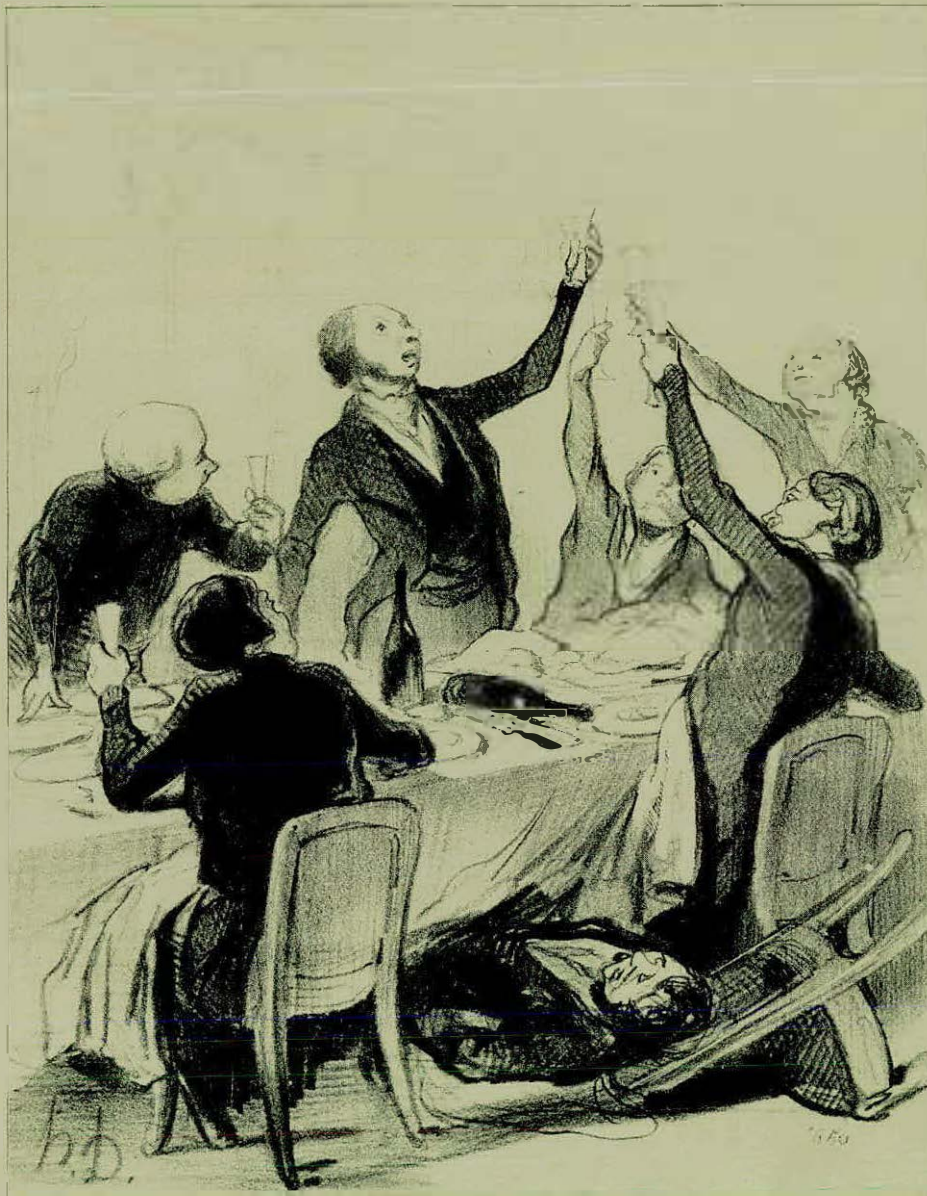


WASHINGTON STATE BAR NEWS

LES PHILANTROPES DU JOUR.



Chez Aubert, Pl. de la Bourse, 29

Imp. d'Aubert & Co.

— Messieurs il nous reste un 43^{ème} toast à porter à la Société de Tempérance!

RECOGNIZING—AND HELPING—THE ALCOHOLIC CLIENT

Meet the Index which brings you more coverage...more topics...and more direct routes to case law in Washington

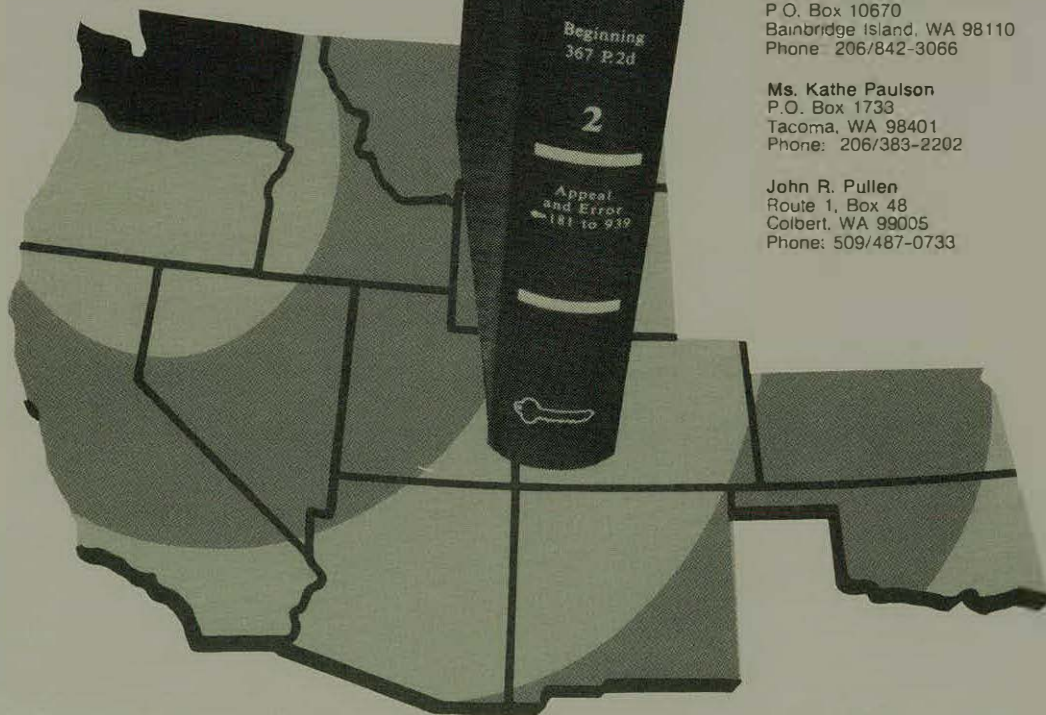
Here's the convenient way for Washington lawyers to locate case law from their own state and throughout the region. West's Pacific Digest (beginning 367 P.2d) provides you with the same broad coverage as the Pacific Reporter—to give you quick access to modern cases from neighboring states when Washington has not ruled on your point, or when you are confronted with questions concerning case law from another state.

There are 30 new or revised Key Number Topics in the Pacific Digest, up-to-date reflections of recent changes or developments in the law.

And West's Pacific Digest offers five direct routes to appellate cases in Washington: Through the Descriptive Word Index, the Table of Cases, the Defendant-Plaintiff Table of Cases, the Topic Analysis Method, or Words and Phrases.

For more information on the Pacific Digest, ask your West sales representative, or write to West.

WEST'S PACIFIC DIGEST



W^D WEST PUBLISHING CO.
50 W. Kellogg Blvd.,
P.O. Box 3526, St. Paul, MN 55165

Wallace A. "Buck" McLean
P.O. Box 10670
Bainbridge Island, WA 98110
Phone: 206/842-3066

Ms. Kathe Paulson
P.O. Box 1733
Tacoma, WA 98401
Phone: 206/383-2202

John R. Pullen
Route 1, Box 48
Colbert, WA 99005
Phone: 509/487-0733

*The Bottom Line
- Jack Quinan*

LAWYERS PROFESSIONAL LIABILITY RATES
Effective February 1, 1980

RATES PER ATTORNEY AT VARIOUS LIMITS
FULLY DEVELOPED RATES
FOUR OR MORE YEARS IN PRACTICE
(At \$1,000 Total Annual Deductible)
INCLUDING FULL PRIOR ACTS

I. \$100,000 Per Claim	\$300,000 Annual Aggregate	\$360.00
II. \$500,000	\$1,500,000	\$504.00
III. \$1,000,000	\$2,000,000	\$576.00
IV. \$5,000,000	\$5,000,000	\$936.00

DEDUCT: 10% if you had occurrence coverage until February 1, 1977
i.e. Affiliated Fire & Marine
50% if just starting practice

DEDUCT: For Staff Size 4 to 6 attorneys 6%
7 to 15 attorneys 12%

NO CHARGE: Law clerks, Paralegals, Investigators, etc.

PUNITIVE DAMAGE COVERAGE: (Optional) ADD 20%

CLAIM HISTORY: Please inquire

RATES ABOVE INCLUDE:

FULL PRIOR ACTS TO POLICY LIMITS

S. E. C. COVERAGE For Up To 10% Of Practice
Including Blue Sky

DEFENSE COSTS PAID IN ADDITION TO POLICY LIMITS
(except SEC)

FALSE ARREST, LIBEL, SLANDER, ETC.

OPTIONS: LIMITS TO - \$20,000,000
DEDUCTIBLES - \$1,000, \$2,500, \$5,000, \$10,000 & \$50,000

1. Surplus Lines Taxes of 2-1/4% will apply where Northbrook Insurance is the carrier.
2. The premiums shown above will be applicable in most cases.
Final premium and issue are subject to application and underwriters decisions.



Quinan-Pickering, Inc.
Since 1938

P.O. BOX 3875 • Seattle, WN. 98124 (206) 622-4260



Estate planning will help you get tough with your money now. So it won't be hard on them later.

**Planning your
estate with Pacificbank
doesn't cost a thing.**

**Not planning can
cost a lot.**

You have a choice. Put off planning your estate until it's too late, and have handfuls of your money go for federal and state taxes. Or plan ahead and keep more of that money for your heirs.

It's this simple. First sit down with your attorney and us. We'll review your estate and advise you of alternative ways to protect it. Then your attorney can write an up-to-date will. A trust may be one of the tools you'll want to use in your estate plan. We'll work with your attorney and other advisers to arrange things the way you want. And we'll do it for free.

If you wish, you can name Pacificbank as executor or trustee. So if something happens to you, the same

financial specialists you worked out all the details with will have the responsibility of settling the estate and perhaps managing it. Thoroughly. Objectively. Compassionately.

It all boils down to this: If you can't be there to go to bat for your family against taxes and inflation, it makes sense to have a back-up team of tough professionals ready to pinch-hit for you.



A TOUGH, PROFESSIONAL BANK.™

A Western Bancorporation Bank.

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 10th 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

©1980 by Washington State Bar Association

Printed by United Graphics, Seattle

WASHINGTON STATE BAR ASSOCIATION OFFICERS

MICHAEL J. HEMOVICH
President

JAMES M. DANIELSON
Treasurer

G. EDWARD FRIAR
Executive Director

R. WAYNE WILSON
Director of Public Affairs

BOARD OF GOVERNORS

MICHAEL J. HEMOVICH
President

PAUL W. STEERE
First Congressional District

DAVID A. WELTS
Second Congressional District

EDWARD G. HOLM
Third Congressional District

JAMES M. DANIELSON
Fourth Congressional District

JACK R. DEAN
Fifth Congressional District

QUINBY R. BINGHAM
Sixth Congressional District

LOWELL K. HALVERSON
Seventh Congressional District

WILLIAM WESSELHOEFT
King County

F. LEE CAMPBELL
King County

EDITORIAL ADVISORY BOARD

DAVID L. BROOM
Spokane, Chairman

WILBERT ANDERSON
Seattle

BRIAN L. COMSTOCK
Seattle

MARYALICE NORMAN
Seattle

DUANE LUND
Seattle

RICHARD L. WIEHL
Yakima

STEVEN H. POND
Longview

H. EUGENE QUINN
Tacoma

WILLIAM D. RIVES, III
Seattle

WASHINGTON STATE BAR NEWS

FEATURES

16 The Alcoholic Client—Identification and Effective Referral for Diagnosis and Treatment

33 Can Debtors Take Advantage of New Exemptions?

IN THE NEWS

41 Board Stalls on Unauthorized Practice

52 Procedure Modification for Filing of Non-Fee Documents

DEPARTMENTS

5 Letters

11 Editor's Page

15 President's Corner

41 Board's Work

47 CLE Clearinghouse

47 CLE Approved Courses

49 Sections

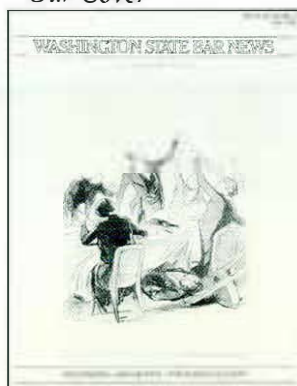
50 Around the State

52 Briefly Noted

53 In Memoriam

54 Notices

Our Cover



"Gentlemen, he leaves us after the forty-third drink ... to the Temperance Society!" Daumier's irreverent comment about the social drinker is not an inappropriate introduction to Bellevue attorney Richard C. Carrithers' article on identifying and helping the alcoholic client, page 16. Among other points, Carrithers notes that the line between the heavy social drinker and the alcoholic is very thin, and attorneys are in a unique position to recognize when a client has crossed the line.

Attorney's Professional Liability Program

THROUGH MARSH & McLENNAN, INC.

(Since 1871)

Insures more Attorneys in Washington and
the Pacific Northwest than any other Broker

Local Claims Service

Additional Coverages Available

Financing Arrangements

Specialized Unit Handling

All necessary elements of coverage up to — \$5,000,000

Approved by the Washington State Bar Association

JOIN THE LEADER

Marsh & McLennan, Inc.

800 Norton Building, Seattle, WA 98104

Toll Free 1-800-552-7200

Local 223-1240



Hemovich's View On Lawyer Ads "Disconcerting"

Editor:

I found President Hemovich's comments on lawyer advertising in the December issue of the *Washington State Bar News* disconcerting. The comments he made indicate the confusion all lawyers must go through in deciding for themselves what they believe is the proper role of advertising in the legal profession. What is disconcerting is that our President's comments indicate he has not made much progress at all toward forming a view of the propriety of advertising by lawyers.

Our President obviously is starting from the viewpoint, held by many established lawyers, that there is a large "stone of ethics" somewhere etched with the proscription "lawyers shall not advertise."

Maybe there is a stone with such things on it as "lawyers shall not steal money from their clients" and "lawyers shall not fabricate false evidence," but who could believe such an important stone would have room on it to say "lawyers shall not indicate in the yellow pages they have a general law practice?"

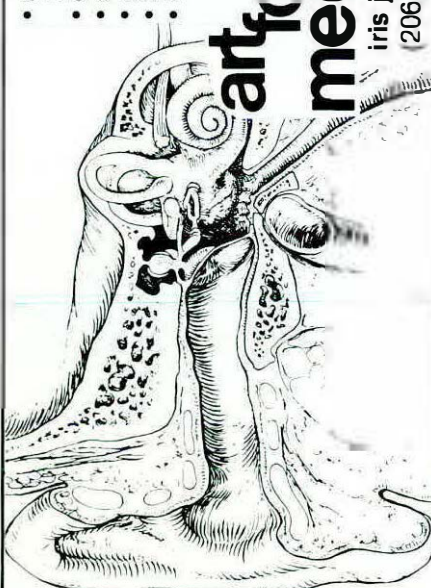
Fundamental to any struggle to form a position on the advertising issue is the resolution of the most elementary question about practicing law, "why am I doing it?" In this context we must identify our answer as somewhere along a scale from "to make money" at one end to "to help the public" at the other. For most of us the answer lies somewhere in the middle, always realizing it is hard to help the public if we don't make money to stay in business.

Another early step in the process is to decide what "advertising" and "solicitation" mean to us. Again use the spectrum; at one end there is the

idea that all advertising is solicitation, while at the other end is the idea that ambulance chasing is merely advertising. Again, for most of us, the answer is somewhere in the middle. Professionals in the advertising field tell us "good" advertising is merely an extension of our own personality, making ourselves and our practices known to the public. If we believe we are good people doing a good job, then what is wrong with letting others know that?

Nobody should attempt to discuss this issue without having read and studied the *Bates* decision—it is the law of the land on the subject. I suspect many of us have not even read the case and most of us have not really studied it. Our President may have read the case but I find it hard to believe his comments could have come from someone who studied the decision. *Bates* makes it clear that advertising is here to stay. And *Bates* is actually a "lawyer brought" case,

- surgical/anatomical illustrations
- courtroom art
- slides for lectures
- publication artwork
- charts/graphs
- brochures



art for medicine

iris j. nichols, a.m.i.
(206) 932-3398

The University of Washington School of Law
Presents



FISHERIES SCIENCE FOR LAWYERS

Saturday, May 17, 1980, Condon Hall

Expert scientists and lawyers will discuss technical and scientific concepts relating to fishery yield determinations and to specific requirements of major federal laws, including the Fishery Conservation and Management Act, the Marine Mammal Protection Act, and the Endangered Species Act. Lecturers and panelists include Deans Douglas Chapman and Donald Bevan, U. W. College of Fisheries; Michael Tillman, Director, National Marine Mammal Laboratory, National Oceanographic and Atmospheric Administration; Herbert Larkins, Deputy Director, Northwest and Alaska Fisheries Center; August Felando, President, American Tunaboat Association; Professor Dayton Alverson, Marine Studies; Henry Haugen, Esq., W. Bruce McAlister, Esq., and Edward Evans, Esq.

During the lunch hour there will be an informal reception for alumni in the Faculty Lounge of the Law School.

Registration Fee: \$100

For further information: Francia Luessen, Director of Continuing Legal Education, or Judi Christianson, 338 Condon Hall, University of Washington, JB-20, Seattle, WA 98105, (206) 543-8707.

APPROVED FOR 7.5 CREDITS

The University of Washington School of Law
Presents



DISCRIMINATION: CURRENT CONSTITUTIONAL AND STATUTORY ISSUES

Saturday, April 26, 1980, Condon Hall

The program focuses on three areas of litigation: employment, education, and land use discrimination. Techniques of constitutional litigation and recent equal protection law are also covered. Special guest speakers include Professor Derrick Bell of the Harvard Law School and Leonard Boudin, Esq. of New York, both of whom are presently on our faculty as visiting professors. Dean Schatzki and professors Robert Fletcher, Linda Hume and Dale Whitman will also speak.

During the lunch hour there will be an informal reception for alumni in the Faculty Lounge of the Law School.

Registration Fee: \$40

For further information: Francla Luessen, Director of Continuing Legal Education, or Judi Christianson, 338 Condon Hall, University of Washington, JB-20, Seattle, WA 98105, (206) 543-8707.

APPROVED FOR 5 CLE CREDITS

not a "public brought" one. A suit by the public based on the "right to know" would obviously go much further in allowing advertising.

Another elementary step in the process is to read our Supreme Court rule on advertising and to study it. I have had the opportunity to do that through local bar association advertising committees and we concluded our rule is actually quite broad. Our committee recommended some changes in the state rule, where it was too restrictive, pointing out it was probably subject to constitutional challenge; but on the whole, it leaves plenty of room for a lawyer to extend himself or herself to the public.

The final preliminary step to forming a view on the subject is to look at actual lawyer ads in light of what has been learned from the prior steps. With a few rather minor exceptions, all the ads I have seen locally are good extensions of the advertising lawyers, within the constitutional rights of *Bates* and in compliance with the state rules.

With this out of the way I want to take issue with some specific comments made by our President, all of which I think require an equal response.

He says he believes lawyers bought ads in the yellow pages only because the phone company told them it was ethical. He says he checked this out with the phone company, but why didn't he inquire of the advertising lawyers?

He says lawyers advertise, not to help the public, but to get business. Again, why does he believe lawyers practice law?

He asks if we really assist the public by advertising a dissolution for \$50.00 or a free consultation? Is that a rhetorical question? It shouldn't be. Obviously if the client gets a good dissolution for \$50.00 or a good consultation for free, it is better for the client than getting the same dissolution for \$500.00 or the same consultation for \$50.00.

He implies that placing an ad in the

WHI Can Give Your Construction Claims Case A BIG LIFT!

WHI's claims analysis/preparation services could be the lift your construction claims case needs! Successful settlements in 50 states on \$3.5 billion worth of construction. Send for your copy of our complete services brochure today!

wagner · hohns · inglis · inc.

2620 Foothill Blvd. La Crescenta, California 91214
213-248 2523

Other Office Locations:

New Orleans, La.
504-524-5349

Kansas City, Mo.
816-931-2240

Mount Holly, N.J.
609-261-0100

.....
Please send us your brochure on WHI claims services.

Name _____ W

Address _____

City _____

State _____ Zip _____

phone book risks violating the Code of Professional Responsibility, but the Code expressly allows yellow page ads!

He asks if the profession really wants to advertise, but he doesn't seem to realize some of us do and some don't. Nobody has said lawyers must advertise.

He says if we are to advertise, then why not allow misleading advertising. We do not say free speech absolves perjury, nor should we say the right to advertise includes the right to lie.

He says it is unfair to give a "loss leader." Is that the law? It may turn out to be bad business economics if it does not lead to other business, but is it unfair to the client? Many lawyers have traditionally done simple wills at very little cost as a way of introducing clients to their offices, particularly if the client is up in years with a probate foreseeable in a few years.

He says it might be appropriate to let a lawyer list the cases he has done. Good point!

He asks how an ad for a free consultation helps a client find the proper lawyer. If a client just wants to ask a lawyer a simple question to determine if he really needs a lawyer, he might want to have a free visit. How many lawyers would give him that? Must he call all in the book starting with "A"? Try it and see how far you have to go.

He believes the shopping center clinic with newspaper ads is "solicitation." I do not; there is no personal contact. He believes the mailing of brochures to union members is solicitation. This is an emerging question. Kentucky says no. New York says yes. Washington seems to say it is solicitation. The U.S. Supreme Court has not spoken on this.

He cites the reference in the *Bates* dissent to the difference between advertising prescription prices and legal services; one is definite and the other varies. When we realize the bulk of services being advertised for fixed fees are very much comparable in

time involvement when taken in volume, I prefer the reference made by Justice Blackman in the majority opinion, "rarely are two haircuts identical, but that does not mean that barbers cannot quote a standard price. Lawyers perform countless relatively standardized services which vary somewhat in complexity but not so much as to make each job utterly unique."

I think we all owe it to the public and to the profession to take the time to go through the steps necessary to form a thought-out position on this issue before we espouse our views from positions of influence.

THOMAS M. BLAKE

Seattle

***"We are too
small for Word
Processing . . .
We just can't
afford it"***

**At less than \$300 per month
for Word Processing *plus* Client
Time Accounting, Billing and
General Ledger you **can** afford
Vector Graphic, the legal
system – *available only from...***

MBS

Micro Business Systems, Inc.

6401 Roosevelt Wy N.E. Seattle, WA 98115 (206) 525-4898

Editor Lacks Composure

Editor:

One of the most common grammatical mistakes appearing in judicial opinions of more recent vintage has now, I fear, found its way into your own, usually admirable writing. I refer to the fourth paragraph of

"Rupp's Roots" [*Bar News*, 33:12:9] discussing the argument "as to whether the Supreme Court is comprised [sic] of judges or justices...."

The Supreme Court is *composed* of nine members. The Court is an entity; a whole; a class. A class comprises i.e., "is made up of," its several

parts. The several parts of a class compose i.e., "make up; are included in" the whole.

One could appropriately observe here that it is typically a "justice" who uses "comprise" when "compose" is the correct word.

J. ROGER NOWELL

Seattle

NOW YOU CAN PUT STOCKS AND BONDS IN A WASHINGTON MUTUAL TRUST.



We can now hold a variety of assets in our trust accounts.

That's because Washington Mutual has expanded trust powers. RCW 32.08.210 allows us, as a mutual savings bank, to manage stocks, bonds, real estate, and other assets, as well as our usual savings accounts and certificates.

As another special service, we're offering your clients comprehensive information on trusts and estates. We have five distinctive brochures and a workbook that will take a lot of the mystery out of trusts and estates for your clients.

Call (206) 464-4516 and get a free supply.



**FAMILY BUSINESS IS OUR BUSINESS.
WASHINGTON MUTUAL**

the friend of the family.

Member F.D.I.C.

Need Ad Copy?

Editor:

I may have precipitated all of the colloquy on advertising by my column some months back ["If You Ask Me," *Bar News*, 33:7:10]. I have reviewed all of the material in the January and February *Bar News* concerning advertising and I believe I have a solution for all concerned. If you do not believe in advertising, place the following ad in the yellow pages:

"NEED A LAWYER"

CONSULT	The Yellow Pages of Your Phone Directory
SUPPORT	Your "Non-Advertising" Lawyers
REMEMBER	Sex, Equality, and Legal Ability are like money. Those who have it don't talk about it.

This Ad paid for by the Advertising Committee of Lawyers Opposed to Advertising.

Chairman's Name *Withheld*

RICHARD F. KRUTCH

Seattle

Sheriff's "Not Found" Is "Ridiculous"

Editor:

I believe the present sheriff's "not found" when a summons is published is ridiculous. The sheriff does not really look for the person in the county; the cost is unnecessary and probably does not generate income for the sheriff; the attorney's time is increased while the chance of finding the person to whom notice is directed is decreased, and the entire procedure is a fiction.

Changes in the court rules in the last couple of years have improved the notice requirements, appropriately enough for a state that spawned *International Shoe Company v. Washington*.

The statute can be amended easily by removing the words in parenthesis, as follows:

When the defendant cannot be found within the State (of which the return of the Sheriff of the only county in which the action is brought, that the defendant cannot be found in the county, is prima facie evidence), . . . and upon filing of the affidavit of the plaintiff, his agent, or attorney, etc. RCW 4.28.100 *Service of Summons by Publication*

This simple legislative change should be enacted speedily because the present statute is typical of those that cause contempt for the law on the part of laymen and exasperation with the law on the part of attorneys.

MARYALICE NORMAN

Seattle

COMPREHENSIVE MEDICALITIGATION SERVICES



- ☐ Personal Injury
- ☐ Medical Negligence
- ☐ Workman's Compensation
- ☐ Industrial Rehabilitation
- ☐ Products Liability

MEDICUS

P.O. BOX 987 ISSAQUAH WA 98027 (206)392-1741

New Zealand Legal Seminar

The Auckland, New Zealand, Law Society and the University of Auckland Law Faculty will jointly sponsor a special Washington State Bar Association Study Tour in the fall of 1980.

The Study Tour has been approved for 16 credit hours under Washington State Bar Continuing Legal Education requirements.

Travel dates are October 15 thru November 1, 1980. Spouses and traveling companions are welcome. The CLE seminar will be combined with a short tour of scenic New Zealand.

For Details—Call or Write
L. Thomas Eckstrand
The Four Company,
Ltd.

P.O. Box 1772 Bellevue, WA 98009
Phone

(206) 746-6805 or
(206) 746-6087

We buy, sell,
trade, appraise
and special-
order law books

For prompt service...

Tinsley Law Books

1404 E. PIKE • SEATTLE, WA 98122
(206) 325-1331

FOR YOUR NEXT Corporate Outfit

ORDER THE
Green Gem®

The Finest Complete Corporate Outfit Available Including Seal At No Additional Cost

DIAL THIS TOLL FREE NUMBER
800-221-8181

CHARGE TO YOUR:
AMERICAN EXPRESS • MASTER CHARGE • VISA CREDIT CARDS

YOUR ORDER WILL BE SHIPPED WITHIN 24 HOURS • VIA UPS BLUE LABEL (AIR)

Complete outfits

No.	
1. Standard	\$31.00
2. Heavy Duty	\$40.50
3. Deluxe	\$45.50
4. Special	\$34.50

For PRINTED MINUTES AND BY-LAWS

Additional \$200

Includes IRS 1244 plan
and forms **IRS subchap-
ter S** tax option election
forms **medical and dental**
reimbursement plan
Plus

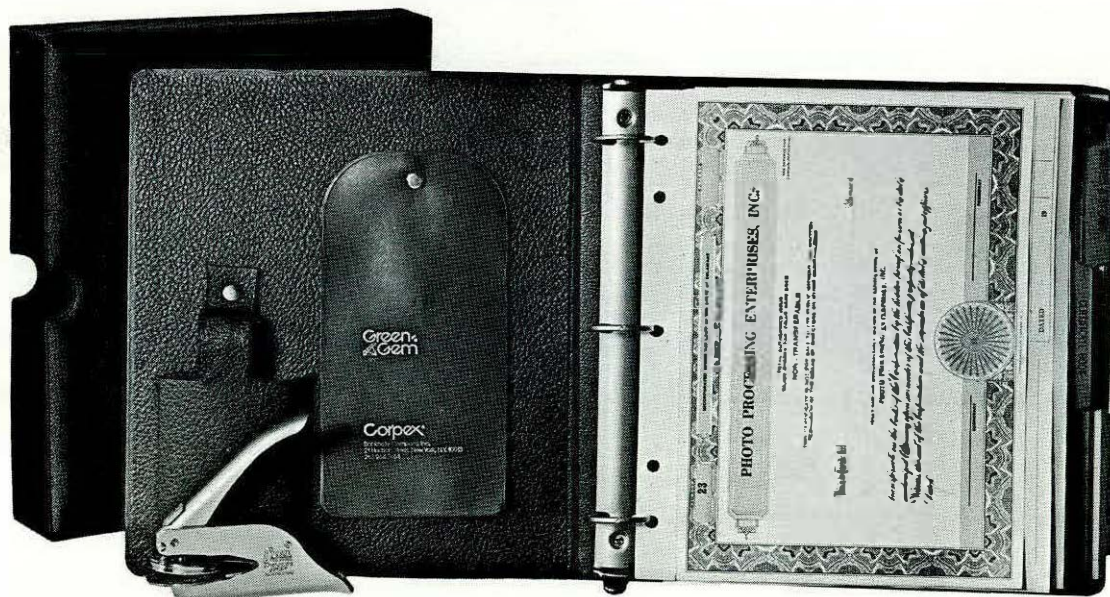
Corpexpediter for quick
completion of minutes.

(plain sheets and title
page instead of above)

MINUTES AND BY-LAWS

- Available for
- Professional
 - Model
 - Not For Profit
 - "Close" Corporation

SPECIAL FORMS SECTION INCLUDED WITH ALL OUTFITS



Unique Pocket for
Fold-Away Seal Permanently
Attached to inside front cover

Removable Separate
Carrying Case for Seal.

Handsome Stock Certificates lithographed on high quality
heavy rag band paper with that "BIG BOARD" look

Over-all size of all outfits 11-1/4" high x 10-1/4" deep x 2-1/4" wide

**INDIVIDUAL ITEMS
AVAILABLE—
WRITE FOR CATALOG**

Corpex®

Banknote Company, Inc.
Dept W
480 Canal Street
New York, N.Y. 10013
(212) 964-7454

**Orders shipped
within 24 hours**

★

**MONEY BACK
GUARANTEE**

★

**Serving the Legal
Profession since 1927**

Use this order form for your convenience

CORPEX, Dept. W, 480 Canal Street, New York, N.Y. 10013

CORPORATE NAME Print name exactly as on certificate of incorporation

State of _____

Date of Incorporation _____

Total Authorized Issue _____

No. of Shares _____ Par Value \$ _____ each

Or _____ Shares without par value

Certificates signed by Pres. and _____

*When ordering Minutes & By-Laws specify ☐ Single

☐ Multiple Incorporators.

**Remarks _____

Ship to _____

Street Address, _____

City, State, and Zip Code _____

Attention of _____ Tel. # _____

Ship Outfit No. _____ \$ _____ ☐ Check Enclosed

Check Payable to Corpex Must Accompany Order

Add \$1.00 shipping charge for continental U.S. all others \$4.00

(Check One)
☐ AMERICAN EXPRESS
☐ MASTER CHARGE
☐ VISA

VALID
THROUGH: _____

Signature _____



On April Fools

Speaking of April Fools, Jimmy Carter's recent announcement that we're going to be paying another ten cents per gallon of gas reminded me of my old friend, David Mainland. John Anderson wants us to pay fifty cents more for a gallon of gas, and John Kenneth Galbraith suggests three or four dollars more. With a price range like that, its getting easier to tell the liberals from the conservatives.

All of this talk about higher gas prices reminded me of Mainland's electric car.

Mainland is a member of the Washington State Bar Association. You probably don't care about that, but I had to put that sentence in to justify talking about all of this in the *Bar News*.

Until recently, Dave practiced law in Seattle but now is looking for a job practicing law, or whatever it is you can do with a Washington license, in Germany. I just sent off a letter of recommendation to his prospective employers, and he just wrote me a note thanking me for "another package of benevolent lies." What does he mean, lies?

Everything I said in the letter was true. For example, I said that Dave had a successful law practice in Seattle. That is certainly borne out by his ability to move to Germany and write me notes about how he is going to Amsterdam at Easter and southern France in May—all without benefit of a job.

I also said that I regarded David Mainland as my personal attorney. This is perfectly true. I regard David and many other lawyers as my personal attorneys, but I haven't sought any advice from any of them.

Mainland also wrote: "I found the clipping you attached to be some-



Circa 1961



Circa 1980

what confusing. As you probably no longer recall, you enclosed an ad from a newspaper, obviously removed without benefit of scissors, which stated, 'In Germany, when a lawyer wins a big case, he motions for a Grenzquell.' Since the only cases I have anything to do with contain bottles of beer, I initially had a hard time understanding why someone who had just won a large case of beer would order more."

He's right about the newspaper ad. Obviously, it is another example of misleading lawyer advertising.

He signs off: "I breathe a sigh of relief each time I open the *Bar News* and find my picture is not in it. Keep it up."

That is what reminded me that Jimmy Carter reminded me of Mainland's electric car. Pictured on this page is Mainland as a young man driving the electric car. Also pictured on this page is Mainland as an old lawyer driving the electric car.

Mainland and his brother, Tim, helped their father, Robert Mainland, build the electric car in 1961. It is still on the road: Robert Mainland uses it to commute to work in Santa Maria, California.

The car is powered by a golf cart motor and six batteries. It was built on the frame of a Crosley (that was a car); the body, engine and drivetrain of the Crosley were scrapped, but the chassis, steering mechanism,

A lot of these clients come to you for help.



But not for the disease of Alcoholism.

Even today, many clients don't know that alcoholism is a disease, not a disgrace. Denial is a dangerous symptom that can prevent effective medical treatment. Accurate information about alcoholism, and reassurance about the prognosis for recovery is needed to motivate clients to seek help. You are a key source for that information.

Effective medical treatment achieves excellent recovery rates.

Over the past 40 years, Schick's Shadel Hospital has used medically based

treatment to help tens of thousands recover from alcoholism. The hospital's current recovery rates range up to 85% for clients who complete the multi-disciplinary program based on years of effective treatment.* Schick's Shadel treatment involves a shorter hospitalization than many less experienced facilities offer, and is covered by major health insurance plans.

The first step toward treatment is information.

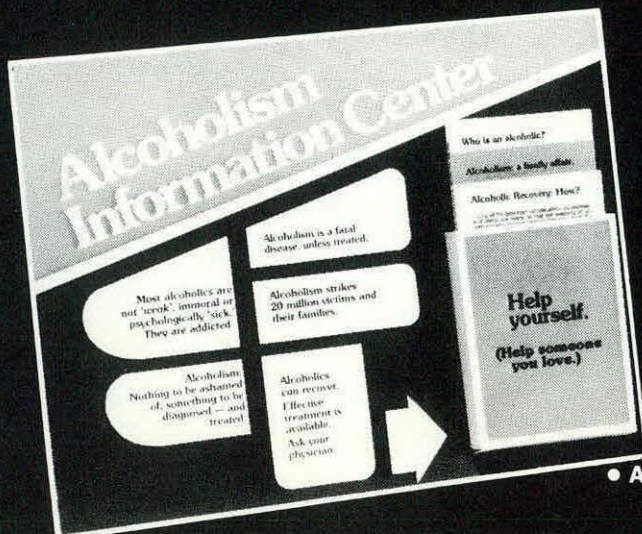
Schick's Shadel Hospital's **Alcoholism Information Center** is available to you,

free of charge, for your reception area. It contains leaflets written in laymen's terms describing the disease itself, its effects on the alcoholic's family, medical treatment methods, and facts about recovery. Also included is an informative brochure containing a physician's discussion of techniques to reach the patient in need.

Write or call today.

Many of your clients need the facts about alcoholism, for themselves or someone they love. The Alcohol Information Center can help.

* Based on patient abstinence one year after treatment. Survey Source: Facts Consolidated, Los Angeles, CA, 1978.



To order the Alcoholism Information
Center for your office call . . .

(206) 244-8100

Schick's Shadel Hospital

Dedicated to the medical treatment of alcoholism for over forty years.

24-hour-phone — 206/244-8100, P.O. Box 46018,
12101 Ambaum Blvd. S.W., Seattle, WA 98146

- Accepted by Major Insurance Plans
- Member, American Hospital Association
- Accredited by Joint Committee on Accreditation of Hospitals

wheels and hubcaps were used to construct the car which presumably is called a Mainland.

The car will go only 25 miles per hour, but an overnight charge keeps it on the road for two or three days.

John Baur, a staff writer for the *Santa Maria Times*, did a story about the Mainland last June. He reported: "The car was inaugurated into the political arena... when son Tim Mainland ran for student body president at [Santa Maria High School]. At a forum for candidate speeches in the gym, Tim drove his car up to the podium to make his presentation."

"Despite the car's assistance," Baur noted, "he lost the election."

Tim Mainland obviously was a presidential candidate ahead of his times. He would be well advised to borrow the Mainland from his dad and drive to the Pennsylvania primary.

Actually, come to think of it, David Mainland is the one who needs a job.

JVW



The University of Washington School of Law
Presents The

4th ANNUAL INTERDISCIPLINARY SEMINAR IN CRIMINAL LAW

Saturday, June 7, 1980, Condon Hall

This year's seminar will encompass recent cases in constitutional criminal procedure; trial advocacy techniques and scientific jury selection; and interdisciplinary research and reform in the criminal justice process. The program faculty, which is now being constituted, will include academic and practicing lawyers as well as social scientists who are nationally prominent in their respective areas. One guest speaker will be John Kaplan, Jackson Reynolds Professor at Stanford Law School.

During the lunch hour there will be an informal reception for alumni in the Faculty Lounge of the Law School.

Registration Fee: \$40

For further information: Francia Luessen, Director of Continuing Legal Education, or Judi Christianson, 338 Condon Hall, University of Washington, JB-20, Seattle, WA 98105, (206) 543-8707.

APPROVED FOR 6.5 CLE CREDITS

Yearning To Breathe Free

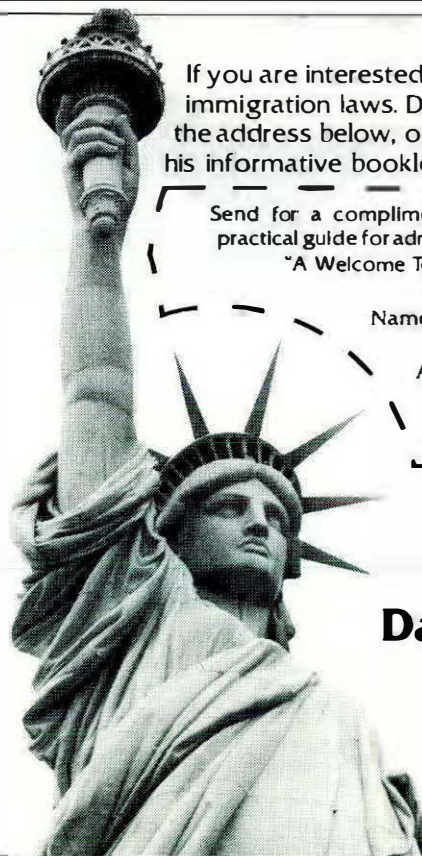
To live in America. To experience the liberty and opportunity which is found only in the United States. It's a life which every American citizen enjoys. And a life that thousands of immigrants dream of.

Danilov Can Help

But coming to America is not an easy task. U.S. immigration laws are complex... and constantly changing.

Dan P. Danilov can help. He's a Seattle attorney practicing in immigration law and offering a variety of services. If you are a lawyer seeking consultation for a client with immigration problems.

If you are an immigrant, or the relative of an immigrant, who is hoping to acquire a visa.



If you are interested in learning more about current immigration laws. Danilov can help. Just call or write the address below, or use the coupon to send for his informative booklets on immigration procedures.

Send for a complimentary copy of Dan P. Danilov's practical guide for admission into the United States:
"A Welcome To The U.S.A."

Name _____

Address _____

Dan P. Danilov. For immigrants yearning to breathe free.

Dan P. Danilov, Esq.

Attorney at Law

3108 Rainier Bank Tower
Seattle, Washington 98101

Telephone
(206) 624-1580

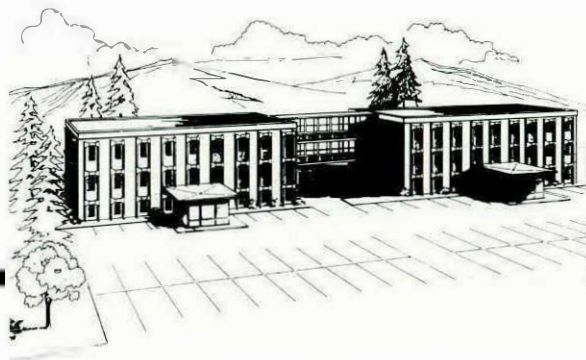
Creative Ideas

FOR THE

SMART BUSINESSMAN

- Document Control and Analysis Reporting Service
- Time and Billing Accounting System
- Word Processing for Legal Systems

“GET MORE FOR YOUR LEGAL DOLLAR”
FROM
COMPUTER SYSTEMS INTERNATIONAL



VALLEY PROFESSIONAL CENTER
N. 112 University, Suite #304, Spokane, WA 99206
(509) 922-7610



You have often heard the cry that there are too few lawyers in our state legislature. The ultimate and inevitable consequence is an adverse effect on the public welfare. There is, of course, another aspect to this circumstance too—the fortunes of the whole judicial system and the practice of law as such.

At the close of last year's session, after the successful battle to prevent premature, incomplete and misnamed reformation of the tort law by a so-called products liability bill, rumor had it that one of the legislators made the promise to "get the damned lawyers."

Our legislative representative had repeatedly warned us that the attitude toward lawyers at the legislature was bad and that our relations down there were at an all-time low.

Again during this most recent session, a member of the legislature introduced a bill providing that the legislature control the practice of law and lawyers completely, including, but not limited to, admission as well as discipline (what an unfortunate end to the practice of law).

All of these facts and others presented an enormous challenge. Not being equipped with any particular tools to quell these threats, i.e. money, we chose to go to the legislative leaders themselves—break bread and get to the source of the difficulty.

That decision was not regretted by anyone. We found the leadership in both houses to be genuinely concerned with the attitudes, ideas, thoughts and problems of lawyers and that communication with our legislators is critically essential to the future of the profession intermixed with the public welfare.

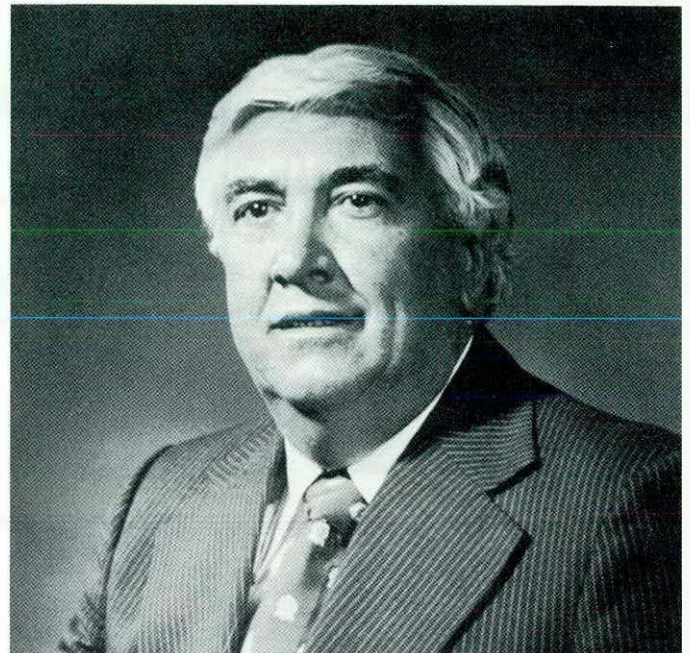
Unfortunately, the time and the expense required to meet with each legislator prevents any effective program in this regard except the one we are concerned with in this article.

Bill Gissberg and John Fattorini, between sessions, will be working on a project to encourage lawyers in every local bar to meet with and get to know their respective legislators. They would hope that each local bar would encourage their members to contact and get acquainted with each member of their legislative delegation so that when important legislation is pending these lawyers could immediately get the legislator's attention to the views of the bar association.

Let me quickly add that I wish it were possible for me to personally discuss with each of you the importance of his or her involvement in this program. I ask each member of our bar association to give serious consideration to his or her personal circumstances to determine the level of participation in this endeavor.

It is, of course, my own intention to continue to make every effort to communicate with legislators in the off season.

We cannot let our programs and initiatives depend



exclusively on the valiant but far too few lawyer legislators and our legislative representatives.

Although this past session was a tremendous success due to your help, the efforts of our legislative representatives and the work of our Legislative Committee as well as the cooperation of the Washington State Trial Lawyers Association, we must prepare immediately for the future. We must marshal our resources without delay. We are prompted, impelled and challenged to promote the welfare of the public in spite of the skepticism in some quarters about the role of law and lawyers in society.

It would be inexcusable for us to allow the legislature to act without our input and assistance. We must not forfeit this right. The great thinking majority of the members of the legislature want our help. The public good demands it. Please do your part.

We have a vast reservoir of potential of training, experience, education, commitment and human resources that is virtually untapped. The lawyer's goal has always been the common good. We have 10,000 lawyers, and if each of us were to participate in this program, the results would be enormous. Our influence would be felt throughout the state and in every corner of both Houses, as well as that of the Executive Mansion.

I urge each of you to make this sacrifice, not only for the benefit and preservation of the practice of law, but most of all for the good of the people we serve.

The Alcoholic Client-- Identification and Effective Referral for Diagnosis and Treatment

By RICHARD C. CARRITHERS

Introduction

The practicing attorney with the proper knowledge and interview techniques is in an enviable and unique position to be able to identify the alcoholic client, and motivate that client toward effective treatment—all without the loss of the client or his respect.

I. Why Is the Attorney So Important in the Referral Process for the Diagnosis and Treatment of the Alcoholic Client?

A. *The Attorney is in a unique position to identify the alcoholic.*



Bellevue attorney Richard C. Carrithers has developed and implemented a program for successful identification and referral of potentially alcoholic clients. This article is taken from materials he developed for a recent seminar co-sponsored by the Bureau of Alcohol and Substance Abuse, DSHS and the Thurston and Mason Alcoholism Recovery Council, Inc., and presented at a seminar for attorneys practicing in Thurston-Mason County.

1. *People with alcohol problems usually have legal problems.*

Because the alcoholic in the last half of the twentieth century must function in a highly complex and demanding society, he or she, because of the unique disability that the illness imposes, often face numerous and repeated legal problems.

A classic example, of course, is the traffic-related offense, most particularly driving while intoxicated, or physical control offense. Others would include alcohol-related criminal activities (theft, embezzlement, sex crimes, assault and the like). The alcoholic often finds his marriage under severe strain or breaking up and often finds himself in a position of either personal financial failure or a business-related failure.

All of these problems usually come to the attention of a practicing attorney and many times (not always) these problems are alcohol-related and are caused in part by the fact that a particular client suffers from the illness alcoholism.

Not all traffic cases, criminal cases, dissolutions or business or financial failures are alcohol-related, and most may not be, but the alert attorney will not ignore the possibility that

alcoholism may be a factor in many cases that he handles on a daily and routine basis.

2. The potential alcoholic comes to and seeks out the attorney.

The task of identification of the alcoholic is easier in the attorney's case because the alcoholic is seeking out the attorney for assistance and the attorney is not compelled (as a relative, spouse or friend would be) to seek out and deal with the alcoholic.

3. The attorney is free to ask a lot of detailed and even personal questions about the client, the client's background and the facts and circumstances surrounding a particular problem.

Because legal solutions are often complex and detailed, the attorney is expected to ask a lot of questions about the client, the client's background, the client's personal life and the facts and circumstances surrounding the problem under discussion. The client will generally discuss these questions freely and openly because most clients expect that the attorney (or a good attorney at least) will ask or want to know about these facts. In addition, the attorney is bound to ask enough questions to elicit sufficient facts for him to be able to solve or deal with a given problem effectively.

Therefore, as a discussion with the client progresses and as factual patterns emerge, the astute attorney can begin to recognize whether or not alcohol or alcohol-related problems play a part in a particular case.

4. The attorney-client relationship is private and confidential.

Because the relationship is confidential and private, the client will often confide facts and circumstances to the attorney that a spouse, best friend or relative may never learn. These facts may give additional or added insight into the nature for potential alcohol-related problems.

B. The attorney has special status and leverage.

Because the attorney has special status and leverage in this particular attorney-client relationship, everything that he says and does has heightened importance and significance, and in some cases (from the client's view) almost oracular impact. This is so for a variety of reasons:

1. The attorney has a special position of knowledge and learning in the community.

We have all heard that attorneys have been under fire recently for excesses, abuses and incompetence, but most often (in my opinion)

by people who haven't had occasion to need one.

The fact is that the attorney, by education, by training, and by experience, is a unique member of society and is in a unique position to help a wide variety of people with a wide variety of complex and baffling problems. Most individuals, laymen or otherwise, understand this and implicitly believe in this proposition.

2. The client has a real need to have his particular legal problems solved.

The client is going to pay particular attention to the attorney's thoughts, comments and actions because the client has a real need to have these thoughts, comments and actions be effective for the solution of the client's particular problem. The client wouldn't be sitting in an expensive office paying a lot of money if he did not have this real need and desire to have the problem disposed of.

3. The client seeks out the attorney—not vice versa.

Remember, you didn't call your client—he called you. The client is much more afraid that you will reject *him* rather than that he will not select you as his attorney. He came to you for a

THE CPT 8000 SERIES DISKTYPE SYSTEM

COMBINES COMPUTER POWER WITH FULL
PAGE VISUAL DISPLAY & DUAL DISKETTE DRIVES



The CPT 8000 Series DISKTYPE SYSTEM has many unique features that make your word processing tasks faster, more accurate, more economical. Features include ■ Two fully operable diskette stations available while unit is programmed for other

tasks ■ Bottom line entry ■ Automatic hyphenation ■ Wide-page capability ■ Simultaneous output on three printers ■ Optional use of CPT Rotary IV printers each with 540 words per minute playback ■ And... Full compatibility with the CPT 4200 dual cassette word processor.



CAPITAL
BUSINESS MACHINES

Tacoma / 572-4110 • Olympia / 943-4610

BEING THE **Best Seller** ISN'T GOOD ENOUGH

**Improved
Black Beauty®**

So, we improved Black Beauty, made ordering easier and maintained the same low price. To purchase an Excelsior-Legal corporate outfit call our nationwide toll-free number

1 800 433-1700

(in Texas please use number listed below).

Black Beauty "all-in-one" outfits include:

Customized seal in zipper pouch.

20 lithographed share certificates in a separately bound section with full page stubs. Each is numbered and imprinted with name, capitalization, state and officer's titles.

50 sheets, cotton content paper. Or printed Minutes and By-laws (revised to comply with the Revenue Act of 1978) which includes IRS §1244, Subchapter S, Medical/Dental reimbursement plan, appendix of forms, instructions, worksheets, and 20 blank sheets. The Blank State set is based upon Model Business Corporation Act. Separate editions available for CA, CT, DE, FL, NJ, NY, PA, and TX.

Our exclusive corporate record tickler. Mylar reinforced tab indexes, with five positions and stock transfer ledger.

All items enclosed in our corporate record book, with corporate name label on spine. The book fits into our sturdy slip case for dust protection.

Black Beauty®

No. 70 (Green No. 71)
50 sheets blank minute paper. . . **\$31**

No. 80 (Green No. 81) with
printed minutes and by-laws. . . **\$33**

Charge your American Express,
Master Charge or Visa cards
Request shipment by AIR
only \$2.00 additional

Excelsior-Legal
Southwest, Inc.

P.O. Box 5683, Arlington, TX 76011 (817) 461-5993

hidden rivet spine for a more attractive appearance

sturdier slip case

interior pocket to hold loose papers

tailored edge

high quality gold stamped cover

improved 1 1/4" rings, double booster metals

To: Excelsior-Legal
Southwest, Inc.
P.O. Box 5683,
Arlington, TX 76011

**Shipment within
24 hours**

**Shipment free when
you enclose check**

Please Ship: ☐ No. 70 ☐ No. 71 . . \$31
☐ No. 80 ☐ No. 81 . . \$33 State _____ Year _____

(Print corporate name exactly as on certificate of incorporation. If longer than 45 characters and spaces, add \$5.75 for 2" die seal.)

authorized shares ☐ NPV or ☐ PV \$ _____ Capitalization \$ _____
each

Certificates signed by President and _____ ☐ Ship via Air--\$2.00 extra.

(Secretary-treasurer, unless otherwise specified)

☐ IRC §1244 complete set—resol., dir. min., treatise, law, etc., \$3.95 extra. ☐ For delivery in TX add sales tax.

Charge ☐ AMEX
☐ MC
☐ VISA

Number

Expires

Signature

Ship to _____

Zip Code _____ WA

variety of reasons (he knew you from before, he was referred to you by a friend, or had some other reason to seek out your advice). Because the client sought you out, you have more leverage and control over the interview and the interview situation than you would if you were a spouse, relative, or friend.

4. *As an attorney you can explain the painful consequences and disasters that attend failure to remedy his particular problem (or failure to change a particular pattern of behavior).*

If the problem is not solved effectively, oftentimes severe financial or even physical penalties await the client.

As an example, consider the driving while intoxicated statute. The penalty (especially after January 1, 1980) is jail, *plus* a fine, *plus* loss of driving privilege, *plus* increased and added cost for automobile insurance, *plus* court costs and personal inconvenience. Additional or added penalties come from the potential application of the habitual traffic offender law (loss of driving privilege for five years) and the accumulated or added penalties for multiple violations (additional periods of license suspension or outright revocation, additional periods of jail time, and additional fines).

Thus, when you are in an interview situation, remember that you have a lot of power and control over the situation and if you use this power and control wisely, with sensitivity and with compassion, you will be in a position to do a lot of good for your client—especially if your client has or gives you an indication that he or she suffers from alcoholism.

II. How Does the Attorney Identify the Alcoholic Client?

A. *The attorney is not a diagnostician by training and is generally not trained in the field of alcoholism, but there are obvious clues:*

1. *High breathalyzer.*

A traffic citation involving alcohol with a high breathalyzer reading (.18 or higher) especially when the client is functioning well or after an extended lapse from the time that drinking ended to the time the breathalyzer was taken is an indication of a high or increased tolerance for alcohol—often a primary symptom of early or middle stage alcoholism.

2. *Client attending office meetings, court appearances, or other functions after drinking.* Clients who drink at inappropriate times (drinking before a court appearance is highly inap-

propriate) are often manifesting their extreme dependence on alcohol and the alert attorney will note and act on this fact.

3. *Drinking during morning or during business hours.*

This is similar to but not particularly the same as the preceding situation. A client who socially will want to drink when other people are having coffee or want to drink in lieu of lunch or who drinks at other inappropriate times is evidencing the dependency referred to above.

4. *Drinking substantial amounts of alcohol and drinking often.*

The client who consumes a substantial amount of alcohol, (for example, six plus beers a day) and does this on a daily basis is clearly evidencing the dependency upon alcohol that shows early or middle stage alcoholism.

5. *Being defensive about drinking.*

The client who is defensive or hostile when the subject of *his* drinking is broached is obviously concerned and sensitive about his drinking and is showing you, the attorney, that his drinking is a problem for him.

6. *Memory loss (blackouts).*

Often you will be confronted with a client who

GOLD

for investments

- KEOGH
- IRA
- CORPORATE PENSION PLANS
- PROFIT SHARING

**KRUGERRANDS
SILVER COINS
BULLION**

C. Rhyne & Associates
110 Cherry, Seattle 623-6900

For daily updated quotes, call
our recorded Hotline—625-9844



PACIFIC TESTING LABORATORIES

For 54 years we've been providing expert Forensic Evaluation. Investigative and testing capabilities include:

- **PRODUCT LIABILITY**
- **ACCIDENT RECONSTRUCTION**
- **CONSTRUCTION PLANS COMPLIANCE**
- **NON DESTRUCTIVE EVALUATION**
- **STRUCTURAL ANALYSIS**
- **GEOTECHNICAL SERVICES**
- **FLAMMABILITY CONSULTATION**
- **FAILURE ANALYSIS**

Licensed Professional Engineers

(206) 282-0666

3220 - 17th Avenue West
Seattle, Washington 98119

cannot remember or recall a particular event, especially after drinking has been involved. His recall may be sketchy or nonexistent. This may be indicative that the client has suffered from or is experiencing the symptom of alcoholism which is called a blackout—where the client still continues to function but has no memory or recollection of that event.

7. Increased or decreased tolerance.

The client who indicates that he is not able to drink as much as he used to or is able to drink much more than he used to evidences a physical reaction to alcohol that is common to many alcoholics.

8. Legal problems in combination

One snowflake does not make a snowstorm but if a client comes to you with a marital problem and then consults you on a DWI and then wants you to put him through bankruptcy, you might do some judicious checking to find out why, all of a sudden, this individual has a lot of legal problems. Another example would be two or more DWIs in a short period of time, especially after the person has had some sort of alcohol information course in between. No one wants legal problems and if one still encounters them then they must be happening for some reason. Perhaps the explanation may lie elsewhere than alcohol, but perhaps the explanation may lie in alcohol use and abuse.

9. Past attempts to stop drinking.

Any person with a drinking problem will usually, at some point or another, attempt to stop drinking. Because of the dependency most alcoholics are not able to stop on their own and they do resume drinking with the attendant negative fallout. An admission by the client that he has attempted to stop drinking but has resumed again is a strong indication of a drinking problem as perceived by the client.

10. Client's own statements about drinking.

Many times the client in the interview situation will state that he believes that he is drinking too much and that it affected his marriage, job, reason for committing the criminal act, monetary situation, etc. This is the easier situation to deal with because the attorney can logically question the client further and oftentimes eliminate a lot of the difficulty in the interview and refer the client to effective treatment without any further delay. The point is, listen to your client; he may be telling you much more than you have been hearing.

B. *Know your own limitations—you are a lawyer*

not a trained alcohol counselor or diagnostician.

Exact diagnosis (for the untrained) is difficult because:

1. *Alcoholism develops in stages.*

Alcoholism has marked stages of development and in the early or initial stages of development it is difficult for the untrained to differentiate between heavy social drinking and early stage alcoholism. This will be important when the attorney begins to confront a client who may have a drinking problem.

2. *A major symptom of alcoholism is denial.*

Most alcoholics at one time or another vigorously deny that they have a drinking problem and attempt by numerous and devious means to cover up the problem. This is especially evident in the early and middle stages of the illness. Again, this aspect of the illness will have significance for the attorney in the confrontation stage of the interview. (See below.)

3. *Alcoholics tend to rationalize drinking.*

Because the alcoholic is concerned with the amount and quantity of alcohol consumed, he will spend a lot of time rationalizing this drinking in an attempt to justify or defend it. Again, this has significance for the attorney in the

confrontation phases of the interview.

C. *How does the attorney live with his limitations?*

The answer is to refer the client to an expert for diagnosis and treatment.

Advantages for doing this are:

1. *The referral gives the attorney credibility.*

The referral to an expert for diagnosis tends to give the attorney credibility because a second opinion can be provided. In theory it is a first opinion because the attorney does not "diagnose;" but even when the attorney is reasonably certain that the client is alcoholic, a diagnosis by a second party who is unbiased will lend great credibility to the attorney's efforts.

2. *Referral gets the attorney out of the confrontation mode.*

Once the client is referred for evaluation and/or treatment, the client can expend his energy (if he is alcoholic) rationalizing and being defensive with a trained expert and the attorney can get back to being the lawyer and working on strictly legal problems.

3. *The referral process puts the client directly in contact with potential treatment.*

When the client is referred to an expert for diagnosis and/or treatment the client then can

Bar Review Associates of Washington

Bar Review Associates of Washington (BRAW) offers a Washington based, concentrated review and refresher course for the Washington State Bar Examination, July 28, 29 and 30.

The course starts June 17th and runs thru July 26. Mon. thru Fri., 6:30 p.m. to 9:30 p.m., and Sat. 9:00 a.m. to noon.

There is no deadline for registration, but registrations will be taken only at our office in the United Pacific Bldg. or by mail. This office will be open as soon as outlines are ready for delivery, about May 15. The office will be open from May 15 thru June 20th.

Cost: \$225. Course may be repeated without cost if necessary.

To receive a descriptive brochure, write or call the phone number below and leave your name and address.

Mailing Address

Bar Review Associates of Washington
30th Floor—Bank of California Center
Seattle, WA 98164

Office Address

Room 723 United Pacific Bldg.
1000 Second Avenue
Seattle, WA 98104

Telephone (206) 624-1246

Prospectuses!

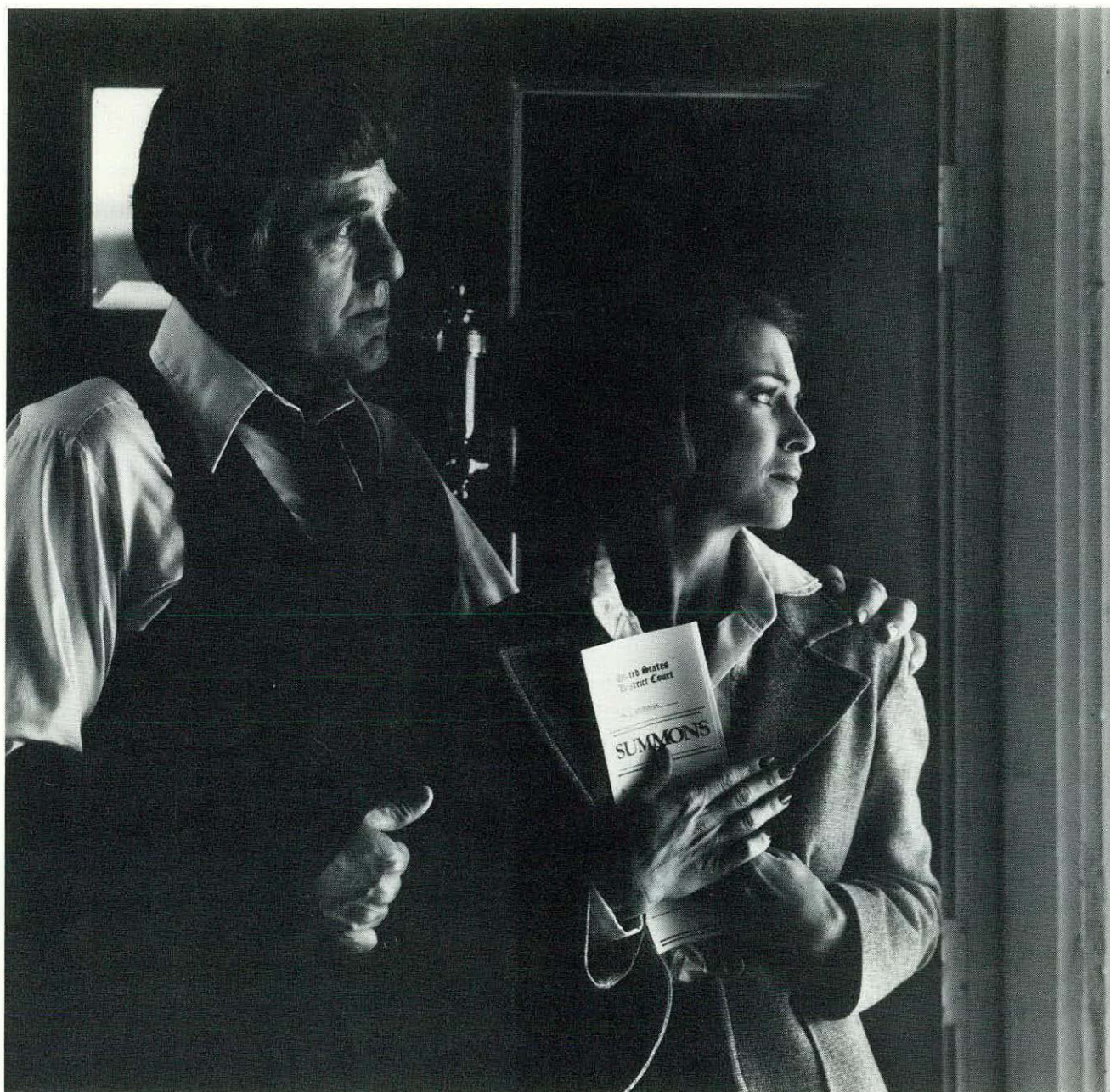
... and Service

United Graphics

1401 Broadway

Seattle, Washington 98122

Phone: 206 325-4400



NOBODY EVER CHOSE THEIR MALPRACTICE INSURANCE TOO CAREFULLY.

Having incomplete coverage can be as dangerous as no coverage at all. Your policy may be leaving you more vulnerable than you think.

Examine your policy closely and you may discover that your company does not pay all your legal expenses. And odds are your policy gives you no say in whether to fight or settle a claim. Or if you have a say, there can be a costly penalty for going to court. And did you know your company seldom uses lawyers

to process cases? Claims are often handled only by claims adjusters.

It's a different story at Insurance Corporation of America. ICA is a company founded by lawyers for lawyers. So we know the strong coverage and individual service attorneys need from their liability insurance. And since we specialize in this one field, we can offer a superior policy for a realistic premium. Premiums based on actual costs in your state.

So compare policies closely. Because nobody ever chose their malpractice insurance too carefully. Insurance Corporation of America, ICA Building, 2205 Montrose, Houston, Tx 77006. 713-526-4863. Outside Texas Phone 1-800-231-2615



INSURANCE
CORPORATION
OF AMERICA

MALPRACTICE INSURANCE
IS BETTER TODAY. BECAUSE OF ICA.

be confronted immediately with the prospect of deciding for effective treatment and rehabilitation. Clients are not treated in law offices and decisions for treatment are usually not made there. Individuals who enjoy fly fishing for Arctic Grayling do not fish for them in the Sahara Desert.

III. What Does the Attorney Do When He Believes He Might Have Someone With a Drinking Problem?

- A. *Develop techniques that lead to having the client examined and diagnosed by a competent expert in the field of alcoholism.*
- B. *Use all means at the attorney's disposal to get the client into an effective alcohol treatment program.*

IV. How Does the Attorney Motivate the Client to Submit to Diagnosis and/or Treatment?

- A. *Find out what group or entity within reasonable reach of your client will diagnose and/or treat your client effectively.*

1. *Select one or more competent treatment centers.*

Make the necessary effort to select one or more competent treatment centers which have a good record for diagnosis, treatment and recovery. The selection process may be subjective and may depend on the particular attorney acting with the advice of the local representative from the local community alcoholism center.

2. *Meet with the treatment center director or key staff person.*

It is important to establish a first-name familiarity with the director of treatment or key staff member at the treatment center.

The attorney should set up a meeting with this person to: discuss the availability of diagnostic services and at what cost; discuss the applicability and availability of health insurance; discuss the willingness and ability to do or accept a time payment plan for treatment; discuss the plan of treatment itself and the method of treatment (vitamin, diet, aversion therapy) and ask about the recovery rates (to find out first hand how effective the particular program under consideration actually is).

3. *First name basis allows the attorney quick and impressive results.*

Once the attorney has established a first name basis, then he can call anytime and refer anyone for a quick and efficient evaluation on a personal basis. This gives the attorney additional

credibility and invokes additional confidence so that you are "looking good" and helpful in the client's eyes.

B. *Differentiate between education and alcohol treatment.*

The attorney should know that alcohol education, such as commonly provided by alcohol information schools run or sponsored by local community alcoholism centers, is not treatment. Even though there may be a resident director and staff which can and do provide valuable information and education services, these centers are *not* designed for treatment but are designed to educate a person and/or motivate toward treatment.

Although I cannot speak for every community alcoholism center, these centers are usually staffed by sincere and often knowledgeable people who try to do as much as they can for a party, but sometimes these persons exceed their areas of competence and drift into the "treatment" phase through "counseling" rather than referring the client or patient for effective treatment.

This is justified on the basis that some treatment or counseling is better than none but the attor-

We Sell Office Quiet!

If the clackety-clack of office typewriters, computers and other word and data processing equipment is distracting your people and lowering office efficiency, you should talk with Jensen.



Our accoustical enclosures reduce sound more than 95% on many machines — and they provide work stations engineered for increased efficiency through better paper handling and service access.



If you want it silenced we can do it, with over 450 stock designs and the engineering capability to handle the unusual.



Give us a call at:

(800) 732-9302

(A product of JENSEN Engineering, Inc.)

ACP
Advanced
Computer Products

1216 Pine Street, Seattle, WA 98101
(206) 624-6064

30 UNIT APARTMENT

Only 3 years old, this lovely complex is located in the growing and thriving, Lewiston, Idaho. The 4 buildings consists of 8 each penthouses, two and one bedroom units plus 6 furnished studios. The grounds are graced by a waterfall, clubhouse and ample parking. Annual gross income—\$96,000. Price (seller says he's firm)—\$850,000. No trades required—seller will accept cash.

NEED \$2,000,000 CASH?

Buyer with cash—needs to buy income property—warehouse, shopping center, apartments or ?—in or near Seattle. No leverage, high quality purchase preferred.

VISTA

Real Properties, Incorporated

15842 Pacific Highway South
Seattle, Washington 98188
246-5990



*Steel Die Engraved
Stationery
for the legal profession
since 1882*

68 S. WASHINGTON ST., SEATTLE 98104
TELEPHONE 624-4565

ney should be aware that only effective treatment gives the best possibility for lasting recovery and sobriety.

- C. *Outpatient counseling or "treatment" is generally not as effective as inpatient residential treatment.*

Closely associated with counseling and education are several outpatient programs designed to "treat" clients. Again, I could not express a personal opinion on the effectiveness or desirability of outpatient care, but most experts generally recognize that *inpatient residential treatment* is the best way to deal with and treat the illness of alcoholism.

Many clients will attempt to (if they see that treatment is the only alternative) opt for outpatient treatment (on the grounds that they will lose their jobs, etc.) but a firm commitment to inpatient treatment is often the best advice a client can be given. Each attorney should make this determination for himself, but a decision should be made.

- D. *A word about Alcoholics Anonymous (AA).*

AA (or "the program" as it is often called) is a widely known group consisting of numerous individuals (numbering at least one million) who are sincerely dedicated to the idea of staying sober. Many people actually find and obtain sobriety at or through AA.

Nevertheless, the attorney should recognize that even AA is not treatment. Experts believe that AA is most effective and beneficial *after* an alcoholic has been effectively treated for this illness of alcoholism, because AA does offer such an excellent program of personal development along with a means of supportive sobriety retention.

A referral of a client merely to AA (or a spouse, parent or child to Al Anon) is, in my opinion, to be avoided if there exists the alternative of referral for effective diagnosis and treatment. Reputable treatment facilities do encourage and recommend AA involvement and participation, but only after the effective treatment phase of the recovery process has begun.

- E. *Boldly address the subject of alcoholism and discuss it with the client (assuming that the attorney believes that the client may have a drinking problem).*

1. *Attorney has obligation to solve problem.* Begin this segment of the interview by stating to the client that you have an obligation to solve his legal problem and that you can do it. The client will be relieved and will be psychologi-

THIS IS A PROGRAM TO EFFECTIVELY IMPLEMENT
A SYSTEM FOR IDENTIFICATION OF ALCOHOLIC
CLIENTS AND REFERRAL OF THOSE CLIENTS FOR
EFFECTIVE EVALUATION AND/OR TREATMENT.

Implement this Program for my office by following the
attached instructions.

Do not implement the above Program but file for future
use.

Director, Bureau of Alcohol
and Substance Abuse
Department of Social and
Health Services
Mail Stop 08-44W
Olympia, WA 98504

Dear Sir or Madam:

On January 2, 1979, you published a booklet entitled "Approved
and Accredited Alcoholism Treatment Facilities."

My office is implementing a system for identification and
referral of alcoholic clients for effective evaluation, diagnosis,
and treatment and I wish to have the above publication which
will list all of the alcohol treatment facilities, and related
service facilities for which my clients might be referred.

I understand that this publication has the names and addresses
of the hospitals, gives a brief description of the services
provided, and gives me the Director or Program Coordinator
at each location.

If there is any charge for this publication, please advise and
I will send a check forthwith.

Very truly yours,

Director of Treatment
Selected Treatment Centers

Dear Sir:

I am an attorney practicing law in _____.
My office is interested in identifying and referring for
effective evaluation and/or treatment clients who may have
alcohol or drinking problems.

I know that your facility has an alcoholism treatment pro-
gram and perhaps diagnostic facilities.

I would like to know from you the following: The name of
your director of treatment; the name of the individual in
charge of your finance office; the name of the Chief of
your medical staff; the individual responsible for setting
treatment plans and goals. If these individuals cannot
all be reached at the telephone number of your institution,
would you please list their access telephone numbers so that
I can contact them personally.

If you have any information with respect to the treatment
plan offered, the cost thereof, the duration of the treat-
ment, and the method of treatment, would you please remit
it to my office. I am particularly interested in the type
and kind of treatment, and whether or not I might refer
clients on a no-charge basis for diagnosis and evaluation.

Because I am an attorney and I do not evaluate or diagnose
my clients, I will not be able to tell in a given case
whether or not a particular client is an alcoholic. If I
can refer such individuals to you for effective and sensi-
tive diagnosis, then I will be able to influence more indi-
viduals to seek recovery.

If the information which you will supply is printed on a
brochure or other informational sheet, I would appreciate
at least a dozen copies for my records.

Thank you in advance for your cooperation.

Very truly yours,

TO THE SECRETARY FOR PHOTOCOPY

Implement my program by making a luncheon or other appoint-
ment with me with the Director of Treatment at the following
institutions on the dates indicated on my calendar. Take
the initiative in doing this for me as I will be reluctant
to spend this time but I know that if I spend this time it
will be valuable for me and my clients. I estimate that I
will not need to meet with these individuals for more than
one hour.

I know that trips to and from these institutions (even though
they may be outside of my particular area) are tax deductible
and I will not forget to take my wife (or extended family)
on these trips and I know that these people might be willing
to meet with me on a Saturday when I can engage in a game
of golf or other activity after the meeting.

When it comes to agricultural law, where can an attorney find that needle in a haystack?



Agricultural Law from Matthew Bender.

AGRICULTURAL LAW from Matthew Bender—so comprehensive you can even find that legal “needle in the haystack” you’re looking for.

This brand new ten volume treatise is all you need to stay fully informed and totally up-to-date on *all* aspects of agricultural law.

Contains up-to-the-minute expertise in such crucial areas as income tax, estate and business planning, civil liability, environmental law, conservation, federal and state regulations, labor, commercial, property and agricultural cooperatives.

Written by the well-known agricultural Law Professor Neil E. Harl, this valuable set will be continually updated to give you immediate access to the vital information you’re looking for.

Fill out the coupon and let Matthew Bender show you how to make your farm and ranch Law practice really grow.



**MATTHEW
BENDER**

IN EVERY FIELD, SOMEONE IS THE BEST.

ORDER NOW TO AVOID DELAY CALL

(800) 223-1940

FOR CUSTOMER SERVICE INQUIRIES ONLY PLEASE CALL
(800) 833-9844(S)

OR SEND COUPON TO:

Michael Shor, Matthew Bender & Co., Inc.
235 East 45th Street, N.Y. 10017

☐ **AGRICULTURAL LAW** is a 10 Volume set, 6 vols.
available now—\$60 per vol.

☐ Please send me the book(s) for a NO-RISK
30 DAY EXAMINATION. At the end of 30
days when I'm satisfied, I will keep the books
and send in payment, or I will return them to
you with no further obligation on my part of
any kind.

☐ Please rush me
further
information on
AGRICULTURAL
LAW

My order includes both Basic Upkeep Service such as
pocket supplements, replacement pages, releases and inserts,
recompiled or split volumes; and Additional Upkeep Service
such as new editions or additional companion or related volumes.
At any time, I will be free to cancel or change my order for
upkeep services.

☐ I do NOT want Additional Upkeep Service. ☐ Bill me. ☐ Easy
Pay Plan. ☐ I'LL SAVE 10% by enclosing full payment for my order
now. (Plus applicable sales tax.) Same 30-day return privileges
apply.

Name

Firm

Address

City State Zip

cally turning to you and be willing to take your advice.

2. *Reiterate that your obligation is to solve his legal problem, not to enrich yourself at his expense.*

Clients will always be glad to hear attorneys reiterate this proposition. You will say this to the client because it is true and because if the client has alcohol-related problems, or is in the "fast lane," (see below) he will know what you mean later on in the interview.

3. *State that you want to discuss the illness of alcoholism and that you discuss the illness with all clients regardless.*

This is the beginning introduction that you will make to the client about the illness of alcoholism and the beginning of the focus on the client's situation. If you indicate to the client that you do this in every interview regardless, this reduces the defensive reaction of the client, and gives you justification for proceeding. The client will understand that it is just a normal and routine measure and that you do this all the time.

4. *The disease of alcoholism.*

a. Describe the disease of alcoholism

(simply drinking alcohol in a manner that the client is harmed socially, economically, or bodily).

b. State that alcoholism is a disease; that it is not a "sin," it is not a "moral weakness," and it is not a "mental illness." State that it is a treatable physiological illness. State that people who are effectively treated *do get well*.

c. State that alcoholism has two major characteristics:

(1) *It is always progressive.* State that there are no exceptions. This is important because it will be difficult to differentiate between the early stage of alcoholism and heavy social drinking. Only experts can do that. This difficulty of differentiation makes it easy for the early stage alcoholic to cover up. However, if the alcoholic is led to understand that his illness is always progressive, he will be motivated to do something about it before it gets worse and he probably already knows this anyway.

(2) *It is always fatal.* Again, state that there are no exceptions. Unless treated,

Complete Word & Data Processing Supplies

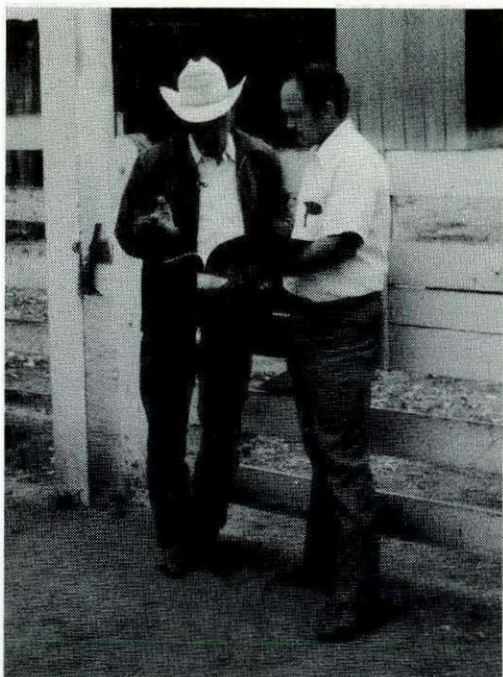
INTERNATIONAL
**RIBBON
HOUSE**
INC.

P.O. BOX 98223
TACOMA, WA. 98499
206 • 565 • 1415



Seattle (206) 622-2112	Bremerton (206) 692-4056	Wenatchee (509) 662-3625	Billings (406) 252-4792	Minneapolis (612) 781-7989
---------------------------	-----------------------------	-----------------------------	----------------------------	-------------------------------

Active, Personalized Trust Management



Sidney W. Roland, Trust Officer
Seattle 587-3625



Anthony D. Sisti, Trust Officer
Seattle 587-4751

At The Bank of California we take special pride in the fact that every trust service we offer comes with the active, personal involvement of our Trust Department.

Each account has special considerations, unique characteristics. This means that knowledgeable securities management is only part of our job. It means we go out on location...to supervise a range of business activities...handle real estate sales...run farm and ranch properties and perform a spectrum of other trust services. Whatever your client's circumstances, our active participation will assure sound, progressive financial planning.



THE BANK OF CALIFORNIA

Seattle Main Office: 910 Fourth Avenue, Seattle 98164 (206) 587-3625

Tacoma Office: 1011 Pacific Avenue, Tacoma 98402 (206) 383-2571

the illness always results in the death of the victim.

5. Why bring it up? (The constructive use of "percentages")

You can state to your client that one out of ten drinkers is an alcoholic. You can state that out of the general population of people charged with DWIs (or who suffer bankruptcies, or other alcohol-related offenses), the likelihood is that the percentage of people who are alcoholic is higher, often four or five out of ten. You further state that the likelihood that anyone who is in the client's position of being an alcoholic is great, and this is how you justify proceeding on with the subject. You can emphasize that you know nothing about the client personally, and that you have no idea whether or not the client is an alcoholic, but only that the likelihood is substantial that the client may be an alcoholic.

6. Admit reluctance to bring up the subject.

You can frankly state to the client that you are reluctant to bring up the subject of alcoholism, because you know that denial (and minimizing) are primary symptoms of the illness so that the alcoholic will or may feel the desire to deny that there is a problem and correspondingly argue with you or debate with you about the issue. State that you do not wish to fight with anyone and that you do not diagnose or treat but only desire to deal with the subject.

Explain to the client why alcoholics deny the illness.

a. Alcoholics are addicted to the drug alcohol and want to protect the source of supply. (Note that once an alcoholic admits the problem he is denied his source of supply if he is to recover.)

b. Alcoholics are influenced by myths that exist about alcoholism.

Many alcoholics are confused as to the true meaning of alcoholism. They are concerned that alcoholics may be "sinners," may be "mentally ill," may not be "macho," may lose friends if they cannot drink, etc.

7. State to the client that the symptom of denial evidenced by an alcoholic forces the attorney to appear to be arguing.

Stress that you (the attorney) only want to help and that most attorneys would never even dare bringing up the subject of alcoholism for fear of alienating a client, but state that you (the attorney) are a total stranger and that you have no reason to tell the client anything except for the

fact that it is the truth. State further that you have no reason to tell the client anything or do anything with respect to the client unless it is to help the client, and that the client can walk out or leave if he does not like the subject matter but that you know that the client will not because he appreciates candor and honesty.

8. Broken leg—fast lane of the freeway analogy.

This analogy is best explained by having the client imagine that he has been hit by a car, that he has a broken leg, and that he is lying in the fast or inside lane of the northbound Interstate 5. The facts are that the client somehow manages to contact you and that you are the best orthopedic surgeon in the United States. You are free at the time and you take your medical kit and go to the scene. You see that you can fix the leg, even though it is a fairly serious break (compound fracture) and as you reach under the client to move him out of the fast lane over to the center divider strip so you can begin treatment, the client reaches into his shirt and pulls out a 357 Magnum and jams it up your left nostril and says, "You blankety-blank—I called a doctor to get my leg fixed and I want you to

Where do doctors and lawyers get their best advice?



If you're a doctor, lawyer or other professional considering incorporation, we are offering a free 26-page booklet, "The Professional Corporation," which details the advantages, problems and facts you should be aware of.

Simply return this coupon to us.

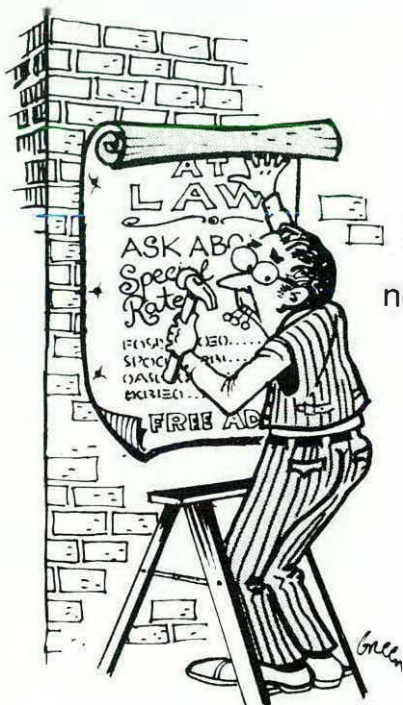
Please provide me with a complimentary copy of "The Professional Corporation."

NAME _____
ADDRESS _____
CITY _____ BUS. PHONE _____
STATE _____ ZIP _____

The Meisenbach Company, of course.

New England Life Insurance Company
1010 Washington Building, Seattle 98101 343-2323

Attorneys—instead of . . .



"Gee, I
need more
billable
hours!"

make every
minute count....
with
CHRONOMETRICS!



- It monitors ALL of your time.
- It is uncomplicated.
- It makes money for you.
- There's no capital investment.
- It eliminates manual timekeeping.
- It frees you for more production.

The CHRONOMETRICS ELECTRONIC TIME RECORDER and DATA PROCESSING SYSTEM is the only complete flexible profit-generating and management control system available exclusively for attorneys today! Invented by an attorney, it records all the time you spend by case, client activity and keeps track of telephone time, office interruptions and general professional time . . . accurately.

PHONE NOW FOR DEMONSTRATION

CHRONOMETRICS NORTHWEST

P.O. Box 66393, Seattle, Washington 98166

SEATTLE
(206) 941-5551

TACOMA
(206) 952-2741

fix my blankety-blank leg. If I wanted to be moved I would have called Alled Van Lines. You are just a doctor so fix my leg and leave me alone." Assume that you are intimidated by the 357 Magnum and you fix the leg (brilliantly, I might add) and leave. What happens next? Obviously you are going to get another phone call, and if the client isn't dead you are going to be repairing more broken bones and you will be continually providing services (and sending a bill, too) to this particular client.

9. *The point of the story.*

The point of the story is this: If the client is an alcoholic he will continue to drink alcoholically unless treated. By continuing to drink alcoholically the client will probably continue to have new and even more serious legal problems. The attorney can always try to assist the client with the new and even more serious legal problems, but the client will incur unnecessary and extra expense in solving these new and more serious problems. All this is needless and can be eliminated if the client will just allow himself to be moved out of the "fast lane" of Interstate 5 and get effective alcoholism treatment.

At this point in the interview it would be appropriate to ask the client: Do you think that you may be in the "fast lane?" Would you like to find out?

You should reiterate that you are only an attorney and that you do not diagnose or treat alcoholics. State that you do know someone (or some entity) that does diagnose and does treat and that is excellent in this particular field. You should then give the client the name of the entity and the party.

You should ask the client if he would be willing to talk with this individual or entity for an evaluation interview to see if the client is, in fact, in the "fast lane." State that if the client is, in fact, in the "fast lane" that you can help the client arrange for effective treatment so that the client will recover, get well, and so that you, the attorney, can concentrate fully on the legal problem at hand and not have to worry about continuing and recurring additional and more serious legal problems.

10. *Caveat—always be careful to nurture the belief that you are an honest and competent attorney and interested truly in the client.*

Avoid appearing as a "do-gooder," an alcohol "nut," or a "special interest" lobbyist for some alcohol treatment center. In order to dis-

pel any of the particular aspersions, you may have to state that you yourself drink and enjoy it (or you know and respect people who do) or that any drinking that doesn't hurt you is not objectionable, or that drinking isn't a sin, or that you are not a preacher, or that you do not have any financial interest in the treatment center to which the client is going to be referred.

Again, this is a subjective area, but clients do not like to be "preached at" and the attorney should take great care to avoid this posture.

V. How Far Can the Attorney Go?

My opinion: If you have actually had an effective confrontation with the client about his drinking, and if the client has been referred for effective evaluation and/or treatment, and has refused one or both, then you have done all you can do at that time.

VI. Can You Do Anything If the Client Refuses Evaluation Or, If Diagnosed as an Alcoholic, Refuses Treatment?

The answer is, yes, you have several choices:

A. *Fire the client.*

If you feel strongly that the client is an alcoholic, you can fire him on the grounds that he is wasting his money with you (because he will not follow your advice) and in good conscience you cannot continue to take his money because you know that the services you are providing (or will provide in the future) would be useless and unnecessary if the client would just seek and obtain effective recovery.

B. *You can set up a client for possible future help.*

The best way to do this is to recognize that if the client is an alcoholic, he will probably be having more and serious legal problems and may consult you on them. You can point out to the client that this is likely to occur (such as the client will obtain another DWI, the client will continue to suffer marital problems, the client will continue to drink, or whatever else the criterion is). It will be possible (often) to extract an acknowledgment from the client that if he does find himself suffering from these new or additional problems, or that he cannot control his drinking, then obviously he is an alcoholic (even though he presently denies it) and that he will *then* be willing to get effective treatment at that time.

Classic example I: "I can stop drinking on my own and I have not had a drink for two months. But, I agree that if I cannot stop drinking or maintain my sobriety on my own then I must be

sicker than I thought (or an alcoholic) and I will come back and talk to you and be willing to go into residential treatment at that time."

Classic example II: Substitute, "I will get no more DWIs, etc.," for, "I can stop drinking on my own."

VII. Parting Shot

Remember, not all confrontations are going to result in a client going for and getting effective help. Success will often come in streaks and patience is often really called for. You may have to wait the client out and if the client has trust and confidence in your honesty, integrity and ability, he will seek you out again when his illness progresses and when he needs to turn to someone for help.

If you are there, with the knowledge, ability, and sensitivity to be able to meet his needs and a firmness to be able to direct him to the effective help and treatment that he needs, you will have fulfilled the highest goals of your profession and you will have served your fellow human beings with distinction. □

Specializing in:

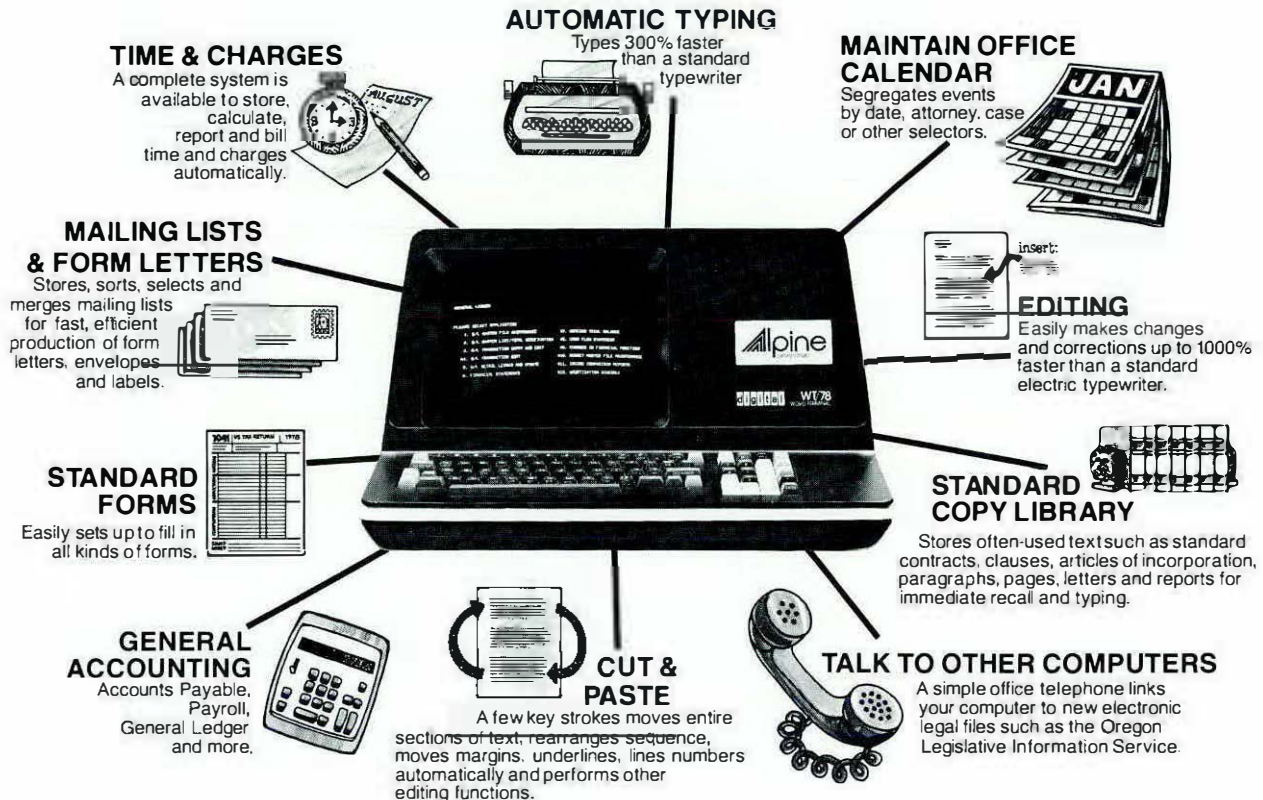
- Pension Design and Administration
- Actuarial Consulting
- Business Appraising

James E. Hunnex
& Associates, Inc.

Grand Central Building, Suite 320
216 1st Avenue South
Seattle, Washington 98104
(206) 625-9644

This word processing system does the one thing you'd never expect it to:

Your bookkeeping.



Within the next five years, most law offices will have mini-computers for either typing (word processing) or bookkeeping (data processing). See how easy it is to automate both your typing and your bookkeeping while you add a valuable time saver to your practice for as little as **\$370 per month.**

Send in the coupon or ask for a demonstration.
You will be impressed.

Alpine
DATASYSTEMS
2821 Northrup Way
Bellevue, Washington 98004
(206) 828-6749

☐ I'd like to investigate your Legal Management Word/Data Information System. Please send me your brochure.

☐ I have some questions I'd like answered now. Please have your representative phone me.

name _____

firm _____

address _____

city/state/zip _____

telephone _____

Can Debtors Take Advantage of New Exemptions?

By LARRY B. FEINSTEIN

As most practitioners are aware, there has been a substantial change in the bankruptcy law by passage of the new Bankruptcy Reform Act of 1978 (now the Bankruptcy Code, rather than the Bankruptcy Act). The major provisions of the Code went into effect on October 1, 1979. [See *Bar News* 33:9:46] One of the new provisions of the Code is to provide for a uniform set of federal exemptions which may be used by debtors nationwide. I use the term "debtor" for under the new Code the word "bankrupt" has been deleted and the new term has been substituted.

Section 522(d) of the Code contains a complete list of the exemptions available to an individual debtor. The debtor may choose either the exemptions under the new Code or under the debtor's state exemption statutes. The debtor may not "pick and choose" from the two lists but must choose one set or the other in its entirety. The new exemptions provided in the Code are very attractive, and in most consumer bankruptcies I am sure that many practitioners may opt for the new federal exemptions.

A serious problem has caused considerable litigation which is going to require even further case law to determine. That problem involves the rearing of the ugly head of *England v. Sanderson*, 236 F.2d 641 (1956). I am sure that many practitioners have encountered this case before. As recently as 1977, Washington State amended the Homestead Statute, RCW 6.12.050, and raised the homestead from \$10,000 to \$20,000. Trustees have been successfully attacking this additional exemption by asserting *England v. Sanderson* and limiting debtors who had debts which predated May 28, 1977 (the effective date of the revised exemption) to the lower amount. See Bankruptcy Judge Steiner's unpublished decision in *In re Leroy E. Cluck*, B77-1893-S (W.D. Wa. 1978), and Judge Treadwell's ruling in *In re Donna M. Kovalenko*, B77-1707-S (W.D. Wa. 1979). (As a parenthetical note, this writer understands that Judge Steiner has recently ruled that the type of debt which must exist prior to the amendment is an unsecured debt, and the existence of

secured debts would not invoke the "England" restrictions.)

The *England* case states that under Section 70(c) of the Bankruptcy Act, the trustee, as to all property of the debtor, is deemed to have the same "rights" as the creditors of the estate, in addition to the rights of a hypothetical creditor who both extends credit and obtains a judicial lien on the date of filing. What this was interpreted to mean is if there is at least one creditor whose debt was in existence prior to a change or amendment in the exemption statute, the trustee "steps into his shoes" and may limit the debtor to the exemption amount in effect at the time said debt was incurred.

England has not been overruled, but it has been substantially criticized, even by courts within the Ninth Circuit. *In re Towers*, 146 F.Supp. 882 (N.D. Cal. 1956); *In re Thomas Lee Swenor*, 4 Bankr. Ct. Dec. 226 (1978). After an analysis of the *England* decision, the *Swenor* court stated the interpretation of Section 70(c) in *England* was "of questionable validity at the time" and supports this position by citing a later Supreme Court case of *Lewis v. Manufacturers National Bank of Detroit*, 364 U.S. 603 (1961). In *Lewis*, the court stated at 607:

We think that one consistent theory underlies the several versions of Section 70 which we have set forth, viz., that the rights of creditors—whether they are existing or hypothetical—to which the trustee succeeds are to be ascertained as of "the date of bankruptcy", not at an anterior point of time.

Using the Supreme Court interpretation, a debtor is entitled to exemptions, as against the trustee, which exist on the day of *filing the petition*, rather than those exemptions which may have existed at the time when the debts, or any one of them, were incurred. Even though the

Seattle attorney Larry B. Feinstein of Watson, Gosse & Feinstein has served as trustee in more than 1,000 bankruptcy cases and represented a substantial number of debtors in bankruptcy proceedings.

Office Furniture Sale

Officemporium is offering everything you will need for your office at special prices! hours 10-5:30p.m.

Note: Prices for above items are effective only while in stock

4-drawer
letter
file Full-Suspension
LIST: \$144.00

84.98

2-drawer
lateral file
LIST: \$219.00

134.

5-drawer lateral
file With Lock
LIST: \$369.00

294.00

walnut executive
desks 30x60
LIST: \$239.00

129.98

**BONUS
BUY!**

4-drawer lateral file
Letter & Legal
Size With Lock

214.98

LIST: \$299.00

2-drawer
letter
file
LIST: \$63.96

45.00

walnut posture swivel chair
LIST: \$129.00

79.98

chairmat
LIST \$42.00

29.98

OFFICEEMPORIUM

At the corner of 8th and Jackson ■ 409 8th So. ■ 682-4390

interpretation was not followed up in the holding, Judge Volinn of the Western District of Washington agreed in *In re Horace E. Burks*, 4 Bank. Ct. Dec. 92 (1978), by stating:

Section 6 of the Bankruptcy Act, 1 U.S.C. Sec. 24, makes it clear that the bankrupt is entitled to whatever property is allowed to him as exempt by virtue of Federal or State law "in force at the time of the filing of the petition . . ." Insofar as exempt property is concerned, it simply passes through the estate in order that the trustee, pursuant to State law, may set aside what is exempt, cf. Sec. 70a of the Bankruptcy Act, 11 U.S.C. Sec. 110a. [Emphasis added.]

The Ninth Circuit, however, reaffirmed in *Miguel v. Walsh*, 447 F.2d 724 (1971) the position taken by it in the *England* case. This is the latest word by the Ninth Circuit on the subject, and appears to solidify the Court's opinion against debtor's claims for new or amended exemptions. Nevertheless, as the *Swenor* Court points out, the court

overlooked the Supreme Court holding in *Lewis*, *supra*. We are confident that consideration of that decision would have led the Ninth Circuit to reject its earlier interpretation of 70(c). [4 Bankr. Ct. Dec. at 229.]

Notwithstanding the criticism of the Ninth Circuit's holding, courts from various other jurisdictions have also held that any increases in exemptions can be denied debtors by the trustee where the debtor has incurred obligations prior to the effective date of the increase. *In re Langley*, CCH Bank. Law Rep. §66,028 (W.D. Wisc. 1976), *In re Northrop*, CCH Bank. Law Rep. §66,523 (D. Nev. 1977). (But see the holding in *Sturgeon v. Steele*, 563 F.2d 1154, 1155 (1977), where the Fourth Circuit held that bankrupts are entitled "to the benefit of the increase in exemptions against debts incurred subsequent to the effective date of the increase . . .")

The question arises, then, whether or not a debtor after October 1, 1979, is now able to claim the exemptions under Section 522 of the Bankruptcy Code, or under the recently amended state general exemption statute (R.C.W. 6.16.020), without having the trustee object to these newer exemptions. Under the *England* case, it appears that the trustee would be able successfully to object to the debtor's claim to the new exemptions until such time as the debtor has no debts which were incurred prior to the statute's effective date (September 1, 1979, for the revised state exemptions and October 1, 1979, for the new federal exemptions). Obviously, this was neither the intention nor the thrust of the drafters of the new Bankruptcy Code in creating these exemptions, and would completely thwart the underlying theory of providing the debtor with a clean start and providing for uniform exemptions nationwide.

What must be attacked, then, is the underlying rational of the *England* case. The *England* court relied on *Application of Rauer's Collection Company*, 196 P.2d 803, 807 (1948), in which the court stated:

Statutory provisions creating new, or increasing old, exemptions have been considered several times in the United States Supreme Court, and it is uniformly held that their application to executions based on pre-existing contracts would violate the provisions of the federal constitution above referred to.

Therefore, the court relied on the doctrine that changes in exemptions which affect creditors whose debts predated the new exemption statute would violate the Contracts Clause of the federal constitution. Article I, §10, cl. 1. The court reasoned that when the contract was made the creditor knew that if the debtor defaulted and the creditor pursued various rights against the debtor, then the debtor could only exempt certain of his property against execution by the creditor. To change the exemptions "in midstream", would impair that right and/or remedy of the contract and, therefore, would be unconstitutional.

It seems that in this day of "easy credit" and the use of charge cards, bank cards, and other lines of credit wherein the merchant is granting credit knowing little or nothing about the debtor, it would be difficult for most creditors to maintain that they granted the credit (1) based upon a knowledge of the debtor's exempt and non-exempt assets or (2) based on the state exemption laws if the creditor proceeded to collect its account through judgment and execution. The secured creditor would most likely be the one to have this information, but such a creditor is not generally affected by bankruptcy.

Judge Volinn emphasized this change in circumstances surrounding the grant of credit in *Burks*, *supra*, at 94, by stating:

The contracts clause cases, which form the weight of authority, were all decided prior to the profound change which brought about, after 1945, a transformed economic community geared to consumer credit on a scale so vast that it would have been incredible to the courts which considered cases such as *Edwards v. Kearzey*, 96 U.S. 595 (1878) and the *Worthen* [292 U.S. 426] (1933) and *Blaisdell* [*Home Building & Loan Assn. vs.*, 290 U.S. 398 (1933)] cases above cited.

Judge Volinn went on to state that this reliance, then, upon the Contracts Clause and upon the underlying nature of the bargaining process "under modern circumstances, partakes of artificiality." *Id* at 94. Yet, because his Court is in the Ninth Circuit, he, like Judge Steiner in *Cluck*, and the Judge in *In re Towers*, *Supra*, followed the *England* dictate.

In the bankruptcy case, *In the Matter of Kurt W. Zahn*,

4 Bankr. Ct. Dec. 501 (E.D. Wis. 1978), the court reviewed the various conflicting cases and, even though the bankrupt incurred all but one of his debts prior to an increase in the homestead exemption, the bankrupt was allowed the increase for the court found that the trustee stands in the position of a general creditor whose claim arose on the date the petition was filed, and as such, the increased exemption is valid (citing *Lewis v. Manufacturers National Bank of Detroit*, supra.)

On August 20, 1979, the Court of Appeals for the Seventh Circuit upheld the Bankruptcy Judge and the District Court Judge in *In the Matter of Kurt W. Zahn*, id. See 5 Bankr. Ct. Dec. 710. The Circuit Court adopted the bankruptcy judge's opinion criticizing *England v. Sanderson*, by stating:

...the rule expressed in the *England* case is a minority rule, and the court finds it difficult to reconcile the decision with the rule expressed by the U.S. Supreme Court in *Lockwood v. Exchange Bank*, supra., and *Lewis v. Manufacturers National Bank*, supra. Furthermore, this court believes that the decision in *England v. Sanderson*, supra, is contrary to the better reasoned decisions...

It is important to note that in *England v. Sanderson*, supra, the court relied upon and cited *Constance v. Harvey*, 215 F.2d 571. The latter case may

have been good authority in 1956 when *England v. Sanderson* was decided, but it is no longer sound authority because in 1961 the U.S. Supreme Court in *Lewis v. Manufacturers National Bank*, supra., reversed *Constance v. Harvey*. [See Justice Harlan's concurring opinion.]

It would appear, then, that if the Supreme Court case of *Lewis* is found controlling, and, as such, overrules *England*, then the trustee would be subject to the exemptions in force and effect on the day of filing bankruptcy, and therefore, the debtor will be entitled to claim the new federal exemptions.

Notwithstanding Judge Volinn's comment noted above about credit, this writer feels that a better view and solution has to be gleaned from both the *Lewis* and *England* cases. As stated before, the *England* court held that the change in the exemption amounts by the state violates Article I, Section X, Clause 1, of the U.S. Constitution. That clause, however, only deals with state action, and not federal action, which may impair contracts. The point is that Section 6 of the Bankruptcy Act, and the new Section 522 of the Bankruptcy Code, are both federal statutes which allow debtors to claim property exempt against the estate which is allowed by state law on the day of filing the petition. Thus, the courts may have overlooked totally the obvious fact that Section 6

PROFESSIONAL BUSINESS VALUATION

Our group of highly skilled professionals has provided expert court testimony and valuations for all types and sizes of businesses. We can provide you with professional valuation opinions on:

Estate/Gift Tax Reporting

Estate Planning

Intangible Assets

Community Property Settlement

Employee Stock Ownership Plans

Reorganization

Preferred Stock Recapitalization

Mergers and Acquisitions

Buy/Sell Agreements

Shareholder Disputes

Business Valuation Services



P.O. Box 24186, Seattle, WA 98124 (206) 583-7699

and Section 522 are federal statutes which, even though they may impair the right of contracts between creditors and debtors, are not state actions barred by Article I, Section X, Clause 1.

This result should be the controlling factor now that the new Bankruptcy Code is in effect when debtors try to avail themselves of the new federal Bankruptcy Code exemptions. A trustee could not assert the *England v. Sanderson* theory, in that these new federal exemptions are clearly created by federal law and so are outside the scope of Article I, Section X, Clause 1.

In addition, a second theory appears to be glaringly omitted from all of the cases cited above. No discussion in any of the cases focuses on what exemption amount, in fact, would be allowed by the state "at the time of the filing of the petition". Clearly, the homestead exemption was promulgated and has been liberally allowed throughout the state's existence for the welfare of the citizens of the State of Washington. *North Pacific Loan & Trust Co. v. Bennett*, 49 Wn. 34 (1908); *In re Plants*, 7 F.2d 507 (1925); *Cody v. Herberger*, 160 Wash. Dec. 47, 371 P.2d 626 (1962). Exemption statutes generally have been upheld constitutionally, even though they abridge the rights of creditors, and an amendment to these statutes should have no greater constitutional onus than the underlying statute itself. "They [homestead and exemption statutes] do not protect the rights of creditors. In fact, they are in derogation of such rights." *First National Bank v. Tiffany*, 40 Wn.2d 193, 202 (1952). *Lien v. Hoffman*, 49 Wn.2d 642 (1957). *In re Kays*, 49 F.2d 345 (1930). Because a homestead exemption would be allowed against a creditor trying to execute against it in the full amount of \$20,000 as provided by the amended R.C.W. 6.12.050 if no bankruptcy was filed, the mere fact that a debtor has filed bankruptcy should not "permit the judgment creditor to do indirectly that which the homestead statutes prevent him from doing directly." *Lien, supra* at 245.

Recent case law codifies the clear fact that the Washington courts will uphold increased exemption amounts. As pointed out by the Washington State Supreme Court in *Crane Towing, Inc. v. Gordon*, 89 Wn.2d 161, 570 P.2d 428, 436 (1977),

... more importantly, it is well established that parties cannot complain of an impairment of their contract rights when this impairment comes about through the state acting within its police power for the health, welfare, and good of the general public.

Creditors, then, cannot complain when this exemption statute is amended. As the *Crane Towing* court went on to say, 570 P.2d at 436:

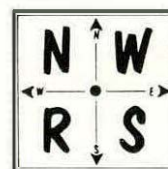
It is presumed that parties contract with knowledge that reservation of essential attributes of sovereign power is written into all contracts as a postulate of

the legal order. [Citing *Veix v. Sixth Ward Bldg. & Loan Ass'n*, 310 U.S. 32 (1940); *Aetna Life Ins. Co. v. Washington Life & Disability Ins. Guar. Ass'n*, 83 Wn.2d 523, 520 P.2d 162 (1974).]

This case appears to overrule the "ancient vintage" authority cited by Judge Steiner in *In re Leroy Cluck, supra.*, namely *Helbron's Estate*, 14 Wn. 536 (1896); *Swinburn vs. Mills*, 17 Wn. 611 (1897); and *Canadian & American Mortgage and Trust, Ltd. vs. Blake*, 24 Wn. 102 (1901). These old cases hold that "statutes which amend existing exemption laws do not apply to pre-existing contracts". *Cluck* at p.5.

Further, other cases decided recently are in accord with the 1977 *Crane* case. In *Wilkinson vs. Carpenter*, 561 P.2d 607, 611 (Ore. 1977), the Oregon Supreme Court held on this exact issue that a debtor is allowed the increased exemption amount as against executing judgment creditors:

We conclude that any indirect contractual impairment which may have occurred as a result of the increased homestead exemption is not unconstitutional . . . , and any impairment would not appear to be substantial when balanced against the governmental objective being pursued. [Citing *Koch v. Yurich*, 533 F.2d 80, 86 (2d Cir. 1976); *Minn. Gas Co. v. Public Service Comm'n*, 523 F. Supp. 818,



Public Records Retrieval Nationwide

U.C.C. Searches & Filings

FAST

CORPORATE Filings

DEPENDABLE

ACKNOWLEDGEMENTS SAME DAY Efficient

NORTHWEST RECORDS SEARCH

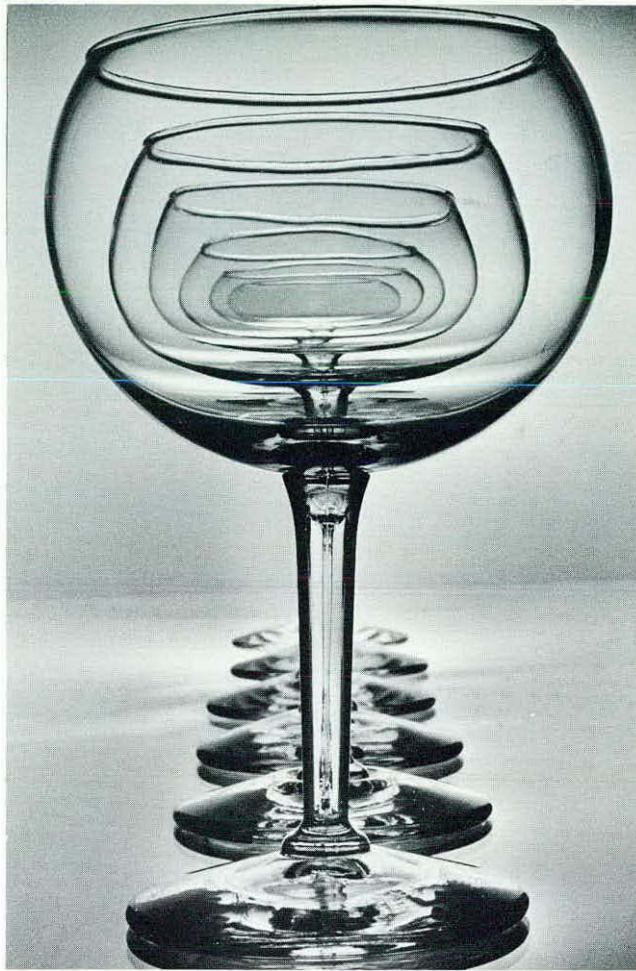
OREGON

P.O. Box 7501
Salem, OR 97303
1-503-364-6425

WASHINGTON

P.O. Box 7326
Olympia, WA 98507
1-800-547-2153





al'-co-hol'-ism

A treatable disease

At Raleigh Hills, alcoholism treatment is designed to meet the patient's individual needs. Detoxification, Medical Treatment of Organic Complications, 24-Hour Nursing, Psychological Evaluation, Individual Counseling, and Complete Aftercare Program are a few of the programs we offer to help alcoholics solve their problems.

Raleigh Hills Hospital

628 South Crowley, Spokane, Washington 99202

(509) 624-3226 *Call us collect*

Medicare approved, covered by most insurance programs



822-24 (E.D. Pa. 1976); and others.]

In *Hooter v. Wilson*, 273 So.2d 516, 522 (La. 1973), the court noted:

When the state changed the remedy by increasing the exemption, it did not abrogate the remedy; it did not make the remedy any less certain that it was at the time of the contract; it simply in the interest of the public welfare increased the debtor's exemption . . .

These state court cases also are in accord with the most recent U.S. Supreme Court discussion of the Contracts Clause. The Court stated in *El Paso v. Simmons*, 379 U.S. 497, 508 (1965), that

Not only are existing laws read into contracts in order to fix obligations as between the parties, but the reservation of essential attributes of sovereign power is also read into contracts as a postulate of the legal order.

This re-emphasizes the Court's opinion that the Contracts Clause is qualified by inherent powers retained by the State over the remedial processess, and it does not matter that legislation appropriate to that end "has the result of modifying or abrogating contracts already in effect." *Stephenson v. Binford*, 287 U.S. 251, 276.

Therefore, it seems eminently clear that an amendment to the homestead statute would be upheld as a

proper exercise of the state's power which, by necessity, may impair "rights" between debtors and creditors existing prior to the amendment. Moreover, if one couples the fact that the state recognizes the amendment as constitutional and a legitimate exercise of its powers with the fact that the federal statute allows those exemptions against the bankruptcy trustee which exist on the date of filing, then it is apparent that the courts should have little difficulty in overruling the *England* decision and holding that a debtor may avail himself of the newer, more liberal exemptions.

Nevertheless, until *England* is specifically overruled or modified by the Ninth Circuit, practitioners will have to rely on the *Lewis* case and the *Crane Towing* case in their efforts to convince the local Bankruptcy Courts to permit debtors to avail themselves of more recent state or federally enacted amendments. □

Butterworths is back after 204 years.

Leaders in Legal Publishing throughout the world
are now in Seattle and are serving Washington
Attorneys with Washington Publications.

New Publications:

April 1, 1980 Butterworths' Advance Reports Service
Summer 1980 Local Court Rules
Summer 1980 Washington Limitations Manual

Butterworths

160 Roy Street, Suite 300 Seattle, Washington 98109
(206) 282-5525 Telex 329-483

Announcement:

NATIONAL UNION FIRE INSURANCE CO. of Pittsburgh, Pennsylvania

...A major national professional liability insurer, endorsed by 38 bar associations, with many years of experience in errors and omissions coverage, rated A+, with assets of \$428,000,000...

is now writing

PROFESSIONAL LIABILITY INSURANCE for members of the WASHINGTON STATE BAR ASSOCIATION

Quotations Made &
Policies Issued Locally

FOR PROMPT INFORMATION AND QUOTATIONS PLEASE WRITE OR CALL

LaBow, Haynes

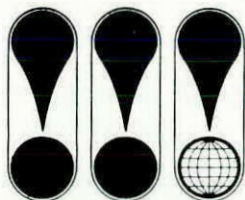
Bill Chatalas or Chris Johnson

...or...

Quinan-Pickering

Jack Quinan or Ron Pickering

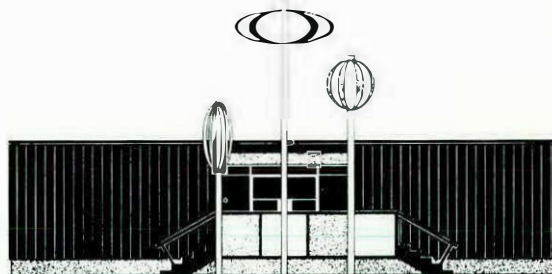
"Insurance with Emphasis!"



LaBow, Haynes

2500 SEATTLE-FIRST NATIONAL BANK BUILDING
SEATTLE, WASHINGTON 98154
(206) 223-1400

THE CONSISTENT SOURCE



Quinan-Pickering, Inc.

Since 1938

P.O. BOX 3875 • SEATTLE, WASHINGTON 98124
(206) 622-4260



National Union Fire Insurance Company is a member of the American International Group, whose assets are in excess of \$5.4 billion



Board Stalls on Unauthorized Practice

By JAY V. WHITE

UNION, March 14-15—The Board of Governors, in the face of repeated complaints about allegedly unauthorized practice of law in this state, again has stalled on the question as to whether it should direct the Unauthorized Practice of Law Committee to do anything about it.

The Board is not expected to take any action in this area until it has received the advice of independent legal counsel. Although the unauthorized practice of law is a misdemeanor, RCW 2.48.180, and the bar association long has had a committee to review complaints of alleged unauthorized practice, the question has arisen nationally whether a state bar association may take steps to curb unauthorized practice without running afoul of antitrust laws.

Last August, the Board directed the UPL Committee not to take any "overt action" on UPL complaints without Board approval. In January, John A. Hoglund, who chairs the UPL Committee, urged the Board to recommend to the Supreme Court the adoption of a rule designed to deter unauthorized practice. The Board referred the rule to bar association counsel and to independent antitrust counsel for study, *Bar News*, 34:2:43. To date, no recommendation on the proposed rule has been presented to the Board.

The Board's latest call for legal advice followed an appearance here by John B. Troup, a member of the UPL Committee, who described the work of the committee and matters of current concern.

Troup said that the committee investigated 47 cases of alleged unauthorized law practice in 1977; 30 in 1978; 24 in 1979; and 17 during this year to date. He said that 90 percent of the complaints come from attorneys, most of whom are in small firms or are solo practitioners.

Although some complaints involve activities by disbarred or non-admitted attorneys, most involve laypersons giving "self-help" advice concerning marriage dissolution; real estate transactions; bankruptcy; trusts and estates; and the incorporation of small businesses, Troup said.

Troup described several cases which he said the committee deems sufficiently serious to justify referral to county prosecutors.

"We're ready to go," Troup said. "We're waiting for the Board of Governors to say, 'Go to the prosecutor.'"

The consensus of the Board was that although there is

nothing to prevent any citizen, including a member of the UPL Committee, from bringing complaints to the attention of a prosecutor, it would be premature for the Board to authorize any such action on behalf of the bar association prior to the advice of antitrust counsel. The Board agreed to reconsider the matter at its next meeting, scheduled for April 11-12.

Disciplinary Board

Jack Rosenow met with the Board to describe the work of the Disciplinary Board which he chairs.

"Frankly, it's becoming monumental," he said after displaying two thick, green-covered loose-leaf notebooks which contained materials relating to the Disciplinary Board's next meeting.

Rosenow said that in 1979, of the 1200 to 1300

Three words on choosing
the right word processor.

IBM

1-201-848-1900

CPT

0-000-000-0000

WANG

1-617-851-4111

CPT

Efficiency, Inc.

111 W Harrison Street, P.O. Box 9781
Seattle, WA 98119 • Phone (206) 285-1616

When you're good, words travel fast.

NOW...especially for members of the Washington State Bar. The NEW, approved LAWYER'S PROTECTOR PLAN Protection for You and Your Practice Featuring

- Lawyer's Professional (malpractice) Liability
- Office Premises Liability
- Personal Injury Liability
- S.E.C. Coverage
- All Risk Personal Professional Property Protection
- Title Agents Coverage Option

Call your administrator TODAY...

Washington State Administrator:

ARM Northwest, Inc.

Tally Building, #180
200 - 112th NE
Bellevue, Washington 98004
Phone: (206) 454-1063



Representatives Across The State:

BELLINGHAM

Griffin, Garrett, Johnson &
Schacht
104 Unity Street 98225
Phone: 734-0050

CLARKSTON

McQuary Insurance Agency
725 6th, Clarkway Bldg.
99403
Phone: 758-5520

KENT

Bell-Anderson Agency, Inc.
P.O. Box 5669 98031
Phone: 852-1680

LONGVIEW

Torrence Insurance, Inc.
P.O. Box 9 98632
Phone: 425-4800

PASCO

Dunning-Ray Ins. Agency,
Inc.

P.O. Box 2528 99302
Phone: 545-3800

SPOKANE

Jones & Mitchell Company
Box 2786 99204
Phone: 838-3501

TACOMA

Bratrud-Middleton Ins.
Brokers
P.O. Box 11205 98411
Phone: 565-2222

discipline-related complaints received by the bar association, some 249 were of sufficient merit to become agenda item cases before the Disciplinary Board upon the recommendation of bar staff counsel. He said that there were five disbarments; three suspensions; two attorneys transferred to inactive status due to disciplinary investigation; and hearings ordered in 31 cases.

Rosenow said that the Board is made up of one attorney from each legislative district, together with two lay members. Each lawyer member holds disciplinary fact-finding hearings, which can range from one-half day to six days in length, and each typically has four or five hearings pending.

The resulting hearing transcripts and lawyer member findings and conclusions are reviewed and voted upon by the full Board during meetings held eight to ten times per year, Rosenow said.

"The Board functions with everyone speaking their piece," Rosenow said. "It can be a real knock-down, drag-out shouting match at times."

He said that the Board is beginning to feel the impact arising from enforcement of the trust account "spot audit" rule.

"What we are finding," Rosenow said, "is not so much attorneys' dipping into trust funds, but a lot are commingling funds."

He said that the Board is "trying to formulate ideas on what we think we should be doing" and that "new rules are being drafted."

Rosenow commented that work on the Disciplinary Board "takes more time than I'd like it to take, but I'd rather do it than have it go somewhere else."

Task Force on Administrative Procedures

Robert A. Felthous, chairman of the Task Force on Administrative Procedures, reported to the Board that the Task Force's work is "at a crossroads."

He described the results of interviews conducted with administrative law judges and hearing examiners, together with questionnaires returned by members of the bar. Among other points, Felthous said the Task Force has found:

—the control of salaries and promotions of administrative law judges and hearing examiners by the agencies they serve is not advisable.

—the location of administrative judges' offices within agency premises violates the appearance of objectivity in some instances.

—decisive policies are not known in advance to all participants which detracts from fairness.

—there have been instances of improper interference with the administrative decision-maker.

In general, Felthous stressed that there is evidence that

TRADEMARK & COPYRIGHT SEARCHES

TRADEMARK—Supply word and/or design plus goods or services.

FEES: TRADEMARK, OFFICE Files—Word-mark—\$40. 2 or more—\$35 each. COMMON LAW—\$15 additional. DESIGNS—\$40 per class. COPIES extra.

COPYRIGHT—Supply title/author/regs.—FEE—\$45. 2 or more—\$40 each.

GOV'T. LIAISON—All agencies—SEC (10 K's), ICC, FTC, Court Records. Congress. Records, etc. Fees on request.

APPROVED—Our services meet standards set for us by a D.C. Court of Appeals Committee.

Over 30 years successful experience—Not connected with the Federal Government.

GOVERNMENT LIAISON SERVICES, INC.

108 Wash. Bldg., 1011 Ari. Blvd., P.O. Box 9656
Arlington, VA 22209: Phone (703) 524-8200

The Video Professionals

- **Video Depositions**
- **Documentation**
- **"day in a life" productions**

For professional, affordable, and dependable service, call us for all your film and video needs.



(206) 682-2209
1211 First Avenue South
Seattle, WA 98134

See?

Most of us can.
Juries. Judges. Witnesses. Experts.

Sometimes we can remember what we see better than what we hear.
In the courtroom or out.

Courtroom visuals can say a lot.
Photos. Illustrations. A flow chart. Schematics. Timelines.
Slide sequences. Photo enlargements. Maps, diagrams.
They can all say a lot.

When you need to say a lot, call.
We'll show them what you mean.
They'll remember.
You'll see.

Ed Marquand

Courtroom visuals
Photography & Graphics

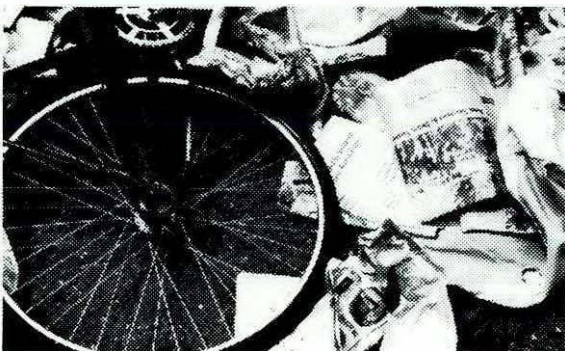
(206) 682-9209

Frank is One of the 12 Million Alcoholics in the U.S.

Is he your client?

Five years ago, Frank was driving his car and hit a 12-year old paperboy on his bicycle.

The boy died. It took Frank two full years to remember the accident. Plus a jail sentence.



Alcenas Hospital has been serving court and attorney referrals since 1970. We can help you to help your client to stay sober and thus reduce the recidivism rate. We can help your client and the family through diagnostic evaluations, treatment recommendations, intensive monitoring techniques and special educational programs.

- Our multi-modality program combines medical, nutritional and counseling therapies in a full recovery sequence, including follow-up
- State accredited
- Covered by most health insurance policies.

If you have a client who drinks too much, too often, call us.

Alcenas Hospital

10322 Northeast 132nd
Kirkland, Washington 98033

(206) 821-1122

the quasi-judicial functions of administrative agencies are not always in accord with the "appearance of fairness" doctrine.

He said that the Task Force's tentative findings relating to "the appearance of fairness and the reaction of agencies to the problem in the area we are talking about is all the proof you would need if the matter were exposed to the public and to the news media in general."

He stated that "if the bar association is to protect the public, then the course of action is pretty clear, and that is that amendments are needed to the Administrative Procedures Act to give administrative agencies the appearance of fairness."

Felthous recommended that his Task Force be authorized to draft proposed revisions to the APA "to say, for example, in every case that the administrative judge's decision would remain in force unless the agency itself heard the testimony."

He also said that the Task Force should continue its work to revise HB 986 which would establish an independent agency of administrative judges, as previously described to the Board. *Bar News*, 34:1:47.

The Board agreed that the Task Force should continue to pursue its objectives in accordance with Felthous' recommendations.

OTHER BOARD ACTIONS...

- **LEGAL AID COMMITTEE**—Stephen Whitehouse, who chairs the committee, reported to the Board that the committee is developing a proposal to make its activities more effective.
- **KUTAK COMMITTEE SURVEY**—Arden Olson, of the Young Lawyers Section, met with the Board to discuss a proposed survey of a random sample of the membership concerning the proposed Model Rules of Professional Conduct (Kutak Committee Report) proposed by the ABA Commission on Evaluation of Professional Standards. The Board appropriated up to \$2200 from the contingency fund to finance the survey.
- **PUBLIC INTEREST LAW FUND**—the Board agreed to solicit proposals through notice in the *Bar News* for the use of funds contributed to the Public Interest Law Fund (approximately \$770 this year), prior to allocating any of the fund.
- **BAR DUES**—the Board instructed the Executive Director to prepare a pro rata schedule for payment of bar dues by new admittees to reflect the dues increases in recent years, and to propose a schedule of penalty assessments to be imposed for late payment of bar association dues. □



*Steel Die Engraved
Stationery
for the legal profession
since 1882*

68 S. WASHINGTON ST., SEATTLE 98104
TELEPHONE 624-4565



Process Service

Messenger Service

Bonding Service

Civil Court, License and Performance Bonds
Notary Public Commissions a Specialty

Office Supplies

Office Supplies, Legal Forms
Corporate Seals

LEGAL MESSENGERS, INC.

Seattle 216 James Street / 98104
622-2643

Process Division — 623-8771

Tacoma 944 Court "E" / 98402
272-3249

Everett 2927 Rockefeller / 98201
258-4591

**Why have
over 100 Seattle legal
secretaries recently
switched to WANG
word processing?**



- Wang systems are so easy to use they almost make paperwork fun
- single function keys eliminate the need for remembering codes
- Wang word processing systems have all the advantages of CRT screen display
- each operator's console is connected to all the printers in your system
- Wang offers extraordinarily large memories

Why should you switch to WANG?

- decreased turn-around time
 - higher employee morale
 - more production per operator
 - greatly decreased word processing costs
- Call Robert Minor at 322-9233 today for more information.

WANG

MAKING YOUR WORLD MORE PRODUCTIVE

Wang Laboratories, Inc., 2300 Eastlake Avenue East, Seattle, Washington 98102



A CLE Bibliography: Opening a Law Office

George B. Stevenson

Assistant Director of Continuing Legal Education

From time to time, the Washington State Bar Continuing Legal Education office receives requests from Washington attorneys for information on how best to go about opening a law office or starting a law practice. A review was conducted to determine what resources were available and it was found that there exists a substantial quantity of literature and other material on the subject.

These resources may serve a number of general purposes. First, as a reference for preliminary inquiry to determine if opening a law office is an attractive career pursuit or alternative. Second, as a starting point to provide direction, guidance and tips at the initial stages of opening a law office. Third, as a starting point and constant reference guide or supplement that the attorney uses during the continued development and growth of the practice.

Attorneys who have successfully opened law practices and who recommend the use of such resources also recommend the following action: (1) Join the American Bar Association Economics of Law Practice Section, and (2) Seek the guidance and advice of other attorneys who have successfully opened and established their law practices.

Listed below are a few of the many resources an attorney may wish to explore and consult in this area.

BOOKS:

How to Build a \$100,000 Law Practice

Joseph T. Karcher

Institute For Business Planning—\$25.00

How to Go Directly Into Solo Law Practice (Without Missing A Meal)

Gerald Singer

Lawyers Co-operative Publishing, Co., 1956—
\$16.00 to \$20.00

How to Start and Build a Law Practice

Jay G. Foonberg

American Bar Association, 1976—\$10.00

\$ 5.00 to Law Student Division Members

I'd Rather Do It Myself: How to Set Up Your Own Law Office

Steve Gillers

Law Journal Press, 1977

HANDBOOKS:

How to Find the Courthouse—A Primer for the Practice of Law

American Bar Association, 1978—\$3.00

Negotiating the Maze: Career Opportunities and Alternatives for Lawyers

Washington State Bar Association, 1979—\$3.00
ARTICLES:

“Opening A New Law Office”

Paul N. Luvera

Washington State Bar News, May 1976

“The Thrifty Fifty: Fifty Time-and-Money-Saving Ideas that You Can Begin to Implement Tomorrow Morning”

James E. Brill

Washington State Bar Association, Convention 1979

“Things I Know Now, Having Learned the Hard Way, That I Wish I Had Known Then”

Timothy R. Fishel

Washington State Bar Association, Convention 1979

PERIODICALS:

Legal Economics

American Bar Association Economics of Law Practice Section—

Annual subscription—\$5.00

\$3.00 to Section Members

This magazine devotes substantial coverage to law office management and to opening a law practice. Reprints of important articles may be available for \$1.00 each from the Section. The Section also publishes a list of all *Legal Economics* articles.

Approved Continuing Legal Education Activities

COURSES APPROVED

AMERICAN BAR ASSOCIATION

9th National Conference on Law Office Economics

April 23-25, 1980: San Francisco 14.25

PRACTISING LAW INSTITUTE

Title Insurance

May 15-16, 1980: Los Angeles 12.50

Medical Evidence

April 24-25, 1980: San Francisco 9.50

Construction Contracts

May 19-20, 1980: San Francisco 12.00

SEATTLE-KING COUNTY BAR ASSOCIATION

Local Civil Practice & Procedure in King County Courts

April 25, 1980: Seattle 4.00

WASHINGTON STATE BAR ASSOCIATION

Washington Appellate Practice

April 9, 1980: Olympia 7.00

April 18, 1980: Spokane 7.00

Farm & Ranch Law

April 11, 1980: Pasco 5.00

April 18, 1980: Seattle 5.00

April 25, 1980: Spokane 5.00

Antitrust Compliance Programs

May 9, 1980: Seattle 6.00

Real Property, Probate & Trust Seminars

May 2-4, 1980: Yakima 13.50

Selected Business & Tax Problems

May 16-18, 1980: Richland 12.00

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

BENCHMARK COMPUTER
SYSTEMS INC.

3M



CORPORATION, BUSINESS & BANKING LAW

By DENNIS G. SEINFELD

Plans for the 1980 mid-year meeting in Richland are now complete. In accord with past experience, this year's program should be excellent and well worthwhile attending. If nothing else, the sunshine and fine hospitality of the tri-cities area should be reason enough to attend the program from Friday, May 16th through Sunday, May 18th at the Hanford House in Richland.

In addition to the hosted wine tasting party, the no-host cocktail party, the swimming pool, and the nearby park, tennis courts and golf course, each person attending should vastly increase his or her legal knowledge! The program will be as follows:

Friday, May 16th (afternoon):

Limited partnerships, the formation, accounting and tax aspects, disposition of interests and terminations, estate planning and the new Uniform Limited Partnership Act, under the chairmanship of Robert J. Diercks (Seattle), with panelists Andrew H. Zucotti (Seattle), Robert D. Kaplan (Seattle), Laverne T. Dotson (Tacoma), and Gerald A. Rein (Spokane).

Saturday, May 17th (morning):

Professional service corporations: Incorporation of well-established law firms, use of multiple service entities, break up and dissolution of professional corporations, under the chairmanship of Charles R. Osenbaugh (Seattle), with panelists Donald W. Hanford (Tacoma), Peter S. Lewicki (Seattle), William D. Eden (Spokane), and K. Thomas Connolly (Spokane).

Saturday, May 17th (afternoon):

Intellectual property and the business practitioner: Protection of trademarks, patents, copyrights, trade secrets and intellectual property checklist for the new small business under the chairmanship of Bernard A. Donahue (Seattle), with panelists Bruce E. O'Conner (Seattle), James R. Uhler (Seattle), and Robert B. Huges (Sumas).

Sunday, May 18th (morning):

A choice of the following three programs:

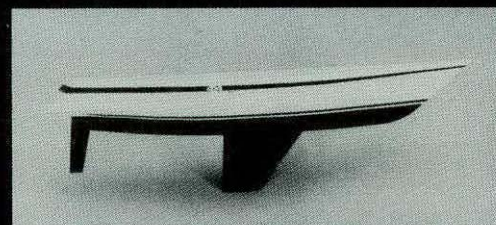
A. Contested tax matters: From audit through trial under the chairmanship of Michael S. Courtnage (Seattle), with panelists David G. Odegaard (Seattle), Rodney J. Waldbaun (Seattle), Robert J. Chicoine (Bellevue) and Darrell D. Hallett (Seattle).

B. Agricultural law: Recent developments, special use valuation, acreage limitations, and liquidation of a farm corporation under the chairmanship of Norman D. Brock (Spokane), with panelists Albert J. Shauble, Richard A. Stacheli (Spokane), and John W. Baird (Euphrata).

C. Banking-payment systems: An overview, relations between customers and financial institutions, and electronic fund transfers under the chairmanship of Eric K. Naves (Tacoma), with panelists Edward N. Lange (Seattle), Charles F. VanMarter (Spokane) and Peter A. Witherspoon (Spokane).

D. Securities law: New developments and limited partnerships under the chairmanship of Kevin C. McMahon (Seattle), with panelists Karl J. Ege (Seattle), Michael E. Stevenson (Olympia), David D. Hoff (Seattle), and Robert J. Diercks (Seattle).

Remember there is a registration limit of 350 registrants for this seminar, so get your reservations in early. I hope to see all section members in May at the Hanford House in Richland! □



*You've worked too hard
not to afford the best.
The 414 is the very best.*

Invest in the future!

Bianca 414 #3 with an all new interior
now at our Lake Union Dock.



yacht systems
northwest

1800 Westlake Ave. North #203
Seattle, WA 98109 (206) 283-6677



MONTBLANC

*The Magnificent
Diplomat 149 . . . \$175
and the new
Classic 146 . . . \$145*

No other fountain pen is "built" like the magnificent MONTBLANC Diplomat! Mon-size to fill a man's grip, take a man's handling. Extra-large 14-karat gold point assures super-smooth writing action and gives a man a new "personality on paper." Giant ink capacity is a man-pleasing feature too!

Many pen experts here and abroad consider the Diplomat to be the finest pen ever designed. It's Europe's most prized pen, unmatched in writing ease. Nib sizes extra fine to triple broad — to suit every hand.

The NEW Classic 146 is on identical but slightly small version of the Diplomat 149. A great variety of other luxury fountain pens within the MONTBLANC assortment.



**WE FILL MAIL ORDERS
STATE WIDE**

**We Buy and Sell Antique Pens
(206) 682-2640**

Buy Your Pen From The Pen Experts

Seattle Pen

Sales and SERVICE

**DOWNTOWN Seattle — 1426 FIFTH Ave.
ROOM 301**

CHELAN—DOUGLAS REPORT

By GARY A. RIESEN

There have been a number of new additions to the Chelan-Douglas County Bar Association since our last correspondence with the Bar Association. A new large law firm, composed of Evergreen Legal Services, has been opened in Wenatchee. There are currently four attorneys serving the North Central Washington area, **Bob Krute, Ted Maloney, Irma Herrera, and Ty Duttamel.**

Davis, Ameil, Dorsey, Kight and Parlette have added **Robert White.** Bob comes to our area from Montana and is a specialist in tax work. **Kathleen Schmidt** has left **Michael Platts'** office and opened her own practice in East Wenatchee. As her first assignment, she has been appointed a special prosecutor by the Chelan County Prosecuting Attorney's Office to investigate charges of fraud and theft against the business administrator of one of our local religious institutions, the Bethesda Christian Center. Kathy's spot in Mike Platts' office has been filled by **Steve Zimmerman,** who has left Carlson & Drewelow. To complete the musical chairs, **David Bohr** has taken Steve's place.

John Bridges has joined Foster & Riesen, who have remodeled a former home into an office at 224 South Mission.

Paul Cassel has joined Fuller, Carey & Cassel. Paul is a native of the Omak area and is doing primarily criminal work. **Craig Nelson** has taken a position as an associate with Kiesz, Gaukroger & Woollett.

Another new addition to Wenatchee is **Phillip Johnson,** who has opened an office in the Doneen Building. Phil formerly practiced in Walla Walla for a period of three years and has the largest collection of three piece suits of any attorney in the valley.

Stan Morris has returned to Chelan to open his own practice there. Stan was admitted to the bar in the fall of 1979. In the Douglas County Prosecutor's Office, **Mike Tabler** has resigned as Prosecutor and is now devoting full time to his private practice. **Judy McCauley,** the former Deputy Prosecutor, has replaced him.

Our two counties have been combined by the legislature into a joint judicial district, so that we now have available the services of Judges **Fred Van Sickle** and **Charles W. Cone.**

SEATTLE-KING REPORT

By JAMES L. VARNELL

Recent Associations. **William N. Snell** has become associated with Haggard, Tousley & Brain whose offices are located at 1530 Bank of California Building. **James C. Carmody, Richard E. Monroe, Wayne M. Perry** and **Daniel D. Syrdal** have formed a partnership with offices on the 24th floor of the Fourth and Blanchard Building. **David Allen** and **Richard A. Hansen** have formed a partnership with offices at 302 Pioneer Building, which is also the location of **Harriett M. Cody's** offices.

Robert L. DiJulio, formerly with the office of the Attorney General, has become associated with Wolfstone, Panchot, Bloch & Kelley. (This information was supplied by Tacoma correspondent **Michael J. Welch.**) **Ronald G. Neubauer, Robert C. Mussehl, Michael D. Hunsinger, Morris H. Rosenberg,** and **David M. Abercrombie** announce the formation of Neubauer and Mussehl and the relocation of their offices to Third Floor, Duncan Building, 315 Second Avenue South. **John W. Flynn** and **Jeffrey Michael Grieff** are associated as counsel to the firm. **George W. Dixon** and **Peter K. Mair** have opened their

offices as Dixon & Mair at the same location. Hayne & Moote expands once more (yawn) adding **Michael Mallory** as an associate in their Lynnwood office and **Nancy Moore** as an associate in the Seattle office.

Donald A. Cable, Paul A. Barrett, Edward R. Langenbach, Jr., William K. McInerney, Jr., and Steven W. Hale announce the formation of Cable, Barrett, Langenbach & McInerney in association with **Robert J. Henry, Wesley N. Edmunds, Jr., M. Colleen Kinerk, Thomas L. Gilman, and Gran Kinnear**. All are former partners or associates in the firm of Short, Cressman & Cable. The new firm's offices are now located at 1900 Fourth & Blanchard Building. Theodore M. Rosenblume & Associates announces the association "of counsel" of **Charles Z. Smith**, Professor of Law at the University of Washington School of Law.

YAKIMA REPORT

By **CRAIG L. SMITH**

The last few months of 1979 saw the Yakima County Bar honoring its elder statesmen, being re-vitalized with new members and continuing its building boom.

A dinner honoring members of the local bar over the age of seventy-five was held in November. Those honored included Judge **Robert Willis** (retired), **C. W. Halverson**, and **Elwood Hutcheson**. "Hutch" passed away a month later so it was fitting that he was honored before he crossed the bar.

Some new faces in town (some of whom are not so new but were overlooked in our last report) are **West Campbell** and **Rod Nelson** at the Gavin firm; **William Olson** at Smith, Scott & Mazzola; **David Lord** and **Robert W. Inouye** at Weeks, Dietzen & Skala; **Robert C. Tenney** at

the Halverson firm; **Rick L. Hoffman** at the Prosecutor's Office; and **James D. Miller** at the Velikanje firm.

Sharon Carberry, formerly with the Yakima Indian Nations Public Defenders Office, has associated with Dobbs, Moore & Kirkevold, who are in the process of remodeling the former Christian Science Reading Room at 24 North Second Street.

The year ended with the traditional Christmas party. Master of Ceremonies **Tim Weaver** attempted to keep the entertainment on a high plane, but was unable to prevent Judge **Carl Loy** from presenting a sequel to last year's poetry reading. After the Judge was forcibly removed from the microphone, the festivities continued with songs from the unusual repertoire of **Randy Marquis**. **John Gavin's** "advertisement" for the Velikanje firm ("When E. F. Velikanje speaks, nobody listens") ended the entertainment on a somewhat higher note. Those in attendance then rose for the annual singing of "Auld Lang Syne" and the bar was ready for a new year.

In late-breaking news, **Terry Brooks** and **Paul Larson** have announced that **Terry Abeyta** is now a partner with the firm to be known as Brooks, Larson and Abeyta. **Patricia Powers** and former Deputy Prosecutor **Tony Platter** are now public defenders for the Yakima Indian Nation.

Les Powers and **Keith Therrien** have disassociated themselves from the Lukins firm of Spokane and are now operating under the new firm name of Powers & Therrien, Inc., P.S., specializing in tax work.



Symbol of Service To Attorneys

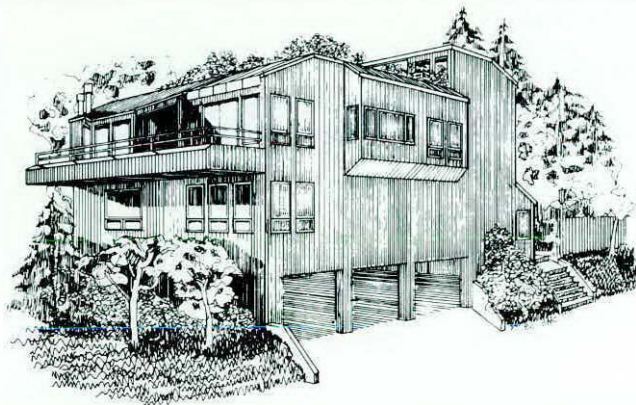
Safer . . . buyers know our record for financial responsibility and prompt settling of claims.

More Experienced . . . with more than a century of experience with real estate and title problems.

FIRST for service . . . more than six months of development gives you the most advanced computerized title plant in the business.

Chicago Title Insurance Company

People's Bank Building,
1415 5th Avenue
Seattle, Washington 98171
Telephone: 628-5666

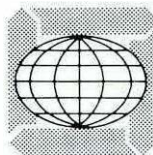


Expansive Views of Lake Washington and Mount Rainier enhance this unique Contemporary residence. This three bedroom, three bath new home offers sophistication and total convenience. Enjoy spacious, exciting feelings in its open-gourmet kitchen, private mastersuite with deck, sunken tub and sauna, three vehicle garage and exceptional View roof deck. The price is \$239,500. To be shown by appointment, call 322-2840.

Our Distinctive Home Shop

EWING-AND-CLARK
INCORPORATED

"Real Estate Service Since 1900"



**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 accom-

modations. 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

ERA Impact Project Information Request Notice

The NOW Legal Defense and Education Fund and the Women's Law Project of Pennsylvania are working on a special education and litigation project aimed at developing principles of sex equality within the structure of state law. The primary focus of this joint project is in those states that have added equal rights provisions to their state constitutions.

Information is being gathered about reported and unreported cases and administrative decisions in Alaska, Colorado, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Montana, New Hampshire, New Mexico, Pennsylvania, Texas, Utah, Virginia, Washington and Wyoming. In mid 1980, the Project will begin publishing educational material and will announce the opening of its clearinghouse on state ERA information.

Since much of the material on state cases is unreported and difficult to locate, the Project has issued a general call for assistance. Any information about cases addressing issues under a state equal rights provision in the target states should be submitted to the ERA Impact Project, NOW Legal Defense and Education Fund, 36 West 44th Street, New York, New York 10036.

Procedure Modification for Filing of Non-Fee Documents

The following procedural changes took effect February 19, 1980, in the King County Superior Court Clerk's Office:

1. All Civil, Criminal and Domestic NON-FEE documents shall be filed at Docket Window A.— (the far north window).
2. Cashiers will file only documents which entail a fee, except for all

subpoenas, writs, bench warrants, warrants and jail releases.

3. All Civil Notes for Trial shall be filed with the Calendar section in Room E-929.
4. The distribution of critical documents will continue to be performed by Docket personnel on a regular schedule with the following modifications.
 - a. Documents will be distributed to the Cashier, Commitment and Judgment sections according to the schedules already provided.
 - b. Orders of Transfer to Family Court and Petitions for Conciliation.
 1. This office will not make copies of the above documents for transmittal to Family Court. Copies may be purchased at either the Cashier Windows (minimum fee \$2.00) or at the Public

Access Area (minimum fee \$0.10).

2. When copies of these documents are presented at the time of filing, they will be placed in a separate box at Docket Window A. for pick-up by Family Court personnel.

Attorney Resigns from Bar

Seattle attorney Marie M. Donohoe has been permitted to resign from the Bar Association with discipline pending. This notice is published pursuant to DRA 11.7(c)(1).

ted to the Bar in 1928.

Alvin E. Gordon, 61, of Spokane, died February 1. He was admitted to the bar in 1950.

Retired Superior Court judge **Robert Joseph Murray**, 69, of Okanogan, died February 2. He was admitted to the Bar in 1937.

Charles C. Schmidt, 51, of Friday Harbor, died December 21. He was admitted to the Bar in 1958.

Edward Starin, 77, of Seattle, died February 17. He was admitted to the Bar in 1925.

James C. Young, 51, of Seattle, died February 7. He was admitted to the Bar in 1959.

In Memoriam

William E. Evenson, 74, of Seattle, died February 10. He was admitted to the Bar in 1928.

FIREARMS INFORMATION

MODERN • ANTIQUE
HANDGUNS • LONG GUNS

We can help with • Appraisals of clients' property • Disposal of property • Consultation and information on all types of firearms. Contact us for quick service by our experienced, professional staff.



**WARSHAL'S SPORTING
GOODS COMPANY**

1000 First Avenue
Seattle, Washington 98104
(206) 624-7300

The University of Washington School of Law
Presents



FISHERIES SCIENCE FOR LAWYERS

Saturday, May 17, 1980, Condon Hall

Expert scientists and lawyers will discuss technical and scientific concepts relating to fishery yield determinations and to specific requirements of major federal laws, including the Fishery Conservation and Management Act, the Marine Mammal Protection Act, and the Endangered Species Act. Lecturers and panelists include Deans Douglas Chapman and Donald Bevan, U. W. College of Fisheries; Michael Tillman, Director, National Marine Mammal Laboratory, National Oceanographic and Atmospheric Administration; Herbert Larkins, Deputy Director, Northwest and Alaska Fisheries Center; August Felando, President, American Tunaboat Association; Professor Dayton Alverson, Marine Studies; Henry Haugen, Esq., W. Bruce McAlister, Esq., and Edward Evans, Esq.

During the lunch hour there will be an informal reception for alumni in the Faculty Lounge of the Law School.

Registration Fee: \$100

For further information: Francina Luessen, Director of Continuing Legal Education, or Judi Christianson, 338 Condon Hall, University of Washington, JB-20, Seattle, WA 98105, (206) 543-8707.

APPROVED FOR 7.5 CREDITS



Notices

ADVERTISING RATES

Professional—Per issue: \$20 per typeset column inch. Billed upon publication.

Classified—Per issue: 25 words or less - \$10. Each additional word - 50¢. Confidential reply service - \$2. Advance payment required.

Published on the 10th day of each month. **Deadline** for professional and classified advertising: 25th day of second preceding month, 5:00 p.m. No exceptions.

W. Ben Blackett announces his availability for consultation on personal injury or other medical-legal litigation, exclusive of medical malpractice actions within Washington State.

W. Ben Blackett, M.D., J.D.
4366 North Lexington
Tacoma, Washington 98407
Telephone (206) 752-3970
or (206) 383-5056

PROFESSIONAL

Lawyers Research Service 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 our staff of full time research attorneys. Each attorney is highly skilled and experienced in the research and preparation of memoranda, trial and appellate briefs. L.R.S. has access to one of the most comprehensive libraries in the U.S.

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

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

Gary R. Duvall, of the Washington State Bar, announces his availability to lawyers for consultations and referrals in franchise law matters, including registration of offerings, compliance with new FTC rules and guidelines, and consultation on contractual or litigation matters for franchisors or franchisees. Member ABA Forum Committee on Franchising.

Gary R. Duvall, Esq.
Suite 820 Logan Bldg.
Fifth Avenue & Union Street
Seattle, Washington 98101
Telephone (206) 622-3280

Professional Investigation Service for the Attorney

- Assets and Financial reports
- Whereabouts and Skip-traces
- Surveillance
- Process Service
- State Wide Services



Lee Meyers Investigation

P.O. Box 87
Bothell, Washington 98011
(206) 363-5425

Sandy Sail Charter Company

Chartering the 1977
Ranger 33 *Harlequin*

Moored at Sandy Point
within view of Machia
and Sucia Islands in the
San Juans

(free brochure)

3704 Taylor Avenue
Bellingham,
Washington 98225
(206) 676-1215
or (206) 676-1678

Medical Malpractice Experts

Allow a company exclusively engaged in Medical Malpractice Evaluation to provide you with a concise, accurate medical explanation, opinion, and expert testimony. Specialist analysis and testimony from Board Certified Experts throughout the country, most at university level. Write or call for free information: Medical Advisory Association, Inc., 11 South LaSalle Street, Suite 1027P, Chicago, Illinois 60603. (312) 782-0117.

MAA
Medical
Advisory
Association, Inc.®

11 South LaSalle Street
Chicago, Illinois 60603
Phone (312) 782-0117

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.
3108 Rainier Bank Tower
Seattle, Washington 98101
Telephone (206) 624-1580

If you have a client who requires assistance in Latin America regarding trade, technology transfer, Andean Pact Foreign Investment Regulations, locating markets, aviation matters, taxation.

Miller, Sackmann & Kagele

Are experienced in Latin America

(509) 659-1000

210 West Main Avenue
Ritzville, Washington 99169

Cable: CONSULBIA
Apartado Aereo 6636
Bogota, Colombia

CLASSIFIED

For Sale: Collier Bankruptcy Manual, 3rd Edition, new 1979, still in original wrapper; Collier Forms Manual, 3d Edition, 1979; Collier Bankruptcy Manual, 2d Edition, updated through 1979; Collier Forms Manual, 2d Edition, updated through 1979. Contact Craig Smith (509) 575-1400.

For Sale: USCA with 78 pocket parts \$650.00; CJS with 78 pocket parts \$750.00; Pacific Reporter \$555.00. Contact: John Stewart, Salem, Oregon (503) 370-9326.

For Sale: Brand New Dual Tape Burroughs Redactron I Text Editor—Assume lease payments of \$195 monthly and it's yours. Call (206) 682-4488.

For Sale: Maui ("The Whaler" on Kaanapali Beach) *Ocean Front* Deluxe Condominium—Large 1 Bedroom/2 Bath, corner unit—sleeps 5. Time Interval November 8—November 22. (206) 641-1619, (206) 455-4166.

For Sale: Am Jur Proof of Facts, 1st and 2nd Editions, Complete. Best Offer. Call (206) 748-0193.

Owner's Sale: 510.55 acres 450 prime land for planting orchard now. Irrigation water adequate. Tested 74°. Douglas County 2 miles from Crescent Bar. \$2250.00 acre. Cyphers (206) 525-0190.

Black Butte Ranch Resort: Near Sisters, Oregon. 2-Bed, 2-Bath, Double loft cabin. Sleeps 9-11. 36-holes golf, free tennis, swimming, bike trails. (503) 926-8432. Albany.

ALL PROFESSIONAL LIABILITY INSURANCE IS NOT CREATED EQUAL



Hurley, Atkins & Stewart, Inc. is pleased to announce that INA Underwriters Insurance Company, one of America's oldest and most respected insurance groups, has made a long-term commitment to professional liability insurance

coverage for Washington lawyers. And, this is not another "me too" insurance offering. We know after a review of coverage and a premium quotation, you'll be pleasantly surprised.

Hurley, Atkins & Stewart, Inc.

Professional Liability Insurance Brokers
Suite 603 / AGC Building / 1200 Westlake Ave. N.
Seattle, WA 98109 / (206) 284-7272



WASHINGTON RULES OF COURT ANNOTATED

WASHINGTON'S MOST
RELIABLE
COURT RULES

SUPPLEMENTED
TWICE A YEAR

Two Volumes Featuring:

Completely new and
expanded Annotations

Revised page
numbering system

Rules for continuing
legal education

Bench-Bar-Press
principles and
guidelines

Published By



Book Publishing Co.
2518 Western Ave.
Seattle, WA 98121
(206) 623-4221

Will Sought: for Donald M. (or Milton) Holliday. Please contact K. Thompson (206) 789-0157.

Attractive Office Space for 1 attorney, includes receptionist, complete library, conference room, copy machine. Contact Alan Alhadeff. Third & Blanchard Bldg., Seattle, (206) 682-9192.

Office Space Available: Attorney in prime downtown (Seattle) building has space available to share. Secretary, office equipment, library. Respond to Box 75, WSBA.

Prestige Space Available with established Seattle law firm in new Fourth and Blanchard Building. Includes library, receptionist, conference room. Secretarial service available if desired. Replies confidential. Reply Box 73, WSBA.

One space available in existing two attorney office. Bank of California Center, Seattle. Furnished office, fileroom, receptionist, telephone and secretary. \$985 per month. Box 70, WSBA.

Excellent Office Space Available: Law offices for one to five lawyers. Rehabilitated and extensively redecorated on fourth floor Colman Building. Library, conference room, receptionist, secretarial, and copier. Please call (206) 624-5606.

Two deluxe law office spaces available in Pioneer Square area. \$540.00 per month includes receptionist, library, copier, legal messenger, space for secretary, telephone and 24-hour answering service. (206) 447-9681.

Want To Purchase: RCWA, Wash. Reports, Am. Jur. Forms 2nd, Orland's Practice Manual I, dictating equip., IBM Selectric typewriter, IBM Mag Card I or IIA, Wash. Digest 2nd, bookcases, WAC's, file cabinets, Wash. Rules of Court Annotated, misc. office equipment. Respond to Box 65, WSBA.

Anchorage Trial Attorney interested in association with Seattle firm doing business in Alaska. (907) 276-8002 Ronald T. West.

POSITIONS

Positions Available: Rapidly growing seven person Seattle firm with commercial practice has openings for two associates with 0-3 years experience and excellent academic credentials. Reply to Box 72, Washington State Bar Association, 505 Madison, Seattle, Washington 98104.

Position Available: Small Everett firm seeks associate with 1-2 years experience in private practice who is interested in eventual partnership. Send resumes to P.O. Box J, Everett, Washington 98206.

Position Wanted: Attorney—4 years Washington, D.C. Regulatory Litigation Experience Seeks Position with Seattle Firm. Call Dean S. Cooper, (202) 633-8281.

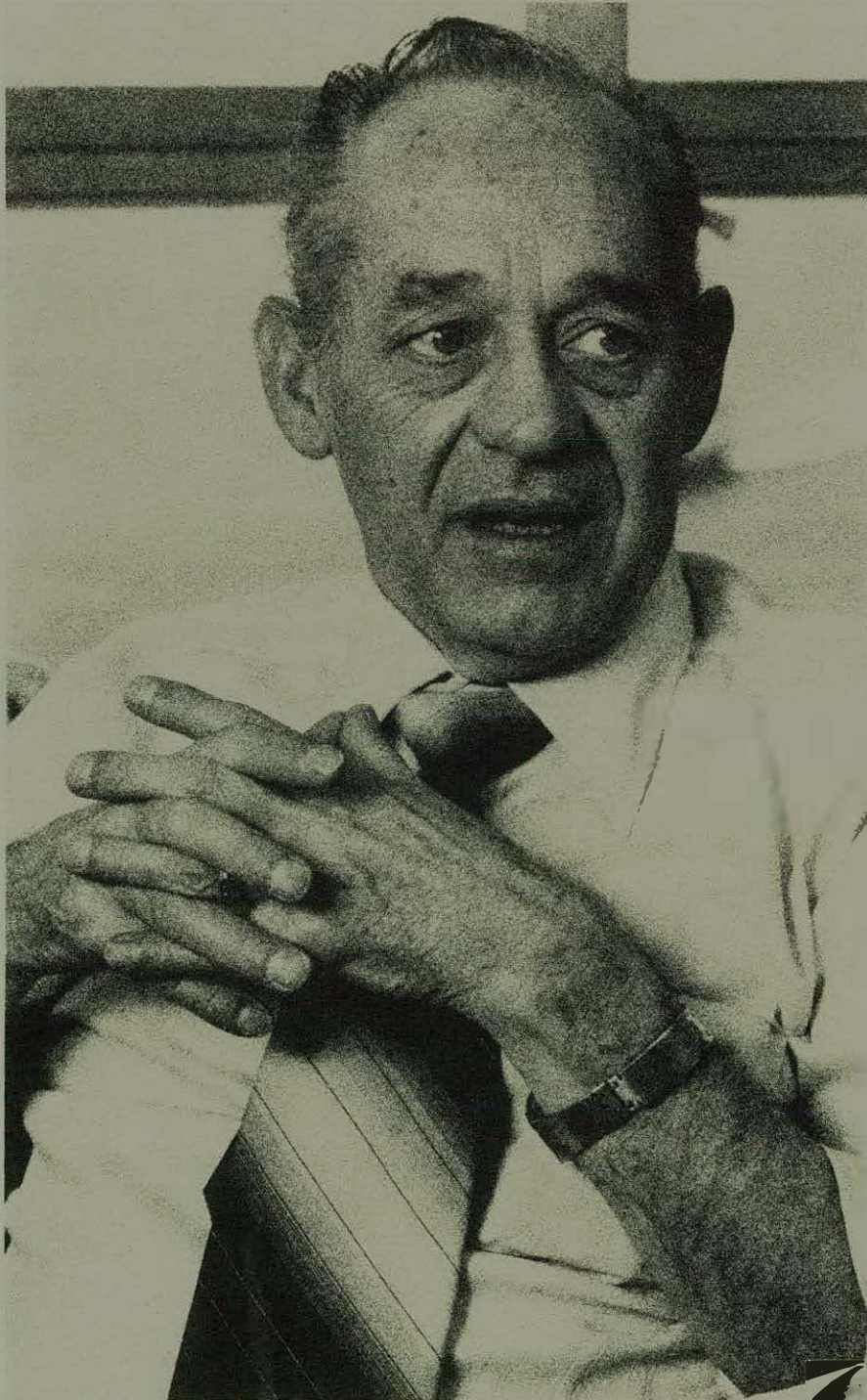
Position Wanted: Attorney, five years government experience in criminal law and litigation in Washington State seeks position with small general practice firm. King/Snohomish County. Reply Box 74, WSBA.

Position Wanted: Attorney/CPA, 4+ years tax experience with "Big Eight" CPA firm, seeks tax position following receipt of LLM in June, 1981. UW law graduate, Order of the Coif Please reply to Box 71, WSBA.

Position Wanted: Have Masters in Judicial Administration, seek position in Law Office Management or Court Administration. Organized and managed Pierce County Bar and Referral Office. (206) 789-2897.

An Omegabyte™ Law System Case History from Computerware

AL NEWBOULD JUST INCREASED HIS OFFICE PRODUCTIVITY BY 100%



With a successful private practice, backed by nearly 10 years as City Attorney for Seattle, Al Newbould is more than a little familiar with the demands of paperwork. So when we first introduced him to our Omegabyte Law System, he was understandably interested.

Now, 12 months after installation, he's understandably impressed. For good reason.

Today, it's taking one legal secretary to handle office communications, document preparation and time accounting — jobs that might otherwise require the services of up to three people.

Equally impressive is the system's ability to hold paper shuffling to a minimum, by virtue of word processing capabilities that allow data to be moved around on command. Those same capabilities allow for the archiving of standardized information, insertion and storage of pertinent data, last minute updates, and a finished document at the press of a button.

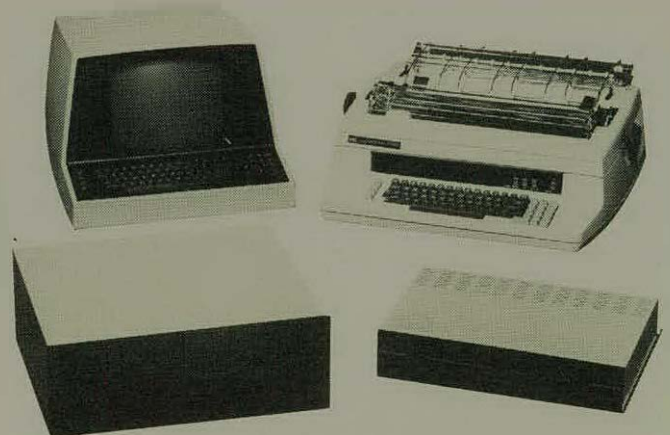
Time accounting is another strong suit.

Unlike batch systems that put a firm's interests in line with hundreds of other firms, the Omegabyte Law System is a personalized computer system — one that provides instant visibility on command. Comprehensive functions log where time's been spent, what it was worth, client status, summary reports, even custom billing formats—everything necessary to hone individual efficiency. Plus the system is monitored and updated on a continuing basis to ensure optimum results in the law office in the future. Additional capabilities packages are also offered for expansion on an individual basis.

According to Al Newbould, there's simply nothing like the Omegabyte Law System when it comes to increasing office productivity. And we think that's pretty good news.

Because if we can meet Al Newbould's exacting standards of performance, we just might be able to meet yours.

The Omegabyte Law System. Call us.



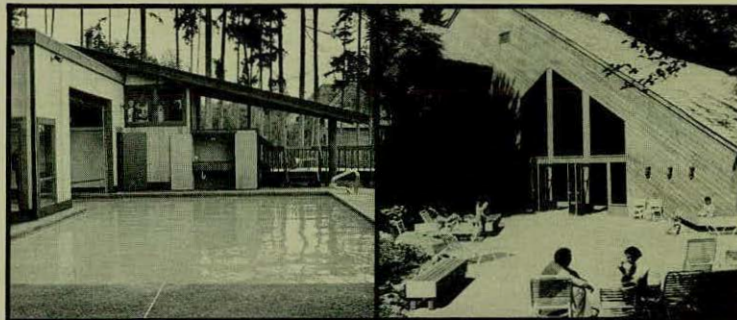
OMEGABYTE

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

OWN YOUR OWN TIMESHARE

That's right. Just like you own your own home. Unlike many other time share vacation resorts, this is *not* a club membership. Your time segment is a free hold estate. And like your own home, you can sell it to anyone... at any time. It's like owning your own vacation home but only paying for the time actually spent there... up to four weeks a year. No wasted time. You pay only for what you use. Nor do you have to waste time, or money, getting there.

Kalapoint Village is just 6 miles south of Port Townsend, situated in a private, saltwater-front recreational community on its own mile and a half of flat, sandy beach. **Snowater**, by contrast, is mountain oriented, just 19 miles from the Mt. Baker ski lodge and the only time share resort in the Cascades. Both are close enough to downtown Seattle to get to, and back, and still enjoy a full day's relaxation... all in one day.



The Clubhouse at Kala Point overlooking Port Townsend Bay.

The Lodge at Snowater, just 19 miles from Mt. Baker.

MacPherson's Inc., Realtors Recreational Property Division

425 North 85th, Seattle 98103 (206) 789-2620

Another Quality Development Represented Exclusively by MacPherson's

These are luxurious, 1 and 2 bedroom split-level townhouse units, completely furnished and maintained ready for instant use. Literally turn-key vacationing! And your choice of recreational activities is virtually unlimited. Both natural and added amenities such as swimming, tennis, golf, game rooms, jacuzzis, saunas, or your corner of a quiet lounge in front of the fireplace.

As an added bonus, both Kalapoint Village and Snowater are affiliated with Interval International®, whereby you may "trade time" at over 160 first class resorts around the world.

You've heard of time share vacationing, but until you've talked to MacPherson's, you haven't heard the best of it. Isn't it about time you did?

Call (206) 789-2620 day or night and we'll get right back to you with all the details.

SNOWATER



WASHINGTON STATE
BAR ASSOCIATION
505 Madison Street
Seattle, WA 98104

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

07550
JOHN RICHARD PRICE
SCHOOL OF LAW
U OF W
SEATTLE

WA 98105