulting the patient's financial balance sheet or by taking into account the economic well-being of the legal profession. I do not see economic euthanasia as a laudable public policy.

It would help if the author would argue the issue with less charged language and wave to a somewhat less extravagant degree his anti-medicalism; if so, the legal point which he wishes to make would not be lost in the rhetorical forest of his prejudices. As a member of both professions, I would hope that the two groups can work harmoniously to the advantage of both patient and client. Emotionally-charged diatribes will not have a positive effect on an interprofessional relationship already strained.

It may be that Mr. Perrine contemplates a new growth industry for lawyers, i.e., package tours for probate attorneys to tour local nursing homes. Such groups could then determine on the basis of each inmates' last year's income tax report what would constitute *necessary* medical treatment for those termi-

nally ill; alternative tours to intensive care units could also be arranged. It would sure beat ambulance chasing.

DON C. PEARSON, M.D., J.D., F.A.C.S.
Tacoma

Spokane "No. 2"

Editor:

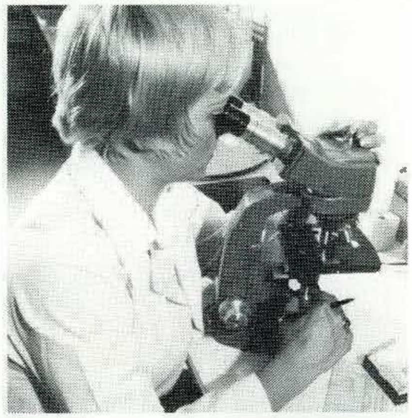
The May, 1979 issue of *Washington Bar News* contained the article "Spokane Law Firm First in Nation to Underwrite Television Series".

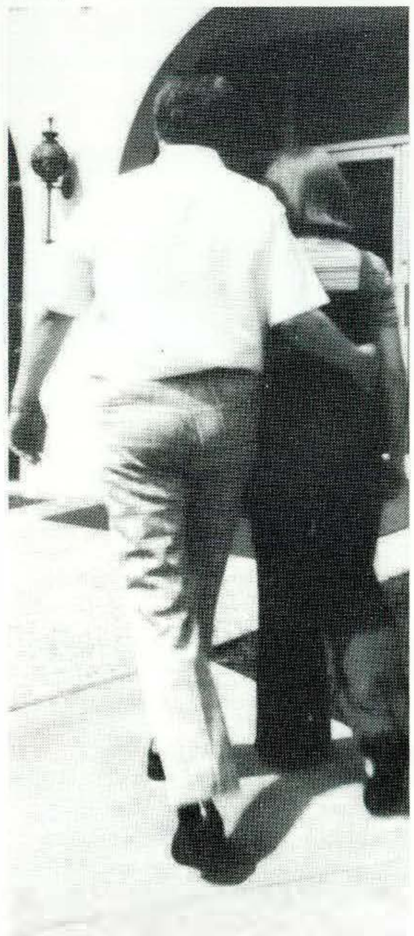
This information is incorrect. The Law Offices of Ely, Guess and Rudd have been underwriting series at KAKM/Anchorage for over a year. Last year the firm supported 100% of the costs for acquisition and broadcast of *Evening at Pops* and this year has agreed to another grant to cover 100% of the series *World*. In accordance with the firm's request, Channel 7 did not single out Ely, Guess and Rudd publicly for special thanks as an underwriter. They specifically asked that the news of our association be kept at a low profile.

The Law Firm of Richter, Wimberly and Ericson, P.S. is not the first but the second law firm in the nation to underwrite a PBS series. Ely, Guess and Rudd is the first law firm in the nation to underwrite a television series.

KRISTIN LINDBOM
Anchorage







Unfinished Business

I have just spent the better part of the night trying to imagine the future of the legal profession, and about all that I have concluded is that a six-pack of beer is no substitute for a crystal ball.

This issue of the *Bar News* is dedicated to the proposition that, "If you cannot be a great thinker, strive to provoke great thinking."

Since 1976, the Board of Governors has engaged in annual eight-hour "long-range planning" sessions. In my reports on the Board's activities, I have made little or no reference to these sessions because they do not lend themselves to succinct summary. Nevertheless, this month's *Bar News* is offered to draw attention to the long-range planning process, and to present and solicit thoughts about the future of the legal profession.

We have arrived at a mixture of articles which are not intended to be comprehensive or unified. Bill Rives (page 18) describes the Board's long-range planning sessions and summarizes some of the matters discussed at this year's session on June 14. David Broom (page 22) addresses what may be the organized bar's favorite preoccupation—the public image of lawyers—and he identifies six areas in which communication with the public needs to be improved. Will Anderson (page 26) takes a look at what appears to be a specific facet of the legal profession's future: the evolution among larger law firms toward multi-office and interstate practice. State Senator Phil Talmadge (page 29) comments upon the apparent trend among young lawyers to depart from public service and urges that, for the future, it is important for lawyers to return to that calling, specifically in the state Legislature. Finally, we have Doug Owens, writing in the "If You Ask Me..." column expressing the opinion, among others, that lawyers who seek public office should be required to resign from the bar or be disbarred.

In an effort to achieve some semblance of unity, at least on this page, here are some personal observations about the Board of Governors' long-range planning sessions. (I have attended three out of the four sessions since 1976.)

Bill Rives offers a fair comment when he points out that the long-range planning sessions generally are not marked by concrete decisions. "Long-range planning" is a misnomer because the Board's long-range planning sessions have not resulted in any long-range plans.

Ed Raftis, reporting on the Board's first long-range planning session in 1976, offered this advice from John H. Dickason, Executive Director of the Illinois State Bar: "I think one of the main problems that you will encounter in long-range planning is to have those who are attempting this exercise to get specific. Resolutions such as, 'The Washington State Bar Association should do all within its power to improve the administration of justice', just doesn't do the job." (*Bar News,* 30:9:8.)

Notwithstanding the wisdom of that advice, I would not discard the long-range planning session as it has evolved. The session has become a forum for provocative—and at times outrageous—thought. As such, it constitutes a healthy exercise for our governing Board. It is a conscious attempt to think beyond the now.

During the 1977 session, I was asked by then President Riddell to participate, and my remarks were sufficiently incoherent that both of the two subsequent presidents have been courteous enough not to repeat the invitation.

At the time, however, I attempted to describe the long-range planning session: "Well, in general, it's been sort of a philosophical discussion, throwing ideas out. Nothing really needs to get sort of agreed to."

Although consensus ("sort of agreement") need not be a goal of the long-range planning session, what *is* needed is follow-up. Bill Rives' suggestion that there should be more frequent long-range planning sessions, marked by limited agenda defined by a standing long-range planning committee, well could be implemented to supplement, rather than replace, the present long-range planning sessions to insure that constructive ideas are not forgotten.

As I also managed to state to the Board in 1977: "You have the responsibility to try to translate some of these philosophical things into some concrete form..."

The unfinished business of the bar association is to articulate a long-range plan to govern the future of the profession.

JVW

Merit Selection of Federal District Judges

This year, for the first time in the history of our State, Senators Magnuson and Jackson appointed two Merit Selection Commissions to recommend candidates for the Federal District Court vacancies in Eastern and Western Washington. The recommendations were to be made directly to the United States Attorney General rather than being processed through the Senators' offices.

I had personal experience with the process since I served as Chairman of the Western District Nominating Commission. I thought it might be of some interest to you to be apprised of the composition of the Commission and the manner in which we functioned.

The members of the Western District Commission which were appointed by both Senators included me, Alfred J. Barran, President of General Telephone Company of the Northwest, M. Margaret McKeown, a Seattle attorney and currently Co-Chairman of the Washington Women Lawyers, Julia Butler Hansen, former member of the United States Congress, Joseph Nolan, retired President of the Weyerhaeuser Company Foundation, Jerome Page, President and Executive Officer of the Seattle Urban League, John Rupp, a Seattle attorney, Robert Schaefer, a Vancouver attorney and former Speaker of the Washington House of Representatives, and Marvin Williams, Secretary/Treasurer of the State Labor Council.

The Commission had its first meeting on May 16, 1979, and completed its duties on July 11, 1979. During that approximate two month period, we interviewed twenty-five applicants for the one vacancy in the Western District of Washington. The great majority of those applicants were well qualified for the position and this made the selection process extremely difficult. We talked to the sitting Federal Judges in Seattle and practicing attorneys before the Federal Court in order to ascertain the qualities that were necessary for the position. We prepared an exhaustive questionnaire which we required all applicants to file with the Commission prior to their oral interviews. The qualities which we felt the position required were as follows: intelligence, compassion, diligence, decisiveness, analytical ability, sound emotional and physical health, and Court experience. We devised sets of questions to ask the interviewees to attempt to define these qualities and in the final selection process also conferred with knowledgeable Judges and attorneys who had personal knowledge of the applicants.

The Senators had requested that we submit at least three names and no more than five names. We found it extremely difficult to limit the list of recommendations to five names, much less three, and as a result submitted to the Attorney General the following five names: William A. Helsell, Judge Barbara Rothstein, Dean Charles Z. Smith, John L. Weinberg, and Judge Robert W. Winsor.

I have rarely served with a group of people who were more conscientious and determined to be objective in evaluating the merits of applicants for a position. I can candidly say that political considerations took no part in our deliberations.

It remains to be seen whether the merit selection process will produce candidates that are different in any manner from those candidates selected through the prior process, however, I do believe that the merit selection process does give lawyers and citizens generally a much better feeling about the way that Federal Judges are selected.

I think a word should be said about the inclusion of non-lawyers on the merit selection panel. I found that often times they asked the really difficult questions and were quite incisive in their ability to evaluate a particular applicant's skills and shortcomings. Some times we lawyers knew too much about the applicant which may have affected our abilities to look at him or her in an objective manner. I think it is a definite advantage to have the merit selection panels composed of a combination of lawyers and non-lawyers.

My final comment about the process is that all of us agreed that it worked. We were all proud of the list of nominees that we sent to the Attorney General and were convinced that each and every one of them would do credit to the Federal Bench.

David D. Hoff

If You Ask Me...

"I Would Allow Into The Legal Profession Only Those Who Want To Be Lawyers"

By **Doug Owens**

[*In preparation for the 1979 Long-Range Planning Session of the Board of Governors held on June 14, Sixty Washington lawyers were solicited to offer comments, suggestions and predictions regarding the future of the legal profession. They were asked to suggest topics for discussion at the session, to visualize the state of the profession in three, five and twenty years, and to respond to questions such as "What would you do to improve the profession if you were Czar of the Bar?" Of the letters received in the process, that of Doug Owens, reprinted in full here, elicited the most comment by members of the Board. —Ed.*]

The most obvious question to be considered by a long-range planning session is whether the profession should continue to exist, and if it should, then how it should exist. Should the profession continue? My answer is yes. Not because if it didn't, we would be all out of jobs. If we are not needed, then we should not exist. The reason the profession should continue is that lawyers are the only group in the societal division of labor who are paid to take people's property, personal, and constitutional rights seriously. This is probably so obvious an answer that you feel no need to read further. But we lawyers are what stand between the public at large and tyranny. When I speak of tyranny, I have in mind public and private, personal and impersonal tyranny. In our profession, we try to keep the field of human conflict civilized and, it is to be hoped, non-arbitrary.

When the witches of Salem were being burned, lawyers were defending them. When the Japanese were placed in concentration camps, lawyers were defending them. When the Rosenbergs were electrocuted, their lawyers were there advocating for them to the final moment. It may seem like a wry joke that my last three examples were all losers, but therein is the profundity of our profession. The adversary system, with the attorney-client relationship, provided the voice of reason throughout those situations, even if it wasn't heard.

We lawyers as a profession must cling to the ideal that society's scum as well as its cream are entitled to aggressive advocates who will, without hesitancy, assert the client's procedural and substantive rights as well as try to explain the client's position. Whether it is writing a will, probating an estate, or defending a person charged with murder, we must keep in mind that we are here because we are paid to take the client's property, personal, and constitutional rights seriously. Because we are paid to do this, the attorney-client relationship takes on a profound meaning for both parties. I am sure now that since I have committed us to preserving the profession, all lawyers who are still reading this are breathing a sigh of relief, and giving less thought to vocational rehabilitation.

The topics for a long-range planning session should not be inane things like the price of malpractice insurance, any more than they should be the cost of law books or copy machines. The topic to be discussed is one thing and one thing only, with several subtopics, namely, PROFESSIONALISM.

Professionalism may be broadly defined as taking one's client's property, personal and constitutional rights seriously. The long-range problems I see that should be discussed are related to professionalism and are listed as follows:

1. Too many new lawyers.
2. Professionalism of legal professors at law schools.
3. Threat of the legal system being replaced by a social science system of counselors, caseworkers, psychiatrists, and psychologists and sociologists.
4. Quality of judges and their respective work loads.
5. Too much specialty.

First: *Too many new lawyers.* The number of new lawyers presents an alarming problem. It is not that the pie will be cut into slices so small that no one can eat; that should not be an issue, and indeed, we as a profession have always been an open profession and we should remain so. It is to the Washington State Bar Association's everlasting credit that there remains a law clerk program so that member-

Anacortes attorney Doug Owens graduated from the University of Idaho College of Law in 1972. He is a former Federal District Court law clerk and former Idaho deputy county prosecutor, who has engaged in private practice in Washington since 1975. He is admitted to the bar in both Idaho and Washington. He says that the accompanying photograph shows him "doing two of my favorite avocations, namely, drinking wine in the sun and playing chess."

ship is not dependent upon a three-year exile in academia. We have traditionally been an open profession, unlike the medical and dental professions. We believe the more legal ideas, the better.

The problem I see with the plethora of lawyers is that the torch of professionalism is not being passed from one generation to another. Formerly, a new member of the bar would have some kind of loose association with older lawyers and would be taken into the profession under the wing of an older, more experienced lawyer. With the vast numbers of new lawyers entering the profession, I see far too many being set adrift without the guidance they should have from the older members of the bar. The new member suffers from this, his client suffers, and consequently so does the bar. I think a way the bar could remedy this problem is with more drill and ceremony. Swearing in should be regionalized, with official ceremonies followed by a one or one-half day's orientation to the profession, with older lawyers passing on their wisdom as well as the "understood rules of the profession." Legal ethics, attorney-client relationships, and other such topics might be considered. The bar should also reaffirm the rule that older attorneys are there to help younger attorneys, and should so inform the new members. Such a reaffirmation would undoubtedly benefit older lawyers as well.

I think the bar should engage quality lawyers of high professional standing as speakers to give freshman orientation talks on the profession at the state's three law schools.

A freshman law student should at least get to see a real live lawyer before he sees *Grey on Perpetuities.* Otherwise the student might become catatonic, give up the serious practice of law, and run for congress. I would also suggest that a panel of practicing lawyers go to law schools before graduation and advise the prospective graduates in such matters as how lawyers are expected to treat each other, their clients, and the judges. I even think in such cases that a few war stories would be in order. The whole purpose of these visitations would be to pass on the torch, to humanize the profession, and to make its new members more comfortable. Not only would the prospective graduates have another glimpse of the profession, but also the panel of older lawyers would begin to think of themselves as "senior statesmen of the Bar", and when they think of themselves as such, they might begin to act as such. I see a double therapeutic benefit from this suggestion.

Second: *Quality of professors.* I am sure that all the law professors in all of the law schools are brighter now than at any time in the past. I have, however, a few observations to make: law, unlike medicine or science, does not get its innovations from the Academy. The action in law is in the courtroom and the appellate courts. The innovations come from practicing attorneys, not academics. A law professor is like a eunuch at a sex orgy. Later he may be able to describe all the events in scholarly, objective, and detached detail, but somehow he still doesn't quite know what happened. I see more and more law professors who graduated at the top of their classes somewhere, took an LLM somewhere, and then started teaching and also grinding out inane law review articles on the refinements of hog replevin or the constitutionality of banning thumb sucking in parochial schools, articles that neither I nor anyone else reads. In their positions, they become isolated from the profession, and become instead academic, with a preoccupation with faculty committee work, tenure and promotion. I think there should be a requirement that all law schools should draw 60-80% of their faculties from the practicing bar, with a minimum requirement of five years' practice. There should be a further requirement that every faculty member should spend a year in practice

every six to eight years. Student intern programs are also something that should be explored.

Third: *Threat of being replaced by social sciences.* I can see a general movement toward the social sciences as an alternative to the adversary system. In criminal law, it is very much a reality: you can get your client off from a DWI or other such misdemeanor if you deliver him into the hands of the social workers and counselors under a concept called "deferred prosecution." In this system, the question is not "Is he guilty beyond a reasonable doubt?", but instead, "does he have a problem?" Because the social sciences are premised on the theory of the herd, questions of individual rights, that is, legal questions, are offensive. To social scientists, the adversary system must be abolished because it only causes anxiety in people. They feel that they can help the individual, look into the window of the soul and straighten him out. The traditional role of the lawyer is usurped by a counselor or social worker with a program that will be good for the accused, be he guilty or not guilty. The John Lockean view of the individual vs. the state is junked, and a benevolent mediocrity, devoid of personal responsibility and personal integrity is substituted. Freedom is a hard commodity to sell, not nearly as comfortable as security, not cherished until it is lost.

Aside from criminal law, other areas are affected by the social scientists.

On the tort front, the no-fault insurance program is another manifestation of this phenomenon. Individual responsibility is replaced by the carrot of safety dangled before the individual. Dissolutions and adoptions are now matters involving social science. The amount of time a convicted criminal will spend at an institution is totally in the hands of the social scientists. Judges must wait impatiently for a first degree murder or armed robber so they can exercise their judicial discretion and decide between sentencing the defendant to twenty years or life.

The difference between social science and the legal profession is like the television programs, "The Advocates", and "60 Minutes". To me, "60 Minutes" is a shallow, slanted program presented with a veneer of intelligence and social responsibility. "The Advocates", on the other hand, reveals two conflicting personalities who spend their time thrusting and parrying with verbal bayonets. It takes "The Advocates" longer to deal with a subject, and when it is over, the viewer may be confused as to where he stands on the issue, because both sides may be compelling. "60 Minutes", on the other hand, has its conclusions neatly packaged and ready for delivery.

I consider the social sciences a very real threat to the legal profession, the most potent of this century. My thinking may be antedeluvian, but I do not want to live in a society where my dealings with state are determined by a person who is more interested in helping me learn to help myself than in protecting my rights when confronting the state.

Four: *Quality of Judges and their work load.* If I hear one more lawyer say, "We've got to raise the salary of judges so we can get some good people on the Bench", I'll scream. First, this is a slander against our present judiciary. Second, it would only work if the present judges, assumed to be second rate, would all agree to resign if we gave them a raise. That would probably not happen. I advocate a substantial raise for judges based on an 80% level of median income of lawyers in the state of Washington. Why? Because they deserve it. I also advocate law clerks for judges. Judges should have mandatory sabbaticals every 5-6 years with full salary to do whatever they wish.

The average member of the public

seldom comes in contact with a judge but when he does, he is, I think, often disappointed. The main reason for this is the judges' burdensome caseload, which makes things necessarily summary in nature. The Bar should actively lobby for not merely better conditions for the judges, but excellent conditions. The practicing Bar seldom can transcend its judges.

Fifth: *Too much specialization.* I have a lawyer acquaintance in Lewiston, Idaho, who represents a large corporation headquartered in that town. He goes to such cities as New York or Washington, D.C., to litigate, often against batteries of other lawyers, all specialists. He observed to me once that specialty is an excuse for stupidity. I consider his motto extreme but worthy of consideration. Professionalism cannot prosper if we all become highly specialized technicians. I have considered both arguments, and I feel that even the busiest probate counsel should occasionally try a DWI.

Having answered the first two questions as to suitable topics and points of discussion, I make my predictions for the future:

1. *Within the next three years:* Continued harassment from the F.T.C., eventually ending because federal bureaus do most things as a matter of fashion for a few years, lose interest and then stump off in a different direction like a bear out of hibernation, hungry, vicious, and irrational.
2. *Within five years:* The social science/lawyer conflict will escalate. Chain store law offices. The bar becoming divided between traditionalists and the Philistines who want to market legal services as if they were so much toothpaste. The public will probably choose the more traditional approach but not unless we inform members of the public why they should.
3. *Within the next twenty years:* Twenty years from now I can see two visions: the first, a much more mechanized word-processing type of law office. Courts run by computer, scheduling more precise, and the amount of capital necessary to start a law practice staggering. There could be relief from this mechanization by technology such as microfilm law libraries and telephone computer hookups, enabling the small firms and sole practitioners to compete. In the interim, however, I predict that the large firms will become more and more powerful due to the practicalities of economy of scale.

I also predict that if the profession does not maintain its traditional functions, my second vision is one of a profession on the decline. As I stated earlier, society might scrap the legal system and substitute the counselor/informal mediator approach to human conflict.

In considering what men and women of sincerity and dedication should be doing to prepare for the future, I would first say that they should discipline themselves to become proficient in the practice of law. This means learning and relearning the basics. As Daniel Webster once said:

> Accuracy and diligence are much more necessary to a lawyer than great comprehension of mind, or brilliancy of talent. His business is to refine, define, split hairs, look into authorities, and compare cases. A man can never gallop over the fields of law on Pegasus, nor fly across them on the wing of oratory. If he would stand on terra firma, he must descend. If he would be a great lawyer, he must first consent to become a great drudge.

So my first answer is that young people of dedication and ability in the profession must first apply that dedication to mastering the profession.

I have been involved in the profession for about seven years, and do not consider myself to be in possession of a high mastery of professional skills. I think it takes ten to fifteen years to get a comfortable grasp of the practice of law. So I think the most important building block for young lawyers is to make themselves competent lawyers. From that point I think that community leadership is important, as well as devoting time to the bar. But most important, I believe that young lawyers should convince their clients and their community of their worth and the rest will follow. I think the best preparation for the future is self-improvement and trying to improve the bar at large.

If I were a member of the Board of Governors, what would I be saying? First, I would be saying that we lawyers are providing a valuable service to society at large. Lawyers make up an integral part of the judicial branch of government and we are the only ones who are openly paid by one party or another to advocate. Now we all know that politicians are bought and sold regularly; the trick is to know which one. You never know if a Senator really feels threatened by European auto imports or is being paid by Detroit to keep out foreign imports. Because lawyers are paid, and every one knows that, their arguments must be logical and based on their skills in advocating the principles of the law. We should not be ashamed of that. We should aggressively point out to society and each other that we are performing a valuable service. I feel that much of lawyers' problem with the public image is from a lack of aggressive public relations.

Second, if I were a member of the board, I would try to disbar any lawyer who holds public office. This may sound extreme, but much of our bad image comes from politicians who also happen to have law degrees. If a person wants to be a politician, he should take a leave of absence from the bar and be retested before he is readmitted.

Another thing I have noticed about politician lawyers is that they usually turn on the organized bar, much like a reformed alcoholic condemns his old bartender. I have never seen that many talented lawyers take high public office anyway, so I think the divorce should be finalized and the bar should exclude its would-be Moses's.

As I stated earlier, I would institute more drill and ceremony. I would try to get the bar members to place more emphasis on passing the torch.

I would encourage the bar to work on public relations and encourage the same among individual members. The public must realize that although you can overwhelmingly elect Richard Nixon in 1972 and overwhelmingly scourge him from office in 1974, you cannot institute community property laws on Monday and abolish them on Thursday. The public must learn the dangers of making the law subject to the latest plebiscite.

If I were Czar, I would above all make the practicing bar stress the following:

1. A well-paid, highly independent judiciary. No police guild would dare run a judge off the bench if I were Czar.

2. Professionalism in all aspects of the practice.

3. More emphasis on legal education, with nuts and bolts courses stressed and much contact between the practicing bar and the students.

4. More emphasis on public relations. Let the public know what we are doing. We should even let each other know what we are doing. The practicing bar is not a place for ideology, except the ideology of the profession.

5. I would purge the bar of Democrats, Republicans, Socialists, feminists, civil rights activists, etc., and replace them with Democrats, Republicans, Socialists, feminists, and civil rights activists, who, although they may have strong beliefs, first and foremost believe that a lawyer's duty is not to save the world but aggressively to represent his clients to the best of his or her skill, and with a maximum of effort. I would allow into the legal profession only those who want to be lawyers. □

Long-Range Planning Sessions by the Board of Governors

By **WILLIAM RIVES**

This June the Board of Governors of the Washington State Bar Association met at Salishan Lodge in Oregon to hold its fourth annual long-range planning session. These day long sessions have been yearly events since 1976, when the Governors decided to have one meeting each year where they would set aside the topics normally appearing on their regular meeting agendas and devote a day to talking and thinking about the future of the legal profession and how best to plan for it. Although the long-range planning sessions were originally conceived of as an opportunity to focus on issues and problems of the future, the sessions have evolved along somewhat different lines. In addition to providing a forum for a broad-ranging discussion of the future, the sessions have also been used by the Board each year to talk about some of the current topics which also appear on the regular monthly agendas of the Board.

The bar office staff begins preparation for the long-range planning sessions several months before each session. Topics for the meetings are developed from a variety of sources, including present members of the Board of Governors, past Bar presidents, lawyers, and other bar associations. The materials for the sessions are compiled into thick agenda books which are distributed to the Board members for their review prior to the meeting. The discussion at the meeting is transcribed by a reporter and then typed for later reference by the bar staff and Board of Governors.

The agenda book for the meeting at Salishan this June contained twenty-five items for discussion during the session.[1] A new feature in the agenda books this year is a collection of letters from lawyers across the state who were asked by the Executive Director of the bar associa-

Seattle attorney William Rives of Davis, Wright, Todd, Riese & Jones is a member of the Editorial Advisory Board.

[1]Subjects appearing on the 1979 Long-Range Planning Agenda included: Topics Suggested by Lawyers Across the State; Advertising and Solicitation; Trade Names; Delivery of Legal Services; The Judicial System—Improving the System of Justice Through Merit Selection, Discipline, Administration, and Judicial Evaluations; Pro Bono Activities; The Bar Association and the Law Schools; Special Categories of Membership; Proliferation of Lawyers; Mandatory Legal Internship; Lawyer/Laymen Relationships; Comments by Former Bar Presidents; Pension Trust for Lawyers; Should the Board of Governors Be Elected by Members "Residing" or "Practicing" in the District; Should the Board Establish a "Fitness Board" or Committee for Bar Examination Applicants, for Petitions from Inactive to Active Status or for Reinstatement after Disbarment; The Legislative Committee and Current Legislative Activity; Standardization of Local Court Rules; Attendance of Judges at the Bar's Annual Meeting; Committees and Committee Work; Lay Participation in Bar Association Affairs and Bar Association Government; Reports from the Young Lawyers Section; Bar Communications; the Public Relations Committee; and Reports from Activity Centers—Continuing Legal Education, Legal and Discipline, Trust Accounts and Spot Audits, Data Processing and Public Relations.

tion to suggest topics they thought would be good subjects for the long-range planning session. (See "If You Ask Me . . .", in this issue, page 12.) Numerous topics were suggested, and the letters reflect serious concern among lawyers across the state about the issues and problems related to the proliferation of lawyers, legal education, delivery of legal services, bar independence, specialization, legal clinics, professional competency, participation in bar activities by non-lawyers, discipline and malpractice and the relationship between the bar, the legislature and the judiciary.

I was not able to attend the long-range planning session, but Paul Cressman, one of the Board members, went over the highlights of the session with me. According to Cressman, the Board devoted some time to each of the twenty-five topics on the agenda, but much of the discussion during the all day session focused on specialization, legal clinics, the judicial system, legal internships, legislative activities, the role of nonlawyers in bar activities, and developing trends in the delivery of legal services.

Legal Specialization

Cressman said that the Board considers specialization to be one of the major issues the bar association has to deal with in the future. (See "The Board's Work", *Bar News*, 33:7:29.) A basic question the Board faces is whether the bar should attempt to develop a specialization program at all, or whether it should instead focus its efforts on the development of expanded continuing legal education programs as a means of increasing the skills and competence of lawyers. Before answering this question or adopting positions on related issues such as self certification, the Board, according to Cressman, intends to watch developments in other states to see how their specialization programs fare. For the time being at least, specialization appears to be an area where the Board of Governors intends to move slowly.

Legal Clinics

The development of legal clinics and their potential impact on the delivery of legal services also prompted substantial discussion at the long-range planning session. Legal clinics, a relatively new phenomenon, are now opening in cities in Washington and other states across the country. Many of the clinics rely heavily on advertising and offer a variety of legal services from storefront offices at limited prices. According to Cressman, the Board hopes to learn more about the operation of the legal clinics and the kind of services they are providing.

Legal Internship

The Board also talked about the desirability of developing a mandatory legal internship program to provide additional training for law school graduates. Cressman reported that the Board members believe additional skills training to be desirable after law school, but that a mandatory legal internship program presents a number of problems which have to be solved—such as assuring adequate placements for students and deciding whether the bar association should administer the program by itself or in conjunction with the law schools. According to Cressman, one alternative to mandatory legal internship being considered is an expansion in the skills training programs now provided for new lawyers through the bridging-the-gap series.

The Judiciary

The judicial system also received its share of attention in the session, including discussion about creating a task force to work on a variety of issues such as improving communications between the bar and the judiciary, reducing trial delays, developing an effective judicial disciplinary system and considering the development of uniform local court rules.

Nonlawyer Participation

The role of nonlawyers in bar association activities was also discussed, and Cressman indicated that the Board intends to examine the bar association's com-

mittee structure to determine which committees would benefit by having nonlawyers as participants. The relationship of the Bar and the Legislature was also among the topics considered. Cressman said that as a result of the long-range planning session, he expects the Board will reevaluate the structure and role of the legislative committee to see if there are ways in which the bar can more effectively make its voice heard in the state legislature.

Conclusion: A Personal Impression

No votes were taken and no resolutions were passed at this year's long-range planning session. Like the ones before it, the June meeting provided an opportunity for sharing ideas and stimulating new thoughts about the practice of law today and in the future.

My impression, after reviewing the agenda books for the past four years, reading the transcript of the 1977 long-range planning session (the only one available) and discussing the sessions with two members of the Board of Governors, is that the long-range planning sessions perform a valuable but limited planning function. One difficulty is how to measure the results of the sessions. At the end of the day there are no tangible results to point to—no motions, resolutions, or programs adopted or rejected.

But the sessions do provide an opportunity for the intangible benefits that result from a day of broad-ranging discussion by the elected representatives of the bar about the problems and issues which lawyers face. My concern about these sessions is that they attempt to cover too much in one day. With twenty-five topics on the agenda, it is difficult to see how sufficient time can be devoted to such serious and complex issues as specialization, improvements in legal education, improvements in the judicial system and similar matters.

If long-range planning is important, which the Board of Governors appears to believe, then it would seem that it could be accomplished more effectively by devoting some additional time to it. There are a variety of ways in which this could be done, ranging from the creation of a long-range planning committee to the scheduling of additional long-range planning sessions each year to give Board members an opportunity to focus on more limited agenda.

In an article as brief as this, it is not possible to do any more than briefly touch upon the highlights of the long-range planning process and give some brief impressions about it. Lawyers with further interest in this subject should consider attending next year's session, suggesting topics or ideas to members of the Board, or reviewing the agenda books which provide a useful insight into the process through which issues of significance to Washington lawyers are discussed. □

Our Public Image--
Taking the "Affirmative"

By **DAVID L. BROOM**

The bad news is that we have six major public relations problems; the good news is that the National Association of Bar Executives (NABE) thinks we can solve them. If Bar Associations will believe the seriousness of our public relations problems, and immediately provide necessary resources, then we can reverse the trend of negative public opinion which is seriously damaging our entire legal and judicial system.

Wayne Wilson, the bar association's Director of Public Affairs, recently helped plan, and participated in, a comprehensive, four-day NABE workshop to (1) identify public relations problems; (2) determine their causes; and (3) make comprehensive recommendations to solve or alleviate them. The consensus of those at the workshop was that the following common public attitudes constitute major problems confronting the legal profession:

1. Public's *lack of understanding of the need for lawyers.*
2. *Housekeeping,* the idea that lawyers are too slow, impersonal, and do not communicate with clients.
3. Skepticism concerning *legal ethics.*
4. A belief that lawyers have *mercenary* motives which are reflected in high fees.
5. A belief that lawyers' *self-interest* comes ahead of the public welfare.
6. *Faulty judicial system,* the idea that it is too slow, and designed to serve the rich.

The "thread" running throughout the proposed solutions to these problems is (are you ready for this brand-new concept?) — "Communication." I know, I know! You have heard this before. But the difference this time is that the NABE group has identified, drafted and categorized no less than 97 *specific communication actions* which can and should be taken: to-wit, seize the initiative in constructive public relations and never let it go. Not all of the suggested communication actions are "external" (directed to the public). Some are "internal" (directed to lawyers). For instance, participants at the workshop placed high priority on good law office practices; the need to deal promptly with ethical violations; and the importance of keeping all lawyers apprised of the status of public relations issues facing the Bar.

Spokane attorney David L. Broom of Hamblen, Gilbert & Brooke, P.S., serves as Chairman of the Editorial Advisory Board.

As lawyers, *we know* we have a high sense of responsibility to our clients; *we know* the amount of time we spend wrestling with potential ethical and conflict of interest problems; *we know* that the average lawyer does not become wealthy through the practice of law; *we know* we solve 90% or more of the millions of disputes in our society before trial or even before commencement of litigation; *we know* that the presence of a competent lawyer speeds rather than hinders dispute resolution. *But the public does not know.*

It is time that we put a high priority on releasing these well-kept "secrets" to the society we serve. The public and our system of justice will be the major benefactors of the increased confidence in the Bar which should result.

The Public Affairs Department of the Washington State Bar has been charged with developing a program to improve the public image of the Bar and the legal community as a whole.

An essential first step has been to set up methods for substantially upgrading communications between members and groups within the Bar itself. If the Bar is poorly informed about its own issues and activities, then "external" public relations is a wasted effort. On this point, consider a bit of philosophy. One purpose of public relations is to open channels of communication about the purposes and merits of an organization so that the actions of the organization can stand scrutiny. Certainly communication with the public is important; however, effective communication with the public requires that our internal communications also be effective.

Problem: Thousands of WSBA members are out of contact and even apathetic about activities of the association and issues facing the Bar in general. This must be remedied. Where else but in our *own organization* can we *effectively* maintain a voice in our own destiny and a participating share in good public image? In this regard, it is regrettable that only a small percentage of our membership participates in Bar activities, essentially on a "self-recycling" basis.

As a second step, we must educate and motivate our membership at large to believe that the various organizations of the Bar are dealing with the important issues in seeking to uphold the legal profession in the eyes of the public. Finally, we must have a greater number of lawyers actually involved in Bar activities. We have good tools, namely, the *Bar News*, sections, boards, committees, task forces and the annual convention, to establish our "internal" preparation for effective "external" public relations.

Within the philosophy of good public relations set out above, what "external" communication should we be concerned with? To whom do we communicate things about us, our manner of operation and the issues we face, and our commitment to the public good?

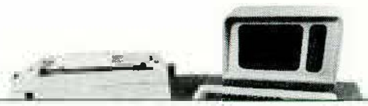
Broadly speaking, the target categories for communi-

3M INTRODUCES THE WORD PROCESSOR YOU WON'T OUTGROW.

Our new System 84 information processor. It starts simple. And stays that way, too.

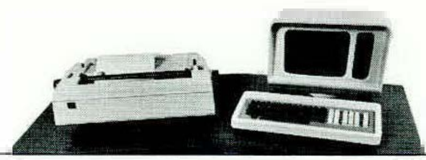
But 3M believes the system is just half the job.

Because to add capabilities, all you add is pre-programmed software. Start with just the applications you need.



In addition to a wide variety of information processing capabilities, 3M provides a total customer support program.

Then, add others as your needs grow. Everything from text-editing and document assembly.

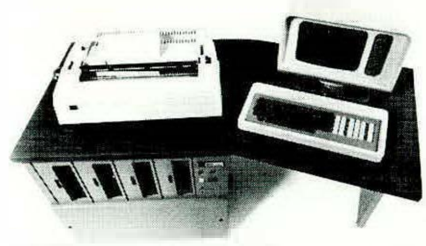


This "circle of support" encompasses every need from customer analysis, to specialized training, to a toll-free number for problem solving and service.

To list processing, or programs custom-designed for your business, and even some data processing.

Get together with 3M. And see the new System 84 information processor. Call Benchmark Systems, Inc., (206) 285-0380

No other system can offer you more applications. Or a more economical way to add them.



Or, for more information, write: Benchmark Systems, Inc., 200 1st Ave. W., Seattle, WA 98119

THE SYSTEM 84 INFORMATION PROCESSOR.

Business Products

3M

BENCHMARK COMPUTER SYSTEMS INC.

cation are: various business and professional communities; schools; government agencies; and the general public. Three primary communications objectives must be accomplished in dealing with these categories. First, there must be dissemination of information about Bar activities and policies. For example, how many of your friends in the general public know about Lawyer Referral, Tel-law, the client security fund, legal services and CLE? Just imagine the positive impact of broad public knowledge about these Bar "standards." Second, we must foster a high regard for the legal profession and, finally, we must increase the understanding of the judicial system.

One of the key ways to accomplish these objectives is through two-way channels of communication with the *mass media.* If the mass media is given positive and accurate reports about Bar activities, then the public relations value can be geometric as the mass media, in turn, communicates with the public. Therefore, our Bar, along with others, must cultivate personal relationships with media reporters and editors; produce selective news releases; prepare and disseminate background material and feature stories as a service; conduct press seminars; and prepare broadcast spots. Why? Because these have proved to be the most effective tools in modern communications.

In dealing with the six major public relations problems set forth earlier in this article, we must do more than evaluate and correct *actual* problems that may exist, and give rise to these public attitudes. We must also change the public's *perception* that these are major problems because a perception becomes fact in the public mind, whether or not it is justified. Changing the perception ("image", if you will) of a problem is sometimes more difficult than correcting the problem itself.

Within the context of our state Bar Association, the challenge is to deal with these problems according to our own priorities. We must decide how best to handle them as part of our function as a service organization, a professional association, and a part of the judicial system.

So the "good news" is that despite the public relations problems confronting the Bar, reflected in negative public perceptions, we believe that we are on the threshold of real progress. We have a better grasp of public relations problems today than we have had in the past, and we have more tools and experience to deal with them. There are no expedient solutions, but we anticipate that in the coming years we will lay the groundwork for a substantial shift in public knowledge and opinion concerning the legal profession, in terms of both the organized bar and the individual lawyer. We will never persuade the public to "love" lawyers due to the nature of the profession. We can, however, do much to achieve the respect for the profession that is justified. □

Multi-Office and Interstate Practice--A Wave of the Future?

By **WILBERT C. ANDERSON**

In some jurisdictions, until recently it has been regarded as illegal and/or unethical to participate in an "interstate" law firm. For example, see Opinion No. 298 of the Committee on Legal Ethics of the Oregon State Bar, issued November, 1975. Now, with the adoption of the Code of Professional Responsibility in Washington, Oregon, District of Columbia and elsewhere, such a firm may be subject to restrictions which pose no real impediment. DR 2-102(D) provides:

"A partnership shall not be formed or continued between or among lawyers licensed in different jurisdictions unless all enumerations of the members and associates of the firm on its letterhead and in other permissible listings make clear the jurisdictional limitations on those members and associates of the firm not licensed to practice in all listed jurisdictions; however, the same firm name may be used in each jurisdiction."

The adoption of DR 2-102(D) in Oregon prompted the withdrawal of Opinion No. 298 in June, 1976.

In another neighbor state, Alaska, the Board of Governors of the Alaska Bar Association is in the process of a review of its rules and bylaws affecting interstate practice, and changes are pending before the Supreme Court there.

Seattle attorney Wilbert C. Anderson of Jones, Grey & Bayley is a member of the Editorial Advisory Board.

An article in *The Practical Lawyer* discussing the 'why' and the 'what' of a Washington branch office (Vol. 24-No. 5, p. 61, *et seq.*, July 15, 1978) succinctly sets the scene:

"Some time ago, accountants discovered that corporate clients engaging in multi-state transactions were disenchanted with the necessity of dealing with a myriad of local accounting firms. In consequence, large national accounting firms swallowed up the smaller local rivals. The new system proved very satisfactory to the clients and added to the efficiency and earning power of the national firm. The legal profession does not yet seem to have decided whether to follow the accountantcy example, but if an emerging trend should turn into a stampede, no large law firm with a clientele having country-wide activities would want to find itself left at the post."

A survey of the situation in the State of Washington as reported by the 1979 Edition of Martindale & Hubbell discloses that many of our colleagues in the smaller cities and towns of the State are already engaged in multi-office practice. Fourteen law firms outside the Seattle Metropolitan area, most of them in Eastern Washington, have more than one office, and some have as many as four. Of five multi-office firms in the Seattle area, two have offices in Bellevue and Seattle; one in Bellevue and Tacoma; one in Seattle, Tacoma and Olympia; and one in Seattle and Tacoma. But it also appears that, to date, the Washington bar has taken a cautious approach to interstate practice. Only two firms in Seattle have offices in the District of Columbia, and one of these has just opened an office in Anchorage, Alaska. Two other Seattle firms, one small and one large, have offices in Anchorage, Alaska. One small Seattle firm has an office in San Francisco. A merger between a large Seattle firm and a Portland, Oregon, firm has been rumored in print but not announced.

On the national scene, the phenomenon of the District of Columbia office is well established. Such cities as Atlanta, Chicago, Cleveland, Denver, Houston, Los Angeles, Louisville, Minneapolis, New York, Omaha, Philadelphia, Pittsburgh, San Francisco, and Toledo all contain major firms with branch offices in Washington, D.C. It is reported that of the more than 600 law firms in Washington, approximately 75 are branch offices of firms located elsewhere.

Not surprisingly, it seems that law firms open or acquire additional law offices principally in response to existing opportunities or requirements of clients for service, rather than on a purely speculative basis. The Omaha-based firm of Kutak, Rock & Huie has recently attained considerable attention as a firm which is "going national." A recent article in *Fortune Magazine* (October 23, 1978) described that firm's growth from a three-lawyer Omaha firm to a 148-lawyer firm with offices in Omaha, Denver, Washington, D.C., and Atlanta. According to *Fortune*, Kutak, Rock achieved its greatest growth with a nationwide tax-exempt bond financing practice which today represents around 35-40% of the firm's billings. The firm works closely with a national investment banking firm, a process which is said to give the law firm its "national presence." The firm has expanded geographically by colonization and merger. In 1977 the firm—then about 60 attorneys—opened a two-man Denver office with a lawyer dispatched from Omaha and a local Colorado attorney. The Denver offshoot subsequently merged with a four-man Denver firm and, by 1978, the Denver office had 16 lawyers. The Washington office was opened as a joint venture with a firm in Atlanta. A subsequent merger with another Washington firm added four lawyers and by 1978, the Washington office was up to 12. The Atlanta firm then merged with the Omaha firm, adding about 35 Atlanta lawyers.

Another example of a large multi-state firm is Pepper, Hamilton & Scheetz, a Philadelphia-based firm. The interstate growth of this Pennsylvania law firm is particularly significant when one considers that twenty years ago in Pennsylvania it was unethical to maintain an office in more than one county! The firm now has offices in two other cities in Pennsylvania; an office in Washington, D.C.; one in Los Angeles; and it shortly will acquire an office in Detroit. The firm has had its Washington, D.C., office for more than 10 years. Two years ago it merged with a small labor firm in Washington, D.C., which had the Los Angeles office.

In response to the question, "What prompted you to decide to become a multi-state firm?", Bob Conrad, a senior partner of the Pepper firm, responded, "The benefits are a wider and more diverse client base and the opportunity for synergistic involvement on a multi-state basis. Our clients seem increasingly to need more than the single-situs firm and it will help us to serve clients whom we have not been able to serve adequately to date." He observed that a firm's particular client mix will determine whether or not to go "interstate." To the question, "What problems have you encountered?" he responded, "There are communication problems and there are problems of integrating into the firm lawyers who did not grow up in the firm. So far these problems have not been overwhelming; however, multi-state operation requires much more administrative time than a single-situs firm."

The Philadelphia firm does not formally rotate personnel, but associates from its Philadelphia office work extensively with the other offices as do partners on occasion. The firm expects multi-state practice to become more common in the future and expects eventually to acquire or establish more offices in other states, although it has no specific plans at this time.

Similar questions put to Mike Garvey of Houger, Garvey & Schubert in Seattle, one of the two Seattle firms with a Washington, D.C., office, evoked similar comments. Garvey said the Washington, D.C., office serves his firm's need to contact agencies in Washington. Garvey's firm presently has two partners in D.C., neither of whom are Washington State Bar members. In D.C., they operate as a partnership. In Seattle they operate as a professional service corporation. According to Garvey, the Washington professional service corporation is not eligible to practice in D.C.

Garvey stated that administration and communications are the most difficult problems encountered in having a D.C. office. The Seattle firm started the office from scratch. Its development has been difficult and costly, but it is now starting to "bloom," according to Garvey.

Garvey's firm has engaged in some rotation of personnel. But he notes that rotation of partners results in a detrimental tendency not to become involved in D.C. community affairs. The firm is presently thinking of rotating associates. The firm is also toying with the idea of going into other states, but first wants to make sure they have the administrative capability to handle more than two offices.

Even from this superficial survey, it appears that among firms serving or aspiring to serve national clients, the trend toward multi-state offices is underway and likely to accelerate.

Anyone for an interstate merger? □

A Vanishing Breed: Attorneys in Public Office

By **PHILIP A. TALMADGE**

In recent years, a question of substantial concern to thoughtful members of the bar has been the decline of the number of attorneys in public office at all levels of government. Fewer lawyers than in the past appear to be willing to seek and hold local and state elective or appointive office. The retreat of lawyers from public office in this state has been most dramatic in the case of the Washington state legislature.

Dimensions of the Problem of Fewer Attorneys in Public Office.

Members of the bar traditionally have constituted one of the most active identifiable groups in the public life of the State of Washington since territorial days. Many of the members of the first territorial convention in 1853 were attorneys. Similarly, 25 of the 75 members of the state constitutional convention in 1889 were lawyers. As recently as 1967, 36 members of the Washington state legislature identified themselves as attorneys. That number decreased to 29 in the 1971 session, but decreased significantly to 22 in 1973, 14 in 1975, 13 in 1977, and just 8 in the 1979 session.[1] It is anticipated that there will be even fewer attorneys serving in the 1981 session of the legislature. There are insufficient attorney-legislators to fill even the House and Senate Judiciary Committees, where issues of primary importance to the bar originate.

This rapid decline in lawyers in the legislature has a significant impact upon the independence of the individual legislator. The legislature since the early 1970's has hired professional staff both for the legislative session and the interim to provide continuing assistance in investigation of issues and the production of legislation. This expansion of legislative staff has taken away some of the pressure for legislators with legal backgrounds who could draft legislation or engage in investigative efforts. Present legislators who do not have legal training have become dependent upon legislative staff members who may not have practiced law prior to working for the legislature. Present legislators may lack the ability to challenge staff information or legislation without the independence they would have if they were lawyers.

Additionally, the role of attorney-legislators in the respective party caucuses as a source of legal information may have diminished over the years. Attorney-legislators formerly could assist lay legislators with technical legislation, but that activity has diminished as the role of staff has increased and the number of attorney-legislators has declined.

[1]Handbooks of the Washington State Legislature 1969, 1971, 1973, 1975, 1977, 1979

Philip A. Talmadge, a member of the Seattle law firm of Karr, Tuttle, Koch, Campbell, Mawer & Morrow, P.S., was elected to the State Senate in 1978 from the 34th legislative district.

As an example, in the recent debate over products liability legislation in the Senate,[2] some of the lawyer-legislators were compelled to assist their lay colleagues with concepts such as "products liability", "torts", "proximate causation", "joint and several liability", "state of the art", and others. I believe that many legislators found it very difficult to exercise independent judgment (i.e. without characterization of the bill by the press or lobby groups) on a measure of critical significance to the bar and the people of this state. Legislators were at the mercy of heavy lobbying pressure on the bill because so few of them thoroughly understood the complexities of the bill and its fundamental impact upon our traditional system of personal injuries litigation.

Problems Encountered by Lawyers in Public Office

The significant decrease in the number of attorneys in the legislature has coincided with the increasing time demands on public officers and the enactment of Initiative 276, the Public Disclosure Act.[3]

As has been demonstrated dramatically to the people of this state in the 1979 legislative session, the legislature has outgrown the constitutional mandate of a sixty-day legislative session every two years;[4] the business of the state is too diverse and important for such a limitation. Nevertheless, as the time demand on legislators grows, the requirement that an attorney-legislator have very understanding colleagues in his or her law practice also grows. Many attorney-legislators have found that they must give up the legislature in order to preserve their practice.

Further, the Public Disclosure Act requires that an attorney-legislator disclose all clients with whom his or her firm has transacted more than $2500 in business in any year. The official also must disclose:

> "The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship or any general partnership interest of ten percent or more. . . ."[5]

Nevertheless, clients of the firm need not be disclosed if it is a professional service corporation in which the legislator has less than a ten percent ownership interest and is not an officer or director. The official, however,

[2] Engrossed Substitute Senate Bill 2333

[3] The act became law in 1973, and is codified in RCW 42.17

[4] SJR 110, enacted by the legislature in the 1979 session and providing for 105-day sessions in odd-numbered years, and 60-day sessions in even-numbered years, will be on the ballot in 1979

[5] RCW 42.17.240 (1) (g). RCW 42.17.370 (9) allows the Public Disclosure Commission to suspend or modify the reporting requirements of the Act if a "manifestly unreasonable hardship" results.

must disclose every governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union or other business or commercial entity from whom he has personally received compensation of $500 or more in any year.[6] Many attorney-legislators have preferred to leave the legislature rather than submit to the extensive requirements of public disclosure.

A less visible or vocal concern for many firms has been the fear that attorney members could take positions on public issues contrary to the views of major clients. This concern was foremost in the case of *Holman v Coie,*[7] where a firm partner/state senator enunciated a position in the Senate that was strongly contrary to the views held by the firm's major client. A nasty partnership dissolution action ensued.

The very serious concerns expressed here with respect to state legislative service apply with equal force to service in elective and appointive office in local government.

Some Approaches to Encouraging Public Service by Attorneys

If we concede that there is a need for more attorneys willing to serve in public office, then it is time for the bar seriously to begin to debate methods by which attorneys again can be encouraged to seek and hold public office.

Canon 8 of our Code of Professional Responsibility states: "A lawyer should assist in improving the legal system", and we require practitioners to undergo fifteen hours of continuing legal education annually. Perhaps it is now time that we require members of the bar to engage in public service whether in public office, professional activities, or *pro bono publico* work as a requisite of continuing bar membership. The bar must make a clear commitment to public service activities by its members if we are to encourage lawyers to return to public office.

Furthermore, law firms should be more willing to lend their experienced members to public service, including service on the staff of legislative committees.

The bar association itself might consider the establishment of a fund to provide grants to those law firms who permit members to serve in public office. This could lessen some of the financial burden to law firms whose members devote working time to public service and might encourage more attorneys to consider public office.

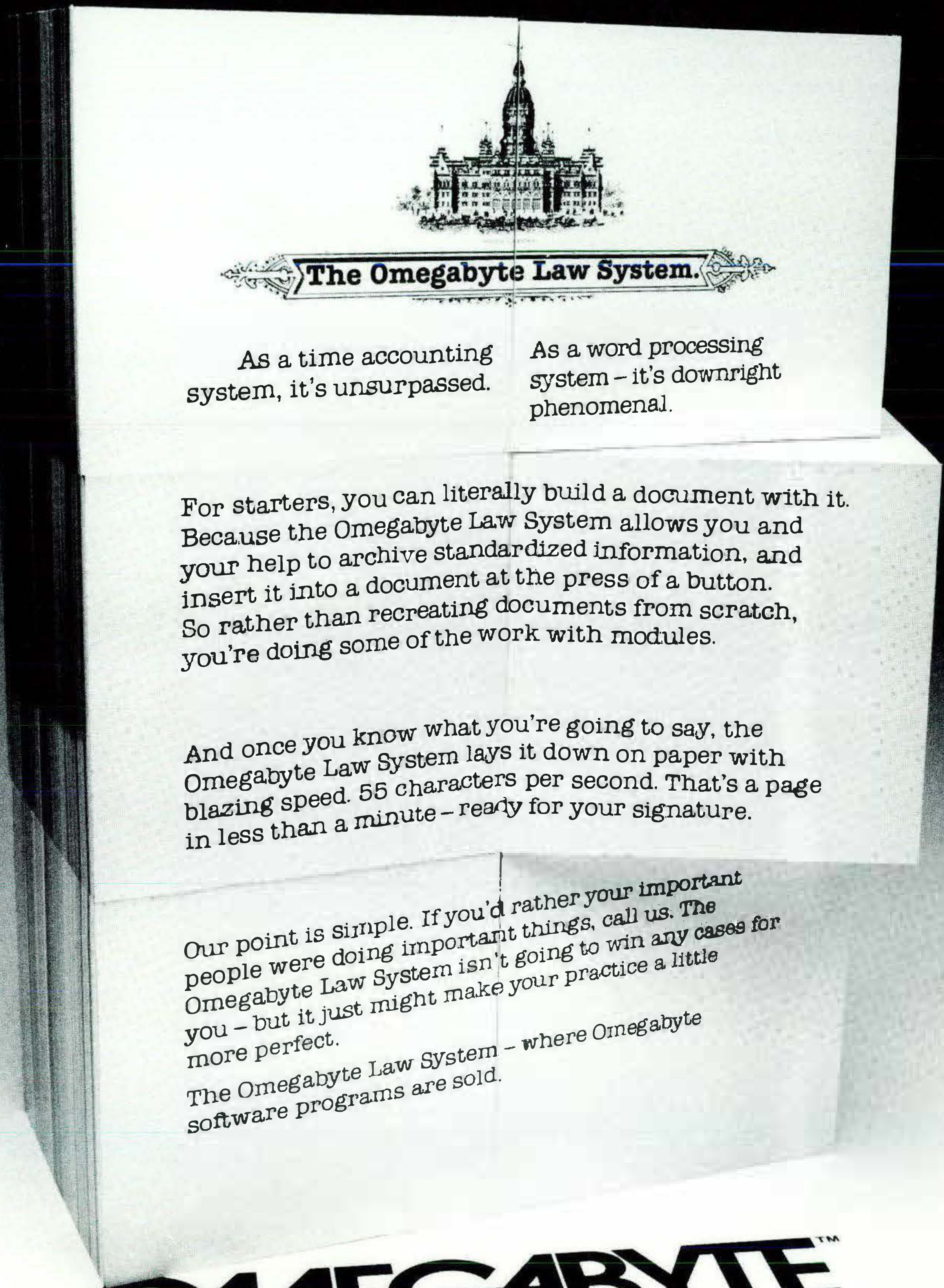
Finally, members of the bar should participate in the development of a political action committee both to encourage campaigns for public office by attorneys and to promote the candidacies of other persons who understand the intricacies and interests of our legal and judicial systems. One or more such political action committees are now being formed, including one called "LAW PAC", coordinated by Ray Haman of Seattle.

The problem of fewer attorneys willing to serve in public office is one that only can be solved by an unambiguous commitment on the part of the bar to encourage such service. It is hoped that the solutions advanced here will encourage a debate on the future of attorneys in public service we so desperately need.

I have found that my own service in the state Senate has been personally enriching and I believe it has made me a more valuable member of my law firm. Karr, Tuttle, Koch, Campbell, Mawer & Morrow, P.S., has been accommodating to me and there is no reason why other firms in the state could not permit members to serve in public office also. I can only encourage fellow members of the bar to return to public office where their talent and professional training can benefit the people of the State of Washington. □

[6]RCW 42.17.240 (1) (e)
[7]11 Wn App 195, 522 P2d 515 (1974)

Build your next case around us.



OMEGABYTE™
Systems & Software

920 SW 13th Ave. Portland, OR 97205 (503) 223-0649

Dues Increased by $10

By **Jay V. White**

EASTSOUND, July 20-21—Having twice previously deferred action on the question, the Board of Governors has approved the nearly $2.2 million budget for fiscal 1980 recommended by its budget committee in May. *(For a description of the 1980 budget, including tables comparing it with the 1979 figures, see Bar News, 33: 6:29 31.)*

The budget includes a $10 across-the-board increase in annual dues, meaning that dues for lawyers admitted to the bar two years or less will increase from $75 to $85, and the dues of other active members will increase from $130 to $140.

In addition, subject to Supreme Court approval, an annual administrative fee of $35 will be levied against inactive members. At present, the approximately 1,000 inactive members of the bar pay only statutory dues of $2.

The Board's action came after brief debate on an 8-1 vote. Board Member Quinby R. Bingham of Tacoma was absent and not voting due to an unavoidable conflict in schedule.

The single dissenting vote was cast by Board Member Edward G. Holm of Olympia who favored a dues increase of $15, rather than the $10 approved by the Board. Holm urged that more revenue is needed to provide additional bar office staff support for bar committees and sections.

Administrative Law Task Force

Robert Felthous, named in May to head and define the function of a task force to investigate the adequacy of the quasi-judicial functions undertaken by state administrative agencies, presented a preliminary report to the Board. He proposed a fact finding process through hearings to be conducted by the task force, and suggested the names of various persons who might serve on the task force. He recommended that the task force should coordinate its activities with those of a House Committee of the state legislature which is studying legislation (H.B. 986) which would establish an independent state hearing examiner agency.

He proposed an organizational budget of $6,000 which was approved by the Board. The money will be taken from the 1979 contingency fund.

The Board authorized President Hoff to appoint the task force as soon as possible, upon further consultation with Felthous.

Evergreen Legal Services

Gordon Wilcox, who chairs the Board governing Evergreen Legal Services, reported on the activities of that organization since its founding in 1975 with the strong support of the bar association.

He described Evergreen as a large and sophisticated "law firm" which has grown to a staff of 105 attorneys in 29 counties operating through 26 general services offices. Wilcox stated that the development of a policy manual; computerized billing; videotaped training programs; and computerized legal research (WESTLAW, with anticipated expansion to include LEXIS), are all factors which have contributed to an efficient organization, with nationally-recognized expertise in the delivery of legal services to low income groups, particularly in the area of the legal problems of the elderly.

The bulk of Evergreen's $3.75 million budget comes from federal funding through the Legal Services Corporation, but it receives significant support from approximately 60 organizations, groups and individuals.

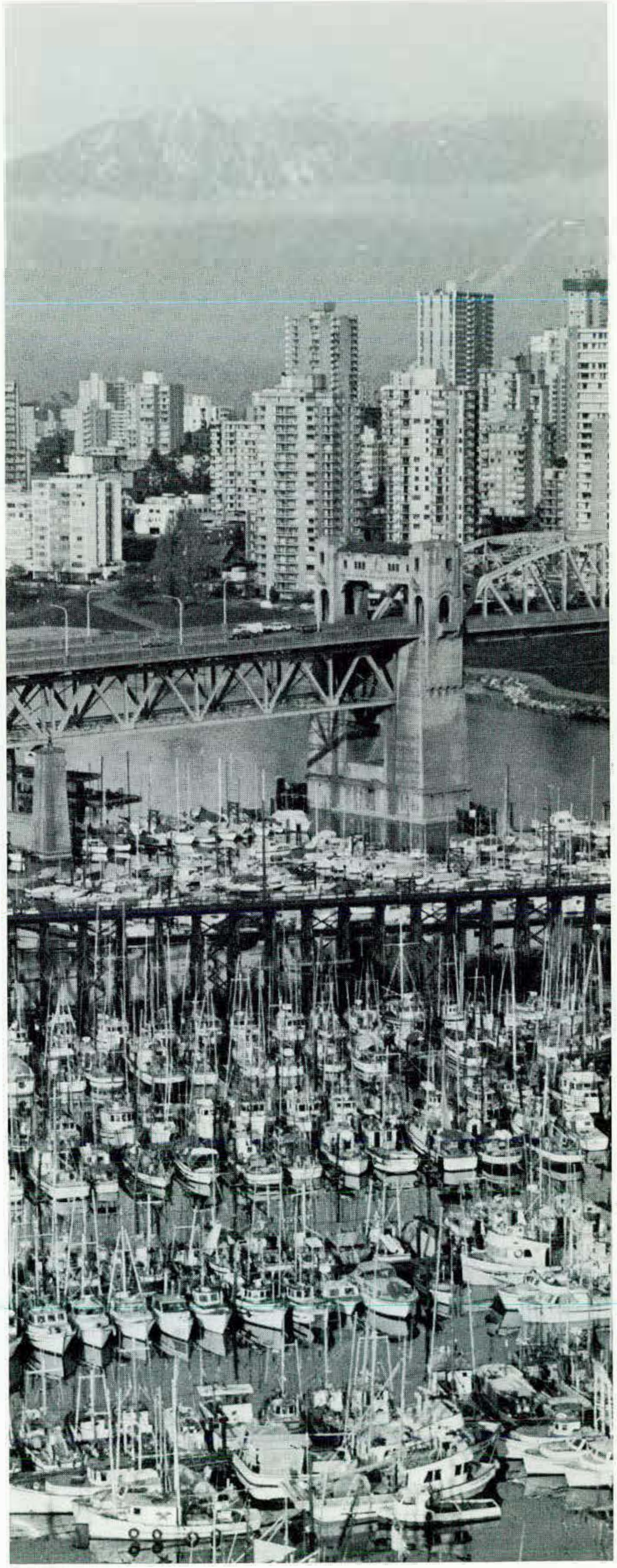
OTHER BOARD ACTIONS...

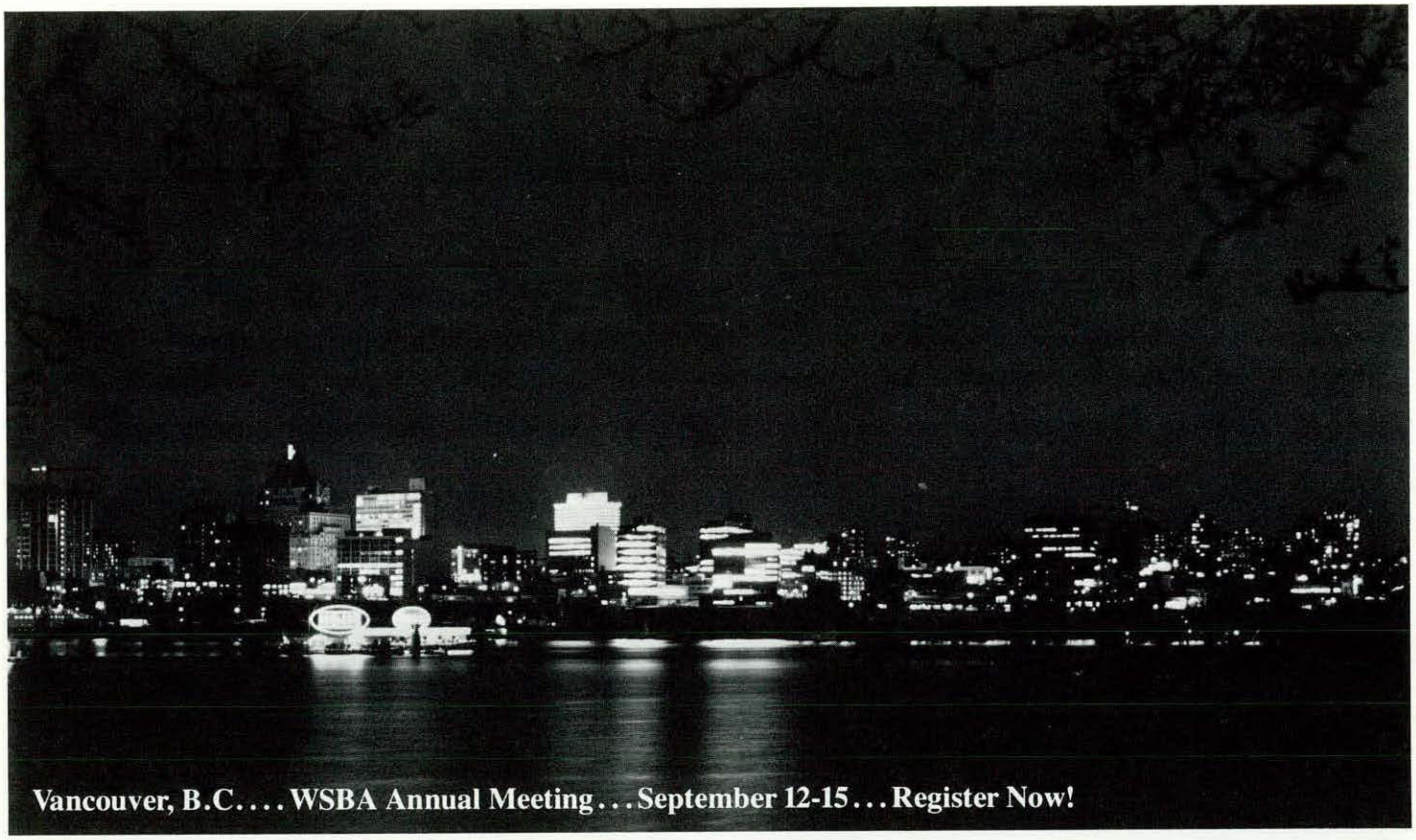
■ **JUDICIAL SYSTEM TASK FORCE**—At the suggestion of Board Member Holm, the Board agreed to establish a special task force to study improvements which could be made in the judicial system. The role of the task force was left undefined, pending appointment of the chairperson, but it is expected that the work of the task force will result in specific legislative proposals.

■ **PROHIBITION AGAINST FEE SPLITTING**—The Board approved a recommendation by the Code of Professional Responsibility Committee to make no change in its Formal Opinion No. 166 (*Bar News*, 31:5:45) which holds that payment of a "forwarding fee" in the absence of a division of ongoing legal services or responsibilities is unethical "fee splitting" proscribed by DR 2-107 (A).

The Committee noted that Illinois and California are considering permitting such "forwarding fees" even when the referring attorney does not work on the case, and such a change was recommended in the Final Report of the Annual Chief Justice Earl Warren Conference on Advocacy in the United States; however, the Committee concluded that arguments presented in other jurisdictions in support of such a change are not realistic assessments of the practice of law and therefore Formal Opinion No. 166 remains the rule in this state.

■ **PUBLIC INTEREST LAW FUND**—The Board voted to divide equally the $872 in the Public Interest Law Fund between the Northwest Women's Law Center and the Unemployment Representation Clinic, Inc., the only groups to apply for the funds. The Public Interest Law Fund is generated from the voluntary contributions of members of the bar solicited on annual dues' statements. □





Vancouver, B.C.... WSBA Annual Meeting... September 12-15... Register Now!

Correction

Statutory Amendment Affects Commissioner's Article

Commissioner Keyes' article on "Release Pending the Appeal of a Juvenile Offender Sentenced Outside the Standard Range" [*Bar News*, 33:6:32], originally submitted for publication in February, was not printed until after RCW 13.40.160 and 13.40.230(5) were amended; however, the article remains valid, if the change in the mandatory language of release of RCW 13.40.230(5) is noted. It also should be noted that the reference to RAP 7.1(a) in the last paragraph of the article should be RAP 7.2(j).

As an addition to the article, counsel should be advised that Division III by general order, dated February 28, 1979, determined that all appeals from juvenile court dispositions outside the standard range should be heard on an accelerated basis unless counsel for either party within 5 days of notice of acceleration from the court requests that the appeal proceed in the normal fashion.

COURT OF APPEALS
By **MARK H. ADAMS**

Stays

Rule of Appellate Procedure (RAP) 8.3 expresses the inherent authority of an appellate court to enter a stay. *See In re Koome,* 82 Wn.2d 816 (1973). Most often, a stay is sought either to prevent enforcement of a judgment during appeal or to halt trial court proceedings pending acceptance of discretionary review.

An applicant for a stay by the appellate court should use the motion procedure contained in RAP Title 17. For the Court of Appeals to acquire jurisdiction to entertain a motion for stay, the applicant must first file a notice of appeal or discretionary review with the superior court clerk. The party should next file the motion for stay with the appellate court and serve it on the opposing side. If the stay is sought in conjunction with discretionary review of an interlocutory trial court decision, a motion for discretionary review should accompany the motion for stay.

Counsel for the moving party should note oral argument on the question of a stay and, if applicable, on the merits of whether the court should accept discretionary review, for the court's next regular motion calendar. In the Court of Appeals, argument ordinarily will be before a court commissioner. If time is of the essence, the commissioner may conduct an emergency hearing on the question of a stay and enter a temporary stay until a less hurried hearing can take place on the issues proposed for discretionary review. Accordingly, if an emergency hearing is needed, counsel should inquire when the commissioner will be available for a hearing on short notice, file a separate motion for emergency hearing, and note argument for the date the commissioner has made available. Counsel should realize, however, that except in highly exigent circumstances, the Court of Appeals will not grant even a temporary stay upon ex parte application or on a same-day basis. Argument on issuance of a stay can be by telephone conference call, as with other kinds of motions.

Before applying for a stay of enforcement of a judgment, a party should first consult RAP 8.1 to see whether the judgment is of a kind that is subject to supersedeas on appeal. Likewise, a party seeking to stay trial court proceedings should be aware that the filing of a notice of appeal or the granting of a motion for discretionary review will automatically divest the trial court of further jurisdiction in the case except for the limited purposes specified in RAP 7.2.

Mark H. Adams is Court Commissioner for the State Court of Appeals, Division II.

There are circumstances, however, when a stay by the appellate court will be seen as necessary. Perhaps the judgment is not subject to supersedeas under RAP 8.1 and will be enforced if not stayed. Perhaps a party is seeking review of the trial court's refusal to enjoin a particular activity and wants to halt that activity during the period of review. It may be that a party desires to prohibit the trial court from doing something that the appellate court's acquisition of jurisdiction would seem to deprive the trial court of authority to do. A temporary stay is often sought to prevent something from happening — such as the commencement of trial or the dissipation of some kind of property — during the period between the filing of a notice for discretionary review of an interlocutory order and the decision of the Court of Appeals on whether to accept review. These are but a few of the kinds of stays available from the Court of Appeals. RAP 8.3 states that the "appellate court will ordinarily condition the order on furnishing a bond or other security." Where appropriate, counsel should be prepared to discuss the form and amount of security.

In deciding whether to enter a stay in the usual case, the Court of Appeals applies the standards found in *Kennett* v. *Levine*, 49 Wn.2d 605 (1956), and *Shamley* v. *Olympia*, 47 Wn.2d 124 (1955). In summary, these cases lay out a two-part test: (1) Does the appeal [or proposed discretionary review] present debatable issues? (2) Do the equities of the case require that the status quo of the litigants be maintained in order to preserve the fruits of appeal for the appellant in the event the appeal should succeed? In *Shamley*, these standards were applied to prevent the cutting of standing timber during review. In *Kennett*, they were used to prohibit the Seattle city council from conducting a proceeding to remove a city transit commissioner from office. Neither of the applicants for a stay in those cases had a remedy by supersedeas in the trial court. Although in some cases it may be the respondent who seeks a stay rather than the appellant, or the stay of a particular activity may have the effect of altering rather than maintaining the status quo, the debatability of the issues on review and the relative equities of the parties' positions will usually be constant factors in the court's determination.

In certain kinds of cases, of course, there are other factors at work. For example, in a child custody dispute the best interests of the child will be the overriding consideration in deciding whether to enter a stay. *See* RCW 26.09.190, .260. It is possible for a statute to restrict the court's ability to enter a stay pending review, *e.g.*, RCW 48.31.190(6).

A stay entered by an appellate court can be an important tool to assure effective review if the procedural rules are followed and the standards for issuance of a stay are satisfied. □

Annual Meeting Preview: Part II

John J. Michalik
Director of Continuing Legal Education

Continuing the theme begun in last month's issue of the *Bar News*, this column provides a brief overview of the continuing legal education seminars to be presented on Thursday and Friday afternoons at the upcoming State Bar Convention in Vancouver, B.C., this September.

The afternoon of Thursday, September 13th features two concurrent CLE programs. One of these, sponsored by the Environmental and Land Use Law Section, bears the title "Land Use for the Everyday Lawyer", and will feature coverage of such items as the preparation and interpretation of environmental compliance letters; challenging land use decisions; cutting off challenges under SEPA; and a special "dramatic presentation" of some common problems and resolutions. Seminar Chairperson is Diane Kenny and speakers include Bob Campbell, Susan Agid and Dale Foreman. The second program on Thursday afternoon, sponsored by the Taxation Section, deals with "Problems and Developments in State and Federal Taxation." This program will include coverage of the new Washington estate and gift tax revision; the 1% excise tax; and selected problems under the Revenue Act of 1978. Co-Chairpersons for this program are Mike Courtnage and Doug Anderson, with speakers including Dudley Panchot, Merritt Foubert, Merwin Casey, Bill Severson, D. Michael Young and Mike Sterling.

The morning of Friday, September 14th will as usual be devoted to the annual State Bar Business Meeting. Following the State Bar Luncheon at high noon, three concurrent seminar programs will be presented from 2:00-5:00 p.m.

One of these programs, sponsored by the Real Property, Probate and Trust Section, will be a combined program on probate and estate planning and recent developments in real property law. The probate and estate planning segment, featuring a discussion of disclaimers and postmortem planning, is a special repeat presentation of part of the Section program presented in Wenatchee this past May, and has as its speakers John Price, Joe Gaffney and John Sherwood. The recent developments segment will be handled by Diane Stokke. The entire program is under the general Chairmanship of John Shaw.

The second Friday afternoon program is "Franchising: Panel Discussion of a Sample Franchise Agreement." Sponsored by the Intellectual and Industrial Property Section, this is a repeat of certain portions of the day-long Franchising seminar held in Seattle in March of 1979. General chairperson of this program is Dave Roberts and Lawrence Kuhn, Terry McTigue, Paul Bastine and Joel Starin comprise the remainder of the panel.

The final Friday afternoon program continues the "Update '79" theme discussed in last months column. This program, a "Potpourri of Recent Developments in Washington Law," will include discussion of current developments and trends in criminal law, civil litigation, the new rules of evidence, recent legislation and a host of other timely topics. General Chairman for this seminar, which is sponsored by the Young Lawyers Section, is Kelly Corr. Other speakers are Dick McDermott, Bob Randolph, Greg Tripp, Larry Mills, Wendy Gelbart, and Rick Smith.

All of these seminars on Thursday and Friday afternoons of the Convention, as is the case with all Convention programs, are approved for 3.00 hours of credit each under the mandatory CLE Rule.

We think the selection of programs described in this column and last month's Clearinghouse provide a wide variety of interesting and useful continuing education opportunities. And remember your general Convention registration fee covers admission to any and all programs you may wish to attend. We'll see you in Vancouver!!

Steere, Campbell and Dean to Become Governors

The Board of Governors will welcome three new members at the Annual Convention this September in Vancouver, B.C. Paul W. Steere and F. Lee Campbell, both of Seattle, and Jack R. Dean, Spokane, will attend the September 11 Board meeting there, along with the present Board. The new Board members will take office at the close of the convention.

Seattle attorney Paul W. Steere has been elected to represent the lawyers of the First Congressional District.

Paul W. Steere

Steere is a partner in the Seattle law firm of Bogle & Gates. He was educated at Haverford College, studied law at the University of Michigan and was admitted to the Bar in 1952. He has been practicing law in Seattle since then, beginning with the firm of Skeel, McKelvy, where he later became a partner. In 1961 he formed a three person general practice law firm with Wallace Aiken and Robert St. Louis and in 1966 became a partner in his present firm.

His record of service to the profession includes a number of Bar Association assignments. Among them, he served three years as Chairman of the State Bar Disciplinary Board, which processed over 1,300 disciplinary cases during his tenure. He served three years on the King County Local Administrative Committee, one as Chairman, three years on the Trial Committee, and three years on the Committee on Selection of Judges, one as Chairman. He was also an officer and trustee of the Seattle King County Bar Association.

Steere will succeed Bradley T. Jones as the First Congressional District representative on the Board.

Spokane attorney Jack R. Dean has been elected to represent the lawyers of the Fifth Congressional District.

Dean, a Spokane-area native and graduate of Gonzaga University, was admitted to the Bar in 1950 after military service with the Infantry during World War II. He is a partner in the law firm of Quackenbush, Dean, Bailey and Henderson. He opened the firm's doors in 1961 with Justin L. Quackenbush.

Dean began his career in 1950 when he went to work for George W. Young. In 1954 he left the Young firm and entered into a partnership with William H. Williams who was recently elected to the Washington State Supreme Court. After Williams was appointed a Superior Court Judge in March of 1958, Dean practiced alone for three years before entering into a partnership with Quackenbush.

Dean is a member of the Washington State and Spokane County Bar Associations and is currently serving as an elected Trustee of the Spokane County Bar Association.


Jack R. Dean

He served twice as President of the National Guard Association of Washington and has been active in the Eagles Lodge, having served as President of the Spokane Lodge and as State President of the Eagles.

Dean will succeed Michael J. Hemovich as the Fifth Congressional District representative on the Board.

Seattle attorney F. Lee Campbell is the newly elected King-County-At-Large representative on the Board.


F. Lee Campbell

Campbell is a partner in the Seattle law firm of Karr, Tuttle, Koch, Campbell, Mawer & Morrow. Following military duty during the Second World War, he graduated from the University of Washington Law School in 1950 and has practiced law for the past 28 years with his present firm (formerly Karr, Tuttle & Campbell). In 1961 he achieved senior partner status and since 1973 has been firm Managing Partner.

His involvement in many areas of professional services includes membership in the American Bar, Washington State Bar and Seattle King County Bar Associations; terms as President of the Seattle King County Bar Association and the Washington Association of Defense Council and Chairman of the Trial Practice Section of the Washington State Bar Association; Fellowship with the American College of Trial Lawyers and the International Academy of Trial Lawyers; and membership in the International Association of Insurance Counsel.

Campbell is presently serving as a member of the Standing Committee on Aeronautical Law of the American Bar Association.

Campbell will succeed Paul R. Cressman as the King-County-At-Large representative on the Board.

RESOLUTIONS

...To Be Considered at the 1979 Annual Meeting of the Washington State Bar Association

According to the bylaws of the Washington State Bar Association, resolutions and reports received by the Resolutions Committee at least 60 days prior to the annual meeting are to be published in the *Washington State Bar News* prior to such annual meeting.

The Resolutions Committee earnestly solicits written responses and comments from members of the Association regarding proposed resolutions and requests that any such responses and comments be submitted to the Resolutions Committee, c/o the Washington State Bar Association, 505 Madison, Seattle, Washington 98104. The function and purpose of the Resolutions Committee is to report to the membership of the Association upon each resolution, giving its recommendations, proposed amendments thereto, or comments thereon.

As announced in the last *Washington State Bar News,* the Resolutions Committee will hold a public hearing prior to the convention. The hearing is scheduled for 10:00 A.M. on September 4th, at the offices of the Bar Association, at the above address. Upon completion of business that day, or at the Chairperson's discretion, the hearing will be adjourned to reconvene at the convention on September 12th at the time and place shown in the convention program. The advance public hearing session on September 4th has been scheduled in an effort to allow more time to those presenting views and in an effort to give the members of the Committee more time to consider the resolutions and to request any additional information which might be helpful to the Committee in making its recommendations on the resolutions to the membership. Proponents and opponents of resolutions are urged to attend the September 4th hearing if at all possible, and, if not, to present their views prior to that time in concise written form for consideration by the Committee at that hearing. Presence at or absence from the September 4th hearing will not affect any right under the bylaws to present views when the public hearing reconvenes during the convention. At the reconvened hearing, preference in presenting views will be given to those with viewpoints which were not expressed at the September 4th hearing. Proponents and opponents will be given a reasonable opportunity to be heard at the advance session and at the reconvened hearing.

At the conclusion of discussion of each resolution at the reconvened hearing, the Resolutions Committee will recommend approval or rejection of any such resolution, with amendments if deemed appropriate.

A copy of the bylaws regarding time deadlines and other information about submitting resolutions may be obtained from the Washington State Bar Association Office.

Members of the Resolutions Committee are William Beresford, Philip Brandt, Charles Edward Gallup, David Hallin, Edward L. Mueller, John W. Murphy, Kimbrough Street, Philip L. Thom, Phillip S. Tracy, Richard Wiehl, James J. Workland, B. Elizabeth Rockwell, and Dean C. Smith, Chairperson. □

Document Cost Changes Effective September 1, 1979

Recent legislation reduced the costs the State Corporations Division is to charge for *photocopies* to $.10 each page (Chapter 133, Laws of 1979 1st Extraordinary Session).

Certified copies of profit and nonprofit charter documents will be $5.00 per document (no additional copy cost).

Certified copies of other noncharter profit and nonprofit documents will be $2.00 plus $.10 per page.

Certificates of Standing for profit and nonprofit corporations will be $2.00 each.

Beginning September 1, 1979 all document fees must be paid in advance. If you are not certain of the cost of your copies, please make a check "not to exceed $x.00". We will fill in the correct amount and notify you.

Copies of the recent amendments to the profit corporation statute (RCW 23A) made by Senate Bill 2119 are available from the Corporations Division. Cost is $.75 each.

These changes are effective June 7, 1979.

Update on FBA-Western District of Washington

The Federal Bar Association of the Western District of Washington has grown to over 260 members. The Association's annual meeting will be held in Vancouver, B.C. on September 13 at 5:00 P.M. The room assignment for the meeting will be announced.

The Association sponsored its first CLE program in June. The subject was practice under the local rules of the United States District Court, Western District of Washington. It was attended by about 400 lawyers and another 200 were turned away for lack of space. Further seminars are in the planning stages.

WSAMA Elections Held

The following persons were elected to the offices indicated and the WSAMA Executive Board at the Twenty-third Annual Meeting of the Washington State Association of Municipal Attorneys (WSAMA) June 15, 1979, at Spokane: Robert W. McKisson, President, City Attorney of Winslow and Poulsbo; Robert F. Patrick, First Vice President, City Attorney of Pullman; Douglas D. Peters, Second Vice President, City Attorney of Selah and Naches; Larry D. Winner, Representing cities of 2,500 or more population, Chief Assistant Corporation Counsel of Spokane; William L. Cameron, Representing cities of between 2,500 and 50,000 population, City Attorney of Kennewick; Douglas N.

Jewett, "At Large," City Attorney of Seattle; Ernest H. Campbell, Secretary, Municipal Law Specialist, Municipal Research and Services Center of Washington and Lee Kraft, Immediate Past President of WSAMA, City Attorney of Bellevue.

GWU Law Alumni's Convention Meeting Hosts Dean Barron

Dean Jerome A. Barron, nationally recognized First Amendment scholar and author, will meet with alumni, spouses, and guests at the George Washington University Law Alumni's annual breakfast meeting which is held in conjunction with the WSBA's annual meeting. This year's breakfast meeting is scheduled for Friday, September 14th, at the Hyatt Regency in Vancouver, B.C.

Those wishing to attend may contact Richard F. Broz, 3300 Seattle-First National Bank Building, Seattle, Washington 98154, Tel. (206) 623-5890, for reservations and information.

WLAA To Host Fourth Annual Convention

The Washington Legal Assistants Association (WLAA) is hosting its Fourth Annual Convention at the Thunderbird Inn in Yakima, Sept. 28th and 29th. A full schedule of topics in law, guest speakers and a concluding banquet will attract convention participants from all over Washington. Real Estate law, Estate Planning and Family law matters are just a few of the topics to be addressed in a workshop type format.

Legal assistants have just recently emerged as a viable profession for those seeking challenging work within the law yet bypassing expensive and extensive training. While the association had only thirty members at its first convention, nearly 185 members of the organization today are anticipating the most successful convention yet. For further information, write WLAA at P.O. Box 2114, Seattle, WA 98111, or call either Carol Snyder in Yakima at (509) 248-6030, or Karen Reuland in Seattle at (206) 223-1600.

Approved Continuing Legal Education Activities

COURSES APPROVED

COURT PRACTICE INSTITUTE

Civil Trial Advocacy

August 4-11, 1979: Salem, OR 66.25

WASHINGTON STATE BAR

Washington Rules of Evidence

August 10, 1979: Seattle 5.00

August 17, 1979: Spokane 5.00

SEATTLE-KING REPORT

By JAMES L. VARNELL

New Associations. **Dennis J. Perkins, Larry C. Leonardson, Edward R. Skone** and **Craig R. Dodel** have formed a partnership and are practicing under the name of Dodel, Skone, Leonardson & Perkins at 3930 Seattle-First National Bank Building. All are 1971 graduates of the University of Washington School of Law. **Gerald M. Lorentson, Roderick McAulay,** and **Howard R. Bartlett** have formed a partnership and practice at the Norton Building under the name of Lorentson, McAulay and Bartlett. Graham and Dunn announces that **Clemens H. Barnes, Dwight J. Drake, Hans C. H. Jensen,** and **Edward W. Pettigrew** have become partners, and **George T. Cowan** and **John E. King** are now associated with the firm. (The exploits of Barnes on the softball field have been chronicled in previous reports by this correspondent.) **James R. Offutt** and **Peter R. Gilbert** have become members of Houger, Garvey & Schubert in the Washington, D.C. office, and **Stuart P. Hennessey, Kenneth W. Jennings, Cheryl C. Keeton,** and **Alan P. Sherbrooke** have become associates of the firm in the Seattle office. **Thomas Ikeda** is now associated with **Phil Mahoney** in the Alaska Building.

Travels and Sabbaticals. After lengthy absences, **Tony Savage, Larry Finegold, John Lundin, Bill Lanning,** and **Ken Kanev** have returned to the Seattle practice of law after specializing in the San Francisco practice for the past three months.

SNOHOMISH REPORT

By HENRY S. CHAPMAN

Snohomish County is rapidly growing and its growth has taken its toll on the workload of the Superior Court. Office of the Administrator for the Courts advise that a new law has been approved by the Legislature and Governor which will grant Snohomish County a new judgeship to become effective on September 1, 1979. Governor Ray will be making the initial appointment, rather than having the new position filled from the outset by the results of an election.

Myron J. Carlson and **James T. Hopkins** have formed the partnership of Carlson & Hopkins with offices located at 515 First National Bank Building, Everett, Washington. Attorney **Kenneth L. Green** is an associate of the firm.

Notices

PROFESSIONAL

John O. Durkan announces his availability to assist lawyers to guide clients through civil or fraud tax audits, to negotiate settlements or to prepare and try federal tax cases before the U.S. District Court or the U.S. Tax Court.

Mr. Durkan served seventeen years with the IRS as corporate auditor, review and trial attorney and as Assistant Appellate Counsel of the Seattle District. Member of Washington and Montana Bars.

John O. Durkan, Esq.
155 N.E. 100th, Suite 403
Seattle, Washington 98125
Telephone (206) 523-5783

David Middaugh, formerly with the Enforcement Division of the Commodity Futures Trading Commission, announces his availability for referrals, consultations, etc., in commodity matters.

David Middaugh
Suite 312 Pioneer Building
600 First Avenue
Seattle, Washington 98104
Telephone: (206) 623-0394

Ronald D. Flansburg of the Washington State Bar announces his availability for appellate consultation or association in matters of notices, motions, evaluation and development of appellate arguments and briefs or client referrals.
CONTACT:

Ronald D. Flansburg, Esq.
P.O. Box 7625
Olympia, Washington 98507
Telephone (206) 943-8888

In research methodology, L.R.S. has applied its experience from almost a decade of service to the legal profession in Washington to create a legal research system tailored to meet your needs. You have at your disposal the L.R.S. staff of full time research attorneys. Each attorney is highly skilled and experienced in the research and preparation of memoranda, trial and appellate briefs. Our staff of attorneys are fast and efficient, yet reliable and thorough.

Lawyers Research Service, Inc.,
1063 South Capitol Way,
Post Office Box 2937
Olympia, Washington 98507
Tel. (206) 943-8592

Dan P. Danilov of the Washington State Bar announces his availability to lawyers for consultations and referrals in U.S. Immigration and Nationality matters re: applications for nonimmigrant and immigrant visas, admission to United States, adjustment of status to permanent residence, and other proceedings before American Consulates abroad and U.S. Immigration Service in United States.

Latest booklet and information about U.S. Immigration Laws sent upon request without charge.

Dan P. Danilov, Esq.
3828 Seattle First National Bank Bldg.
Seattle, Washington 98154
Telephone (206) 624-1580

Douglass A. North, former law clerk on the Washington State Court of Appeals, announces his availability for referral, consultation, or association on appellate arguments and briefs.

Douglass A. North, Esq.
Hennings, Maltman, Weber & Reed
414 Central Building
Seattle, Washington 98104
Telephone: (206) 624-6271

Michael Lantz of the Washington State Bar announces his availability to lawyers for consultations and referrals in Federal Tax cases pertaining to civil or fraud tax audits and to prepare and try tax cases before the U.S. Tax Court or U.S. District Court. He also is available to assist in Business, Corporate, and Estate tax planning.

Michael Lantz, Esq.
3727 Seattle First National Bank Bldg.
Seattle, Washington 98154
Telephone (206) 682-7626

Martin Silver, LL.M. in taxation, NYU, WSBA (section on Taxation), ABA (section on Taxation), announces his availability for consultation, referral and review of documents re: estate, corporate, partnership and general tax planning.

Martin Silver, Esq.
510 Securities Building
Seattle, Washington 98101
Telephone: (206) 624-7272

Labor Law/Labor Relations: Tired of housekeeping and administrative nonsense; now available for consultation or of counsel: full background in Martindale Hubbell, page 1193B: admitted New York, Washington State, Florida.

Alan A. Bruckner
25 Southeast Second Avenue
Suite 1016
Miami, Florida 33131
Telephone: (305) 358-0000

CLASSIFIED

Classified Advertising Rates

Per issue: 25 words — $10 (minimum charge beginning with the May 1979 issue). Each additional word — 50¢. Confidential reply service — $2. Advance payment required.

For Lease: 1900 square feet deluxe office space in the Grand Central Building in Pioneer Square. Consists of five private offices, conference room, storage space, separate reception and secretarial areas. Pioneer Square Properties (206) 623-7417.

HOW TO GET MORE DIAMOND FOR YOUR MONEY . . .

You're thinking about buying a diamond as a gift, investment, or both. Here's our promise to you:

☐ We can tell you more about diamonds, because diamonds are our **only** business.

☐ We are not a jewelry store, so you will never again have to pay jewelry store mark-ups or overhead costs.

☐ You'll know precisely what you're buying from us, because our stones are certified . . .in writing . . .by a nationally-recognized gem lab.

☐ Because diamonds are our speciality, we can give you up to 40 percent more diamond for your money than anyone else in the Pacific Northwest. I guarantee it.

PRESIDENT

NORTHWEST DIAMOND CENTER

* By appointment only *

(206) 455-2679

11061 N.E. 2nd—Suite 108 • Bellevue, WA 98004

DOUG FOX TRAVEL

Doug Fox Travel, Inc. was founded in 1945 on the principles of integrity, professionalism, and service to our clients. Our adherence to these values has enabled us to become the largest travel agency in the Northwest, with 15 offices and over 150 dedicated employees. We're large enough to handle international conventions, yet personal enough to arrange a single flight or overnight accommodations. It makes no difference where you're traveling, be it for business or pleasure, we know the way. Our experience is your guarantee.

Doug Fox
Chairman of the Board

"WELCOME TO OUR WORLD"

628-6161

For Sale: IBM Mag Card, under Service Contract. $4,750.00, or best offer. (509) 773-5888.

For Sale: IBM Mag Card/A typewriter, three years old, in excellent condition and maintained under a continuous service agreement, $5,000.00. Contact Ernest M. Ingram, (206) 533-2865.

For Rent: Single office with shared library and reception area; telephone and utilities included (except long distance). $250.00 per month in Kenmore, Washington. Secretarial services available at $4.57 per hour of actual use. Please contact John E. Woodbery, (206) 485-8569.

For Sale: Washington Reports, including Appellate Reports from 1969 to present date with Advance Sheets which include latest cases from other jurisdictions. Negotiable. Call (206) 583-8201.

Will Sought: Anyone knowing of the existence and/or location of a will for Sue Ella Bauscus please contact Sally Saxon, 2637 E. Ward St., Seattle, WA 98112, (206) 322-1236.

Excellent Office Space: Available in newly completed professional center in Redmond. Fully serviceable with small library. Call (206) 883-9660.

POSITIONS

Wanted: Two man firm seeking an associate. 2-3 years general practice experience preferred. Submit resume to Box 32, WSBA.

Wanted: Associate for commercial and tax practice to join 2-3 man firm. Submit resume to Box 33, WSBA.

Position Available: Established Kirkland attorney needs young aggressive attorney with some trial experience to share office space in his building. Must have at least a small practice of his own and be willing to handle caseload referrals and do legal research at an hourly rate. Call Robert W. Villareale, (206) 827-5653.

Experienced Legal Secretary Wanted for principally litigation attorneys — downtown office — Salary open depending on experience. (206) 622-2655.

Position Available: Medium sized law firm seeking lawyer with 2-3 years experience. Must be member of Washington State Bar and must be available to commence work on or before August 1, 1979. Firm's practice is primarily in area of commercial litigation. Send resumes and inquiries to Box 30, WSBA.

Position Available: Bellevue firm in general practice, with emphasis on commercial/corporate areas, seeks associate. Excellent opportunity. Send resume to Box 20, WSBA.

Position Wanted: Tax attorney, 31, LL.M. in Taxation N.Y.U., member WSBA, seeks employment in Seattle area. Reply to: occupant, 17288 15th Ave. N.W., Seattle 98177.

Position Wanted: Three-plus years trial and appellant experience, primarily in business, estate/tax planning, and labor (management); member of Washington and Montana bars; wishes to relocate to Washington from central Montana. Write, and I'll call for a telephone interview. Box 14, WSBA.

Position Wanted: Corporate counsel with Fortune 500 Company desires position with Seattle area corporation or law firm. 3 years corporate and 2+ years firm experience, with emphasis on antitrust, acquisitions, litigation, EEO, contracts. Graduate national law school, Phi Beta Kappa. Reply to Box 31, WSBA.

WASHINGTON STATE
BAR ASSOCIATION
505 Madison Street
Seattle, WA 98104

Nonprofit Org.
U. S. POSTAGE
PAID
SEATTLE, WASH.
Permit No. 2204

CHARLES EHLERT
RM. 610, 1411 - 4TH AVE. BLDG.
SEATTLE, WA 98101