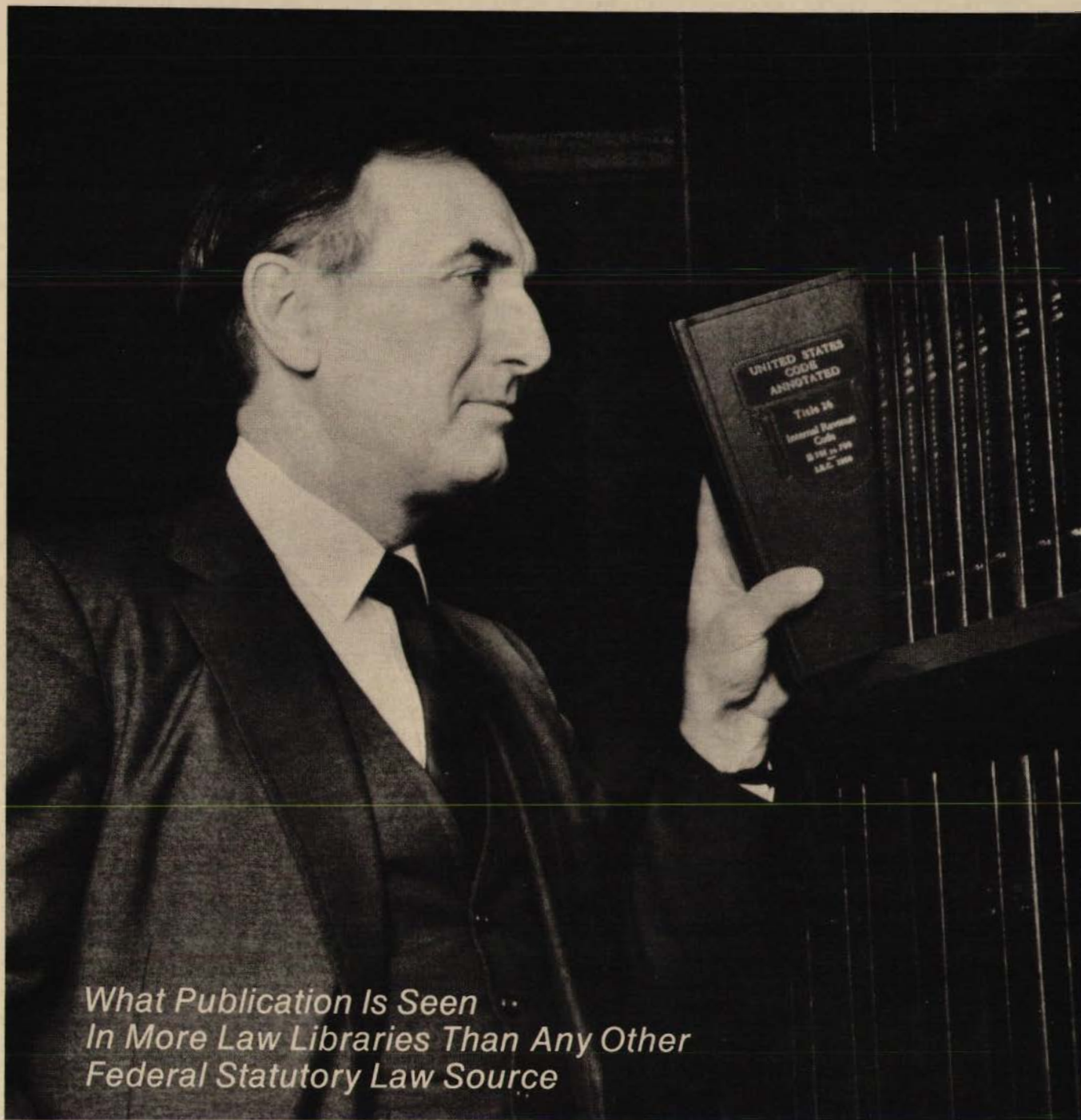


Washington State **Bar News**

Volume 37, No. 7, July 1983



INSIDE: Minority Lawyers in Washington



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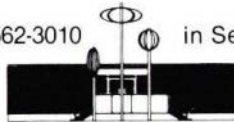
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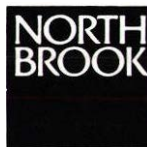


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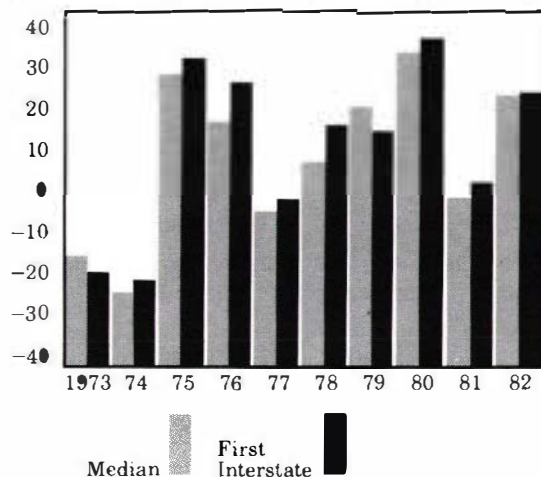
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Washington State Bar News

Volume 37, No. 7, July 1983

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Our Cover



*The ferry Klahowya plies Puget Sound.
Photograph by Pullman attorney Scott J. Bergstedt.*



Letters

Letters to the Editor of reasonable length are invited. Such letters should be typed and signed. The Editor reserves the right to select communications or excerpts therefrom for publication, and to edit any letter as may be appropriate.

State Bar Directory

Editor:

I would like to make some suggestions for the next edition of the State Bar Directory. My present copy was not a year old before the glue in the binding was dry and crackling and pages were falling out. It is now held together with a bunch of heavy-duty staples. Can we invest in a more durable binding process next time? Also, the computer print-out is a little hard to read. Is a better printing process available? I know that other states' bar directories also include listings by law firms. This is really handy for lawyers and their support staffs. Will our budget allow this additional feature for the directory?

The lawyers I have spoken with agree that we need an updated directory published annually, at whatever cost. The tradition of a bi-annual directory is not only old-fashioned but very impractical in view of our state's growing and mobile bar. Also, a blow-up cover photo of the Bar President is nice, but I respectfully suggest that on the directory it would be more appropriate to have a nature photo or perhaps a good map of the state showing county lines, county seats, federal districts, and state appellate division and district boundaries, etc.

CHRISTOPHER L. PICKRELL
Seattle

Prior to October, 1981, the WSBA directory was published by the Association in a separate publication. In 1981, the WSBA experimented by publishing the directory in the Bar News as a cost-saving measure. The result, I agree, was unsatisfactory. At this time, the WSBA plans for the Bar News to begin

publishing an annual directory. I agree that cost should take a back seat to quality in the publication of an annual directory. That type of prioritization, however, is not within the editor's jurisdiction. Ed.

Bring Back the Videotape

Editor:

I have just finished reading R. Mark Allen's article "The Plea Bargain" [*Bar News*: 37:3:17], and I am much amused, yet troubled. I enjoyed the article until the last part where defense counsel apparently feels he has mounted sufficient protest and effectively "rolls over," agreeing to plead his client guilty to D.W.I. in exchange for nothing. I suggest a more common response is, "See you next Tuesday. Prove it in Court."

The question that comes to my mind is, "What happened to the police station videotape?" When videotapes were used they often provided a basis for appropriate settlement of many cases and made defense counsel's job much more reasonable and professional. Memories are subject to change, but videotape remains constant.

While working as Municipal Court bailiff in Spokane in 1973, I set up tapes for many D.W.I. cases. Many times I heard the defendants say, "My God, you can't show that in public! Do the best you can for me, but please do not show that in public!" Of course, the prosecution, too, lost a few cases because of the videotapes.

For some mysterious reason, the D.W.I. videotape disappeared a few years back. It's possible that prosecutors found themselves losing a few close cases on the "real facts."

If the duty of prosecutors is to bring the facts before the court, then they should encourage the use of videotape. It is my understanding that the process works well in Arizona and in many other states, just as it used to in Washington. Let's bring it back.

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The Next Fifty Years

This year the Washington State Bar Association celebrates its fiftieth birthday. We look back over the last fifty years and appreciate where we have been and where we are now.

But what about the *next* fifty years? Where are we going to be in the year 2033 when the bar association celebrates its 100th anniversary? Will the practice of law be what it is today, or will the attorney of the mid-21st Century look like R2D2 in a barrister's wig? Will the number of lawyers practicing in this state continue to grow geometrically until we outnumber the lay population three to one? Will our state judges ever get a raise?

To answer these and other questions, we gazed into our yellow crystal ball and saw the future: the July meeting of the Board of Governors, 2033...

FORKS, July 20-21 — By unanimous vote, the Board of Governors has recommended to the Supreme Court that it enact a Limited Practice Rule which will allow attorneys to fill out blank forms. The Board acted swiftly in response to a recent Supreme Court decision which held that only non-lawyers could engage in non-legal activities, and because it required no legal acumen to fill in blanks, only para-legals and escrow agents were lawfully permitted to fill out prepared forms. The Board's quick action circumvented a move in the state legislature to enact a constitutional amendment to eliminate the practice of law altogether.

IOLTA HELPS THE NEEDY — The Board created a special task force to consider a request by the Superior Court Judges Association to allow state judges to receive food subsidies to be paid from interest earned on lawyers' trust accounts. It was noted that Washington's judges haven't received a pay raise in almost sixty years and many have begun moonlighting as pizza deliverymen in order to support their families.

RECIPROCITY FOR LAWYERS — Voting 6-4, the Board of Governors approved a rule which would grant professorial reciprocity to lawyers. Pursuant to the new rule, lawyers who have practiced at least three years and who are in good standing in the bar will be permitted to teach courses at any law school on any subject.

LEGISLATURE ENACTS TAX — Because of Washington's continuing fiscal problems, the legislature (which has been in permanent extraordinary session since 1984) passed a bill imposing a tax on lawyers' "copy received" stamps. The new levy joins the previously imposed taxes on neckties, attache cases and secretaries.

SECTION REPORTS — A delegation from the Washington Male Lawyers Association reported to the Board that men lawyers, a steadily decreasing minority in the profession, are sorely underrepresented in important bar committee chairwomanships because of a blatant "good ole girl" network. Bar President Maria Lopez de la Wong told the men lawyers that the problem exists because too few men involve themselves in bar association activities. No men have sat on the Board of Governors for the past twenty-two years.

DISCIPLINE — Bar counsel announced that the following attorneys were *not* subject to disciplinary proceedings this month: Hannibal Haver-smith. Everyone else will receive his/her notice of reprimand in the mail along with a new bar dues statement.

PEACE THROUGH LAW — The Peace Through Law Committee urged the Governors to endorse a resolution supporting a Mutual Verifiable Freeze on Ice Cream. The Board declined to vote on the issue, calling it too political.

DISTRICTS REDISTRICTED AGAIN — For the 67th time in the past forty-nine years, Washington's congressional districts have again been redistricted. According to the new plan, the Board member representing Tacoma and Pierce County will also represent Bell-ingham, Okanogan and the Tri-Cities area; the governors from King County

will represent everybody else in the state. The Spokane County Bar Association is reported ready to secede from the WSBA and confederate with the Idaho Bar Association.

BAR CENTENNIAL COMMEMORATED — The WSBA has celebrated the passing of its second fifty years by opening a time capsule containing old, yellowed copies of the *Washington State Bar News*. Quick perusal of old *Bar News* issues from the 1980s shows that some of the important issues back then are still being kicked around today.

The more things change, the more they stay the same.

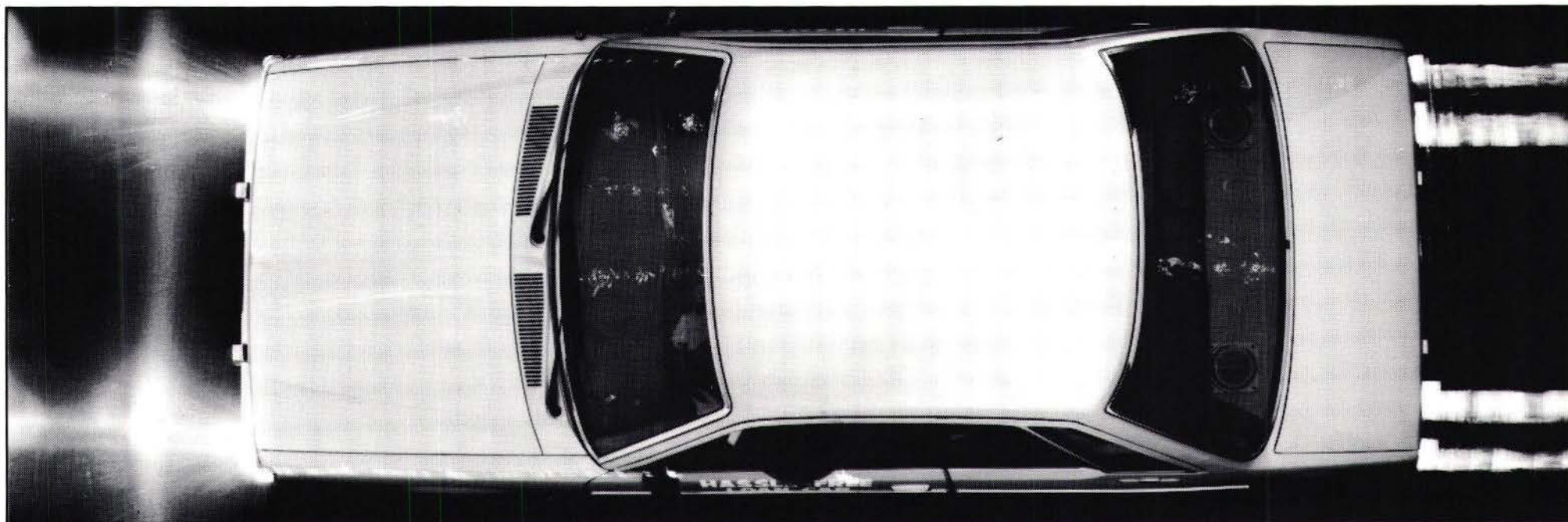
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Although the Board establishes policies and programs, there are far too many for the Board to maintain continuing involvement in the specific actions required to implement them, and, in some cases, initiate them. Accordingly, the Board, through the creation of Standing Committees, has developed a means for individual members of the Bar to participate in the conduct of the Bar's business.

The Board places a high reliance on these various bodies to analyze, write, speak, recommend, act, and otherwise to take a vital role in the affairs of the State Bar. We have 35 Committees and Boards involved with every facet of Bar work. Each makes an invaluable contribution to the prompt, orderly, and informed conduct of the Bar's business. As a reminder of the variety of activities—and the inherent opportunities for lawyer involvement and service—provided by these organizations, the following is a current list of Standing Committees and Boards:

Alcoholism	Insurance Trust Fund
Arbitration Law	Trustees
Attorneys Professional Insurance	International Law
Board of Bar Examiners	Internship
Board of Continuing Legal Education	Interprofessional
Civil Rights	Judicial Recommendation
Clients Security Fund	Law-Related Education
Code of Professional Responsibility	Law School Liaison
Continuing Legal Education	Lawyer Referral
Corrections	Legal Aid
Court Rules and Procedures	Legal Assistants
Court Congestion and Delay	Legal Services to the Armed Forces
Disciplinary Board	Legislative
Editorial Advisory Board	Office Practice
Fee Arbitration Board	Public Relations
Group and Prepaid Legal Services	Resolutions
	Specialization Board
	Statute Law
	Travel
	Unauthorized Practice of Law



The above titles obviously reflect the chartered purpose of each group. If you would like to have specific expression of your special knowledge and advice in any of these areas, or if you want a greater say in the way the State Bar is run, I invite you to make application to join the Committee or Board of your choice. Committee preference forms were mailed to all our members in April. There is still time to fill yours in and return it.

At this moment, the Board is going through the process of recommending new members for the State Bar Committees for the fiscal 1983-1984 term, beginning October 1. Each Board member recommends interested persons from his/her own (Congressional) district for Committee vacancies, and the Board as a whole agrees by consensus on the choices. This process will be completed at the August meeting of the Board. For most Committees, the term of membership is one year, and vacancies open up each year.

I urge you to take up the challenge. The State Bar is your organization, and its progress depends on you. Active lawyer participation becomes more important as the size of the Bar grows beyond its present number of 12,000 members. If you have an interest, please contact your personal representative on the Board and declare your interest.

Paul W. Steere

Minority Lawyers in Washington

by Hwa-Tsun Feng

Who are Washington's minority lawyers? Where do they come from? Where have they gone? . . . In this article, I will report where minority lawyers work in Washington and also give a picture of the minority law students in the three Washington law schools.

There are no official statistics on minority lawyers in Washington. The Washington State Bar Association does not keep statistics by race (as a matter of fact, it does not keep statistics by gender, either). The statistics presented in this article have been supplied by various minority lawyer groups, several government agencies, the state's three law schools, and some law firms. I thank them.

This article has two major parts. In the first part, I will present a series of hypotheses which can by and large be proven by statistics. In the second part, I will present a series of assertions. These assertions are much harder to prove. My hope is that you will think about these assertions and come up with your own answers.

HYPOTHESES

There Are Too Few Minority Lawyers. TRUE.

According to the Washington State Bar Association, there are approximately 10,700 active attorneys in Washington as of the end of 1982. As stated earlier, the WSBA does not know how many of them are minorities.

I contacted leaders of various minority lawyers groups and asked them to tell me how many licensed lawyers are in their

respective groups. They all told me that they can only estimate because not all minority lawyers in the state belong to their groups. They do think, however, that their estimates are reasonably accurate.

TABLE I
MINORITY LAWYERS IN WASHINGTON BY RACE

	Number	%	In King County
Blacks	91	46	80
Asian-Pacific Islanders	66	34	50
Hispanics	30	15	21
Native Americans	10	5	7
TOTAL	197	100	158

Source: *Minority Lawyer Groups: Loren Miller Bar Association, National Conference of Black Lawyers, Asian Lawyers Association, La Raza Lawyers Association; and Gary Bass and Lowell Halvorson, who provided statistics on Native Americans*

Hwa-Tsun Feng chairs the Minority Representation in the Law Committee, Young Lawyers Section, Seattle-King County Bar Association. He received his J.D. from the University of Puget Sound School of Law, and practices law at Davis, Wright, Todd, Riese & Jones in Seattle.

Author's Note: This article will discuss racial and ethnic minorities only. I decided not to cover women for two reasons: (1) I honestly feel the racial and ethnic minority lawyers face more obstacles than women lawyers today; and (2) if I cover women, statistics will be more difficult to analyze and to present, and conclusions will be harder to draw. So, my apologies to our biggest group of minorities in the legal profession — the women. Of course this article covers those women who happen to be racial and ethnic minorities as well.

There are about 197 minority lawyers in Washington today, or 1.9% of the total number of lawyers. The two largest law firms in this state combined have more lawyers than that! Table I gives the number by race.

Minorities Are Underserved by the Legal Profession. TRUE.

This hypothesis is difficult to prove. One oversimplified proof would entail calculating the "population per lawyer" by race. As Table II shows, there are approximately 350 white people for each white lawyer. For minorities, the population per lawyer ratio is significantly higher: from 1,200 for blacks to 6,000 for Native Americans.

The "population per lawyer" statistic is, of course, a superficial way to answer this question. We all know that black people do not use black lawyers only and that white lawyers do not serve white people only.

TABLE II
DISTRIBUTION OF POPULATION AND LAWYERS
BY RACE IN WASHINGTON

	Population Per Lawyer	% of Population	% of Lawyers
Whites	350	88.6	98.1
Blacks	1,200	2.6	0.9
Asian-Pacific Islanders	1,600	2.5	0.6
Hispanics	4,000	2.9	0.3
Native Americans	6,000	1.4	0.1
Other Minorities	?	2.0	?
TOTAL	380	100.0	100.0

Source: Calculations made from the following statistics: 1980 Census - General Population Characteristics for Washington and Table I

Minorities Are Underrepresented in the Legal Profession. TRUE.

This hypothesis is much easier to prove. Table II also presents percentage of population and percentage of lawyers by race; e.g., Asian-Pacific Islanders account for 2.5% of the population in Washington, but only 0.6% of the lawyers. It is obvious that Asians are underrepresented in the legal profession, as are the other minorities.

Too Many Minority Lawyers Practice in Government and Too Few in Private Firms. TRUE.

According to Table III, 84 of the estimated 197 minority lawyers, or 43%, are in private practice. The number practicing in government agencies is a close second, with 62 lawyers, or 31%. Nevertheless, I assert that too many minority lawyers practice in government and too few in private firms. On what basis? By comparison to the bar in general.

TABLE III
MINORITY LAWYERS IN WASHINGTON BY RACE
AND BY TYPE OF PRACTICE

	Blacks	Asian-Pacific Islanders	Hispanics	Native Americans	TOTAL
Government					
Agency	34	20	8	0	62
Legal					
Services	6	3	7	0	16
Judicial	7	4	1	1	13
Private					
Practice	33	35	10	6	84
Corporate					
Counsel	2	1	0	0	3
Law					
Professor	1	1	0	0	2
Other Law					
Related	4	0	2	3	9
Non-Law					
Related	4	2	2	0	8
TOTAL	91	66	30	10	197

Source: Minority Lawyers Groups, same as Table I

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Table IV compares the type of practice for minority lawyers with the type of practice for two other groups. In 1980, the Young Lawyers Division of the American Bar Association conducted a survey to determine membership's reaction to the proposed Model Rules of Professional Conduct. In doing so, the Division compiled statistics on type of practice. The figures in the ABA/WSBA column are taken from the questionnaire circulated to 2,000 members of the WSBA.

The figures in the SKCBA column are taken from a survey conducted by the Seattle-King County Bar Association in July, 1981, when a questionnaire was sent to all lawyers practicing in the Seattle-King County area, including questions on type of practice. That survey received a response from 634 lawyers, approximately 13% of the 5,000 lawyers then practicing in the area.

The percentage figures for the ABA/WSBA and the SKCBA columns are remarkably close. Comparing these two columns with the minorities column, it is apparent that a much higher percentage of minority lawyers practice in government agencies than the general WSBA and SKCBA membership, 31% versus 6%, and that a much lower percentage of the minority lawyers are in private practice than the general bar membership, 43% versus 84%.

TABLE IV
TYPE OF PRACTICE BY PERCENT

	Minorities	ABA/ WSBA	SKCBA
Government Agency	31%	6%	6%
Public (non-profit)			
Practice	8	2	2
Judicial	7	0	1
Private Practice	43	84	84
Corporate Counsel	2	8	5
Other	9	0	2
TOTAL	100%	100%	100%

Source: Table III, ABA/WSBA - Initial Results of the ABA/YLD Nationwide Survey on Legal Ethics, 1980, SKCBA - 1981 Questionnaire

Too Few Minority Lawyers Practice In Large Law Firms. TRUE.

I contacted 13 of Seattle's largest law firms, each with 30 or more lawyers, and asked each firm to provide data about the number of lawyers in its Seattle office as of the end of 1982: how many of them are partners and how many associates, and how many of each are minorities. I promised these firms that no individual law firm statistics would be revealed and that only summary information would be presented.

Of the 780 lawyers in these firms, only 3.2% are minority; 1.6% of the partners are of minority and 4.7% of the associates are.

TABLE V
MINORITY LAWYERS IN SEATTLE FIRMS WITH
30 OR MORE LAWYERS

	Partners	Associates	Total
Whites	366	389	755
Minorities:			
Blacks	3	9	12
Asian-Pacific Islanders	2	6	8
Hispanics	1	3	4
Native Americans	0	1	1
<i>Subtotal</i>	6	19	25
TOTAL	372	408	780
Minority %	1.6	4.7	3.2

Source: Hiring partners or administrators of 13 Seattle firms with 30 or more lawyers

A Higher Percentage of Government Lawyers Than Private Lawyers Are Minorities. TRUE.

As stated earlier, only 3.2% of the lawyers from 13 of Seattle's largest firms are minorities. How does that compare with some of the largest government employers of lawyers in the state?

Table VI presents the data from the offices of the State Attorney General, King County Prosecuting Attorney, and Seattle City Attorney. Minorities account for 10% of the lawyers in the State AG's office, 14% in the King County Prosecuting Attorney's office and 27% in the Seattle City Attorney's office. These percentages are much higher than the law firms can claim.

TABLE VI
MINORITY LAWYERS IN THREE GOVERNMENT AGENCIES

	State Attorney General	King County Prosecutor	Seattle City Attorney
Whites	201	83	30
Minorities:			
Blacks	10	7	5
Asian-Pacific Islanders	9	3	4
Hispanics	1	3	2
Native Americans	1	0	0
<i>Subtotal</i>	21	13	11
TOTAL	222	96	41
Minority %	10	14	27

Source: Offices of State Attorney General, King County Prosecuting Attorney and Seattle City Attorney

Minority Law Student Enrollment in Washington Has Been Leveling. TRUE.

So far we have been analyzing minority representation in the legal profession. What about minority representation in the state's law schools, where a good number of the future Washington minority lawyers come from?

TABLE VII
MINORITY LAW STUDENT ENROLLMENT IN
WASHINGTON, 1982

	UW	UPS	Gonzaga	TOTAL	%
Whites	396	968	580	1,944	92.9
Minorities:					
Blacks	14	18	10	42	2.0
Asian-Pacific Islanders	28	31	14	73	3.5
Hispanics	8	11	6	25	1.2
Native Americans	1	4	1	6	0.3
Other	0	0	2	2	0.1
<i>Subtotal</i>	51	64	33	148	7.1
TOTAL	447	1,032	613	2,092	100.0
Minority %	11.4	6.2	5.4	7.1	

Source: Schools of Law of University of Washington, University of Puget Sound, and Gonzaga University

Table VII shows the minority law student enrollment figures for Washington's three law schools in the Fall of 1982. Of the total of 2,092 law students enrolled, 148 of them, or 7.1%, are minorities. Minority percentages for the individual law schools range from 5.4% for Gonzaga to 11.4% for UW. UPS, the largest of the three schools, has the largest number of minority students, but its 6.2% is a distant second behind UW's 11.4%.

TABLE VIII
MINORITY LAW STUDENT ENROLLMENT IN
WASHINGTON, 1974-1982

	UW		UPS		Gonzaga		State	
	#	%	#	%	#	%	#	%
1974	82	16.6	19	2.3	15	1.5	116	5.1
1975	76	15.5	32	3.5	17	1.8	125	5.4
1976	70	14.3	29	3.2	30	3.5	129	5.7
1977	64	13.2	42	4.7	32	3.9	138	6.3
1978	56	12.5	39	4.5	36	4.1	131	6.0
1979	58	12.9	37	4.4	47	6.4	142	7.0
1980	55	12.5	55	5.4	40	5.9	150	7.0
1981	63	13.9	55	5.6	33	5.3	151	7.3
1982	51	11.4	64	6.2	33	5.4	148	7.1

Source: Schools of Law of University of Washington, University of Puget Sound, and Gonzaga University

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Each law school shows different trends. Table VIII shows data from 1974 to present. At UW, minority enrollment has been steadily declining, both in number and in percentage. At Gonzaga, a peak was reached in 1979, but minority enrollment both in number and in percentage has been declining since then. Only at UPS is there a steady increase both in number and in percentages throughout the entire period.

For the state as a whole, minority law student enrollment has been hovering around 150 in the last three years, this after a steady increase since the mid-1970s.

Minority Law Students Have a Higher Attrition Rate. FALSE.

On a nationwide basis, there is data to support the hypothesis that a higher percentage of minority law students is flunking out of law schools. However, there does not seem to be statistical support for this hypothesis in Washington. Table IX shows the number and percentage of minority law graduates by year since 1976. With the exception of 1979, when only 3.8% of the graduates were minorities, the percentages in the other years are quite in line with the minority enrollment percentages presented in Table VIII.

TABLE IX
MINORITY LAW GRADUATES IN WASHINGTON, 1976-82

	Minority	Total	Minority %
1976	30	664	4.5
1977	35	622	5.6
1978	37	534	6.9
1979	25	654	3.8
1980	36	625	5.8
1981	44	659	6.7
1982	46	573	8.0

Source: Schools of Law of University of Washington, University of Puget Sound, and Gonzaga University

A Lower Percentage of the Minorities Accepted for Law Schools in Washington Actually Enroll. TRUE.

Table X presents the 1982 entering class statistics of the Washington law schools. The table breaks into two sections, whites and minorities. "% accepted/applied" is the percentage of those applied who are actually accepted by the law schools. "% enrolled/accepted" is the percentage of those accepted who later actually enrolled.

UW and UPS both show that they accept a higher percentage of the minorities applied than whites. However, both schools show that a lower percentage of the minorities accepted actually enroll. Gonzaga's data is somewhat different, but on a statewide basis, it remains true that a lower percentage of minorities than whites accepted by law schools actually enroll.

TABLE X
1982 ENTERING CLASS STATISTICS OF
WASHINGTON LAW SCHOOLS

	UW	UPS	Gonzaga	State
<i>Whites</i>				
Number Applied	1363	1277	1066	3706
Number Accepted	336	666	663	1665
% Accepted/Applied	25%	52%	62%	45%
Number Enrolled	142	332	224	698
% Enrolled/Accepted	42%	50%	34%	42%
<i>Minorities</i>				
Number Applied	197	101	93	391
Number Accepted	62	63	47	172
% Accepted/Applied	32%	62%	51%	44%
Number Enrolled	13	26	16	55
% Enrolled/Applied	21%	41%	36%	32%

Source: Schools of Law of University of Washington, University of Puget Sound, and Gonzaga University

Lawyers, whether practicing as members of the Bar or in other fields, play key roles in high level positions in government and industry, thus having a great impact on the lives of Americans. Lawyers' impact on the lives of minorities may be even greater.

The Legal Profession's Continued Dominance by White Males Has Adverse Effects on American Society. True or False?

The assertion that the legal profession is currently dominated by white males hardly needs proving. Minorities have been largely excluded from a profession of tremendous importance and power. Whether this exclusion is due to the legal profession's past active discrimination, to benign neglect, to class disadvantages, or to simple inertia is immaterial.

The continued dominance of white males in law and the continued exclusion of minorities will mean continuing to deny a large section of the population the right to participate in the legal process. This denial will have the continued effect of disenfranchising that large section of the population, and can only have adverse effects on the American society at large.

ASSERTIONS

Lawyers Have the Greatest Impact on the Lives of Americans of Any Profession. True or False?

To Include Minorities and Women in Its Mainstream Is in the Legal Profession's Own Best Interest. True or False?

To break down the barriers which have historically prevented minorities and women from entering the legal

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profession is not only the right thing to do, but is also in the best interest of the profession. Effective legal representation is an important tool for the minorities in overcoming historical discrimination. To include minorities and women in the mainstream of the legal profession will promote diversity of thought, will bring in different viewpoints to problems, and will encourage different and more creative solutions.

Law Firms Have Not Done as Good a Job as Government in Recruiting Minorities. True or False?

The available statistics are dramatic. In 13 of Seattle's largest law firms, only 3% of the lawyers are minorities. The minority lawyer percentages in smaller firms will be even lower. On the other hand, the offices of Seattle City Attorney, King County Prosecuting Attorney, and State Attorney General can boast 27%, 14%, and 10% minority representation respectively.

Lawyer turnovers at the firms are much lower than within the government agencies. Thus, even if the law firms hire the same percentage of minorities in a given year as do these government agencies, the law firms' overall percentage of minority lawyers will not go up as fast as that of these government agencies would. The fact, however, is that law firms are hiring fewer minority lawyers in both number and in percentage in any given year.

Law Firms Are Looking for a Different Kind of Lawyer Than Government Is. True or False?

Some law firm hiring partners explain that they have not been hiring as many minorities as the government because the law firms are looking for a different kind of lawyer, implying that law firms' standards are higher. This is obviously a controversial issue which this article does not intend to resolve, and I leave it to you, the reader, to decide.

Of course, government agencies can argue that thanks to the lack of hiring by law firms, government has a larger pool of qualified minority lawyers from which to recruit and hire.

Law Firms Have Not Tried as Hard as Government in Recruiting Minorities. True or False?

Compared to private law firms, government agencies have done a much better job in recruiting minorities. Government agencies routinely send letters to the law school placement offices and contact minority student groups, urging minority students to apply. Some heads of agencies routinely visit Washington law schools during the hiring season to talk to minority law students.

Many hiring partners in law firms explained that they have not been able to hire minority lawyers because minorities do

not seem to be interested in them. They lament that minority law students do not sign up for an interview when their law firms visit the campus and that very few resumes they receive come from minorities. One told me, "If they do not apply, what can I do?" My answer follows.

Law Firms Should Reach Out to the Minorities If Indeed They Want to Hire Them Into Their Firms. *True or False?*

Of course law firms can do what the government does if they are serious in hiring minorities. In fact, I know of one large Seattle law firm which does just that. After years of inability to hire minority lawyers, this Seattle firm decided to send letters to the placement offices and minority student groups on the campuses that this law firm recruits, to invite minority students to sign up for its interview. As a result, more minority students have signed up to interview with this firm than ever before, and this firm has hired one minority associate and two minority summer clerks for 1983.

Employers Need to Examine Their Standards in Hiring Minority Lawyers. *True or False?*

Some employers honestly believe that they do not discriminate against minorities. To prove their point, they note that they use the same standards to judge minorities as they do to judge white males. This, however, may miss the point.

Employers need to recognize that the minorities they interview will be different from the whites they interview in many respects. Often the minorities do not have the same values the upper middle class whites possess, because they are brought up in a different culture, and in a different economic background. Many of them did not have role models, as they themselves are first-generation professionals.

The employers need to examine their standards to determine how many of those standards are job-related and how many are not. As long as the employers insist on the same prep school, the same ivy league law school, the same law review, and the same top 10%, they will have effectively screened out many qualified minorities.

Among Minorities, Women Have Made the Most Progress in the Last Decade. *True or False?*

What happened to women lawyers' career opportunities in the last decade is both revealing and instructive. Certainly, women lawyers are still facing numerous obstacles. However, in the area of new hirings by major law firms, women lawyers have made marked progress.

There were very few women lawyers in major law firms as recently as five years ago, because law firms did not hire women in substantial number until three or four years ago. Today, between 30% and 60% of the new associates hired by major Seattle law firms are women.

There can only be one answer. Law firms are finding out that women can be good lawyers and that clients do not mind

dealing with them. In other words, women lawyers in these firms have taken advantage of the opportunity to prove that they are as good as men. Minorities need to have the same opportunity to prove that they are as good as whites.

Hiring partners often say that they have not hired many minorities because they cannot find the qualified ones that they would like to have. I wonder if the hiring partners five or ten years ago were saying the same kind of thing about women.

Washington Law Schools Must Redouble Their Efforts to Recruit Qualified Minority Students. *True or False?*

As stated earlier, the minority law student enrollment has been hovering around 150 in the three Washington law schools. That by itself does not seem to be too bad, especially in light of the fact that the total law school enrollment has also been leveling.

However, when one analyzes the data at UW and Gonzaga, one will find the disturbing fact that both law schools' minority student enrollment figures have been dropping. The law schools need to do a better job in recruiting minority college graduates into their law schools. The Washington Bar undoubtedly relies heavily on the state's three law schools for its future minority lawyers.

It was reported earlier that many of the minority students accepted to the Washington law schools do not actually enroll. In fact, the ratio of students enrolled versus students accepted is lower for minorities than for whites. There are undoubtedly many reasons for this. Some may decide not to go to law school altogether. Some may go to other law schools for a variety of reasons, one of which may be better financial aid in other schools. It is incumbent upon the Washington law schools to find out why the students they have accepted do not enroll and, once the reasons are known, to find ways to rectify the situation.

CONCLUSION

This article presents a "snapshot" picture of minority lawyers in Washington. An accurate "moving picture" is not possible since, as far as I can determine, similar statistical data has not been gathered in the past.

The purpose of this article was to inform. I presented some statistics and from them I made hypotheses. Many of these hypotheses should be considered proven because the statistics support them. I also presented some assertions. Some would not be susceptible to statistical proof. Some are susceptible to statistical proof, but no such statistical data is available. I leave it up to you to determine their truth or falsity.

In any event, the important thing is not to prove everything to everyone's satisfaction. Rather, if this article has caused you to think about the state of minority lawyers, and its implications for both our profession and our society, it will have served its purpose. □

WASHINGTON STATE BAR NEWSLINE

The Board's Work



by Steven A. Reisler

WOMEN LAWYERS HOST GOVERNORS

LA CONNER, June 10 -- Representatives of Washington Women Lawyers' ten state-wide chapters today hosted their annual luncheon for the Board of Governors.

The annual luncheon is an opportunity for the 500 member WWL to explain its goals to the State Bar's Board of Governors.

Spokane attorney Claire Courtney, Secretary of WWL, told the Governors that her organization has three principle goals: 1) to support women lawyers in the legal profession; 2) to foster women lawyer contacts throughout the state; and 3) to focus attention on women's issues at the legislative level. WWL employs a full-time lobbyist who expresses the organization's position in Olympia on such issues as abortion, comparative worth, and anti-crime legislation. WWL also evaluates men and women candidates for judicial positions. Among WWL's requests of the Board is that it appoint more women to important WSBA committees.

WWL's membership role includes three men lawyers: Jack Dean, Joe Delay and David Welts.

SEATTLE INDIAN CENTER

Prior to June 30, 1982, the Seattle Indian Center, Inc., provided free legal services for indigent Native Americans. Due to lost federal funding, the Center proposes to charge each of its clients nominal fees based upon the indigent's ability to pay. The Center is concerned that this proposal will jeopardize the organization's tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

By a 10-0 vote, the Board stated its support for the concept and goals of the Seattle Indian Center to provide low cost legal assistance to indigent Native Americans and authorized the issue of a letter to the IRS expressing that support.

JUDICIAL QUALIFICATIONS COMMISSION

The Board unanimously voted to appoint Spokane attorney Roger Underwood as alternate to William Baker on the Judicial Qualifications Commission. Underwood replaces Yakima attorney Robert Redman, who will assume the presidency of the WSBA in September.

DISTRICT COUNSEL

J. Donald Curran was appointed Special District Counsel for Spokane County. President Steere explained that an immediate appointment to the District Counsel position was necessary because of a backlog of pending disciplinary investigations.

PEACE THROUGH LAW

neurologist Dr. Judith Lipton.

The Board unanimously authorized the World Peace Through Law Section to present the Section's "Ralph Bunche Award" for 1983 to Kirkland psychiatrist and

JUDICIAL SALARIES

Despite support from the WSBA, the 1982-1983 legislature failed to enact a pay raise for Washington's judges. The Board went into lengthy executive session to discuss the reasons why judges did not receive a pay increase and to devise a strategy for the next legislative session.

By unanimous vote, the Board authorized support for a "viable and meaningful" judicial salary increase bill in the 1983-1984 legislative session and placed it at the top of the Bar's agenda. The Board also voted to coordinate its legislative activities with those of other organizations (such as the Superior Court Judges Association and WSTLA) in an effort to achieve that goal.

THE BOARD OF GOVERNORS WILL VOTE ON THE ISSUE OF INTEREST ON LAWYER TRUST ACCOUNTS (IOLTA) AT ITS JULY MEETING.

SCHEDULE OF BOARD MEETINGS

July 15 & 16. Victoria, B. C.
August 19 & 20. Port Ludlow
September 12. Spokane

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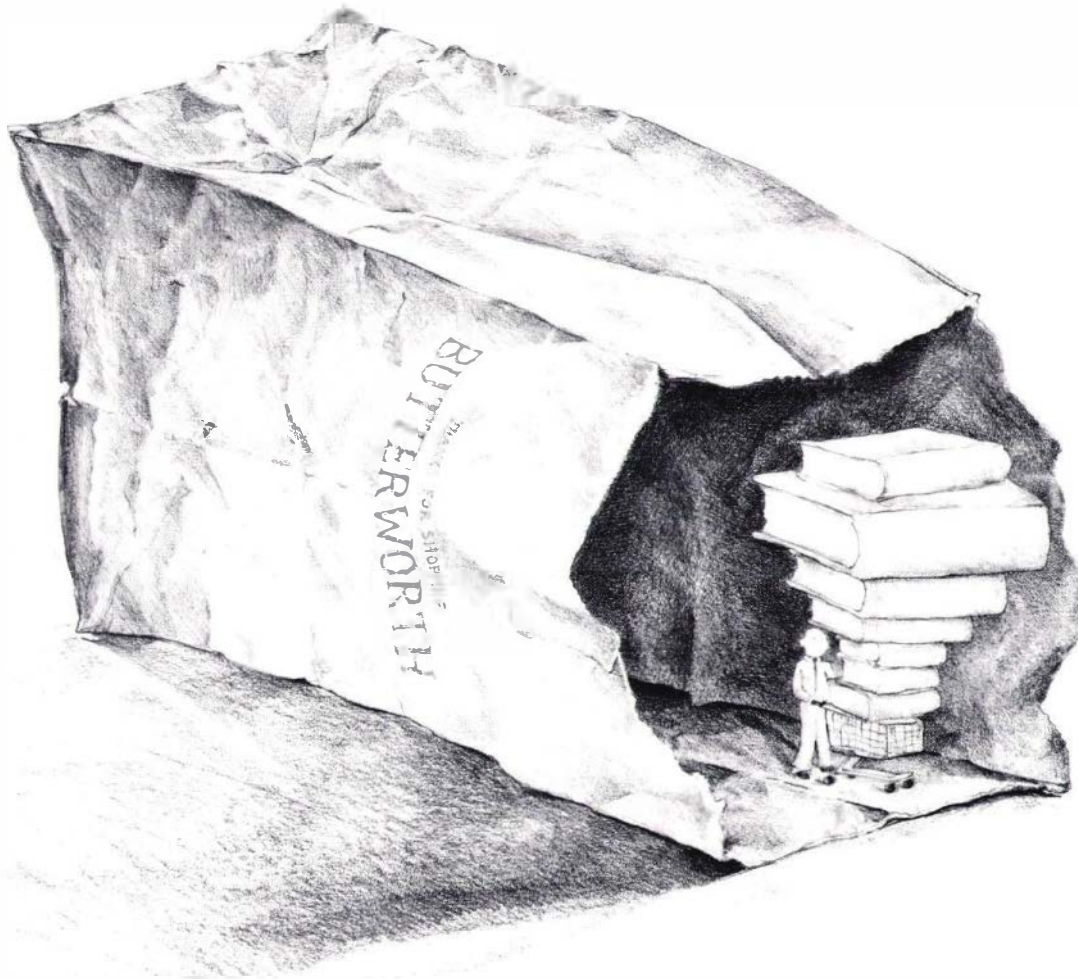
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94th Annual Meeting CLE Programs

by Joel G. Green
Assistant Director of CLE

Marking the Golden Anniversary of the State Bar Act and the unified Bar Association, the 1983 Bar Convention will present many CLE programs focusing on the theme of "Law Practice Management in the '80s."

Monday, September 12. The lead-off seminar, **SURVIVING THE PRACTICE OF LAW IN THE 1980S**, features nationally renowned office management expert, J. Harris Morgan, who will talk about "Getting and Keeping Clients." He will be followed by a panel of prominent Washington lawyers who will offer their views. Registrants will have the opportunity to question both Mr. Morgan and the panelists. Scheduled from 9:00 a.m. to noon, this seminar will provide intriguing commentary regarding the future of the practice of law.

That afternoon, from 2:00 to 5:00 p.m., the Trial Practice Section will present the Honorable Charles A. Moylan, Jr., Associate Judge for the Maryland Court of Appeals. Judge Moylan is an experienced jurist and teacher who has lectured to judges' groups and others throughout the nation. A widely published author, Judge Moylan's presentation on "The History of the Law of Evidence" will be both entertaining and informative. You won't want to miss this one!

Tuesday, September 13. From 9:00 a.m. to noon, a special program on the **USE OF COMPUTERS IN THE LAW OFFICE** will be offered. This seminar will teach you why computers should be used in the office; what computers can do for you; how to select a computer system (including a look at the use of microcomputers); and how to make your choice of computer work for you. It will include thorough discussion of the acquisition contract, with a focus on hardware, software, and support. A panel discussion open to questions from the audience will allow registrants to get answers to specific questions.

The Environmental and Land Use Law Section is sponsoring a program in the same time slot. In addition to a legislative update, with an emphasis on the new SEPA amendments, and an update on case law, there will be a section on municipal liability, which will cover both claims and defenses, and a section on "preventive medicine" for land use clients.

That afternoon, from 2:00 to 5:00 p.m., the Family Law Section will present a seminar on **MAKING A LIVING IN FAMILY LAW**. This program includes an update on family law, with an emphasis on military pensions. A section on "Grievance-proofing in a Family Law Practice" and another on "Making a Family Law Practice Pay" are the program highlights. An Assistant Attorney General will provide practitioners with an inside look at that office's approach to dependency and termination cases.

Wednesday, September 14. The Creditor-Debtor Rights Section sponsors this morning's program on **HANDLING CONSUMER BANKRUPTCIES**. This seminar will teach you how to properly handle and manage Chapter 7 bankruptcies, from the standpoint of the debtor. Internal office procedures and management tips, as well as substantive bankruptcy law and procedure, will be covered. In addition, the program will stress the effect of the newly adopted bankruptcy rules. The speakers will also report on any new legislation affecting bankruptcy practice. The program's goal is to teach you how to be more productive and efficient in the handling of Chapter 7 bankruptcies.

That afternoon, the Young Lawyers Section will present their fourth **UPDATE ON THE LAW**, using live commentary and videotaped skits. This irreverent look at the law has been a year-long project of the Section and promises to be highly entertaining. Will the spectre of Public Policy rise again?

Thursday, September 15. The Real Property, Probate & Trust Section will present a dual program from 2:00 to 5:00 p.m. The first half of the program features well-known lawyers from throughout the state, who will take a look at "The Future of Estate Planning and Probate Practice" in Washington. Recent statutory changes make this topic one of vital interest to lawyers concentrating their practice in this area. This one-and-a-half hour program will be followed by one dealing with "Selected Problems in Realizing on Real Estate Collateral," a repeat presentation from the June Mid-Year Meeting.

Note: These are just *some* of the programs at this year's Convention; as noted, the August *Bar News* will feature the remaining programs and the Convention Schedule.

EFFECTIVE NEGOTIATION TECHNIQUES FOR LAWYERS. This seminar features Prof. Norbert S. Jacker in a full-day mini skills training course on Friday, August 19, 1983, at the Battelle Institute's Seattle Campus. The ability to negotiate may be the most basic common denominator of successful attorneys. Studies have shown that 90% of all client matters are resolved by negotiation, but negotiation is so intertwined with each area of the law that it has rarely been seen as a separate and distinct skill until recently. This seminar is an expanded version of the seminar presented at the 1982 Bar Convention. Using a combination of lecture, videotaped demonstrations, and participatory exercises, Prof. Jacker will assist you in improving and refining your negotiation techniques, by breaking down the negotiation process into understandable components. An advance copy of Prof. Jacker's forthcoming book, *Effective Negotiation Techniques for Lawyers*, to be published by the National Institute for Trial Advocacy, will be the course manual. This is a truly informative and entertaining program that you won't want to miss.



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Notes From the Academy

Edited by Professor William B. Stoebuck

ADMINISTRATIVE LAW. In upholding right of school districts to bargain and grant released time for officers and members of local education association, court rejected argument that RCW 41.59.150 gave either exclusive or primary jurisdiction of dispute to Public Employees Relations Commission. *State v. Northshore School Dist.*, 99 Wn.2d 232 (1983).

—J.M. Vache

CIVIL PROCEDURE. Complaint filed on last day permitted under relevant statute of limitations was not timely where defendant was not served with process within 90 days thereafter, even though defendants filed voluntary notice of appearance within 90 days. Notice of appearance did not waive objections to running of statute. *Adkinson v. Digby, Inc.*, 99 Wn.2d 206, 660 P.2d 756 (1983).

—P.A. Trautman

CONSTITUTIONAL LAW. Requirement of workforce of at least 50 per cent city residents on city construction projects, whether city uses its own or federal funds, is constitutional. *White v. Massachusetts Council of Constr. Emps.*, ___ U.S. ___, 103 S. Ct. 1042 (1983). *Note.* This holding is contrary to, and appears to supersede, *Laborers Local Union No. 374 v. Felton Constr. Co.*, 98 Wn.2d 121, 654 P.2d 67 (1982), noted in this column in the March, 1983, issue.

—R.L. Fletcher

CRIMINAL LAW AND PROCEDURE. Information given to police by defendant's spouse may be used to give police probable cause to arrest, even though it would have been within marital privilege if offered in a judicial proceeding. *State v. Bonaparte*, 34 Wn. App. 285 (1983).

—G.R. Nock

REAL PROPERTY SECURITY. State-chartered bank may not enforce due-on-sale clause in deed of trust, absent showing that trustor's conveyance would increase beneficiary's risk. Court follows *Bellingham First Fed. Sav. & Loan Ass'n v. Garrison*, 87 Wn.2d 437, 553 P.2d 1090 (1976). *Cf. Fidelity Fed. Sav. & Loan Ass'n v. de la Cuesta*, ___ U.S. ___, 102 S. Ct. 3014 (1982), which holds that a *federally* chartered savings and loan association may fully enforce due-on-sale clause. *Magney v. Lincoln Mut. Sav. Bank*, 34 Wn. App. 45, 659 P.2d 537 (1983).

—W.B. Stoebuck

TORTS. Utility supplying electricity is held to degree of care that varies with severity of danger to public. Where danger is of serious accidents or death, utility is held to highest degree of care of which human prudence is capable, and evidence as to practicalities of safer operation (*i.e.*, state of art and economy of operation) is only minimally relevant. *Keegan v. Grant County P.U.D.*, 34 Wn. App. 274 (1983).

—R.S.L. Roddis



RESOLUTIONS COMMITTEE

RESOLUTIONS

...To Be Considered at the 1983 Annual Business Meeting of the Washington State Bar Association

According to the by-laws of the Washington State Bar Association, resolutions and reports received by the Resolutions Committee at least 60 days prior to the Annual Business Meeting are to be published in the *The Washington State Bar News* prior to such Annual Business Meeting.

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

As announced in last month's *Bar News*, the Resolutions Committee will hold a public hearing prior to the Annual

Business Meeting. The hearing is scheduled for 10:00 a.m. on September 1, at the offices of the Bar Association. Upon completion of business that day, or at the Chairperson's discretion, the hearing will be adjourned to reconvene on September 12 at 5:00 p.m., as shown in the convention program.

The advance public hearing session on September 1 has been scheduled in an effort to allow more time to those presenting views and in an effort to give the members of the Committee more time to consider the resolutions and to request any additional information which might be helpful to the Committee in making its recommendations on the resolutions to the membership. Proponents and opponents of resolutions are urged to attend the September 1 hearing if at all possible, and, if not, to present their views prior to that time in concise written form for consideration by the Committee at that hearing.

Presence at or absence from the September 1 hearing will not affect any right under the by-laws to present views when the public hearing reconvenes during the convention. At the reconvened hearing, preference in presenting views will be given to those with viewpoints which were not expressed at the September 1 hearing. Proponents and opponents will be given a reasonable opportunity to be heard at the advance session and at the reconvened hearing.

At the conclusion of discussion of each resolution at the reconvened hearing, the Resolutions Committee will recom-



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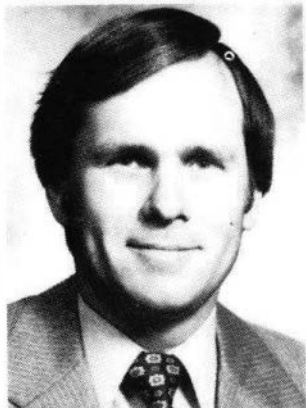
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Mr. Clausen has published, lectured, and testified on numerous professional matters. He holds a B.S. in engineering and a Masters in Business Administration. Previously he managed the Business Valuation Services of Sea-First N.B.

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mend approval or rejection of any such resolution, with amendments if deemed appropriate.

A copy of the by-laws regarding time deadlines and other information about submitting resolutions may be obtained from the State Bar Office.

RESOLUTIONS COMMITTEE MEMBERS

Suzanne Miller Koestner, Chairperson

John Aaby	John F. Kruger
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COURT RULES AND PROCEDURES COMMITTEE

Bar Participates in Court Rules Development

by Deborah Dowd
WSBA Staff Attorney

As briefly noted in earlier issues of the *Bar News*,¹ the Bar Association's members now have an opportunity actively and directly to participate in the study and development of rules of court. Under the auspices of the Court Rules and Procedures Committee, practitioners will debate and develop rules governing their daily work. Representatives from the Court of Appeals, the Superior Court Judges' Association, and the Magistrate's Association have been invited to attend the Committee meetings to ensure an adequate exchange of viewpoints within the legal community. However, the Committee membership will not be expanded because the new rulemaking procedure enables the Supreme Court to receive other options on proposed rules.

The Committee has assumed specific responsibility for the Rules of Evidence, the Rules of Appellate Procedure, the Superior Court Civil Rules, the Superior Court Criminal Rules, the Rules for Appeal of Decisions of Courts of Limited Jurisdiction, the Justice Court Civil Rules, the Justice Court Criminal Rules, and the Justice Court Traffic Infraction Rules. These eight sets of court rules will be reviewed on a four-year cycle, ensuring a cohesive and complete revision, if necessary, for each rules group.

Until recently, almost every Supreme Court Advance Sheet contained proposed and adopted amendments to court rules. In response to protests from judges and practitioners that such

¹ 1983 Annual Report of the Washington State Bar Association, *Bar News* 37:4:3 (April, 1983).

continual, piecemeal revisions were difficult to accommodate, the Supreme Court convened a Task Force on Rule Making Procedures in the late summer of 1981. The Task Force devised GR 9, 97 Wn.2d 1101 (1982), which provided guidelines to determine the need for a rules change and established a regular rulemaking schedule. Under GR 9(a) (4) - (7), a proposed rule revision is measured against the following standards: it is needed statewide, it provides necessary governance of court procedure and practice, it is clear and definite in application, and overall rules changes are minimal to prevent disruption of court practice.

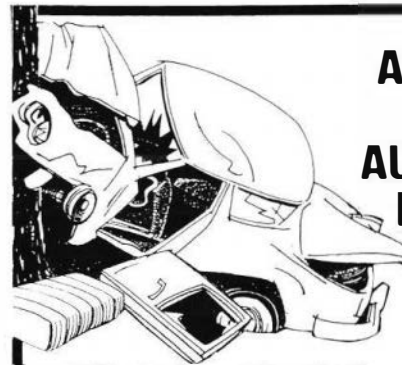
Pursuant to the GR 9 schedule, proposed rules, defined as a recommendation for a rule change made by the Judicial Council or the Bar Association, must be received by the Supreme Court on or before October 31 of each year. If the Supreme Court approves these proposed rules, they will be published for comment during January.² The four-month comment period, which ends the last day of April, was designed to coincide with the annual meetings of most associations which would be interested in or affected by proposed rules. All adopted rules are published in July in a special edition of the Supreme Court Advance Sheet. GR 9 also established one effective date of September 1, enabling courts and practitioners to prepare for any new procedures. Thus, the rulemaking process has achieved reliability and uniformity, as well as permitting full notice to and study of proposals by affected groups.

After the Judicial Council's funding was severely reduced, the Board of Governors agreed to assume responsibility for specific sets of rules and designated the Court Rules and Procedures Committee for this role.³ In addition, the Board of Governors added a staff attorney position to provide assistance to the Committee. The Committee will work within the guidelines and schedule outlined by GR 9. For example, suggestions for rules revisions will usually be compiled until that specific set of rules comes up on the cyclical review. However, if a rule is unworkable or presents an emergency situation, the Committee will analyze the problem outside the regular schedule. This procedure should eliminate or reduce the piecemeal, unrelated amendments which led to the initial development of GR 9. The Committee expects to begin its work with the Rules of Appellate Procedure and the Superior Court Civil Rules. Your suggestions and ideas for amendments to these or to other of the designated sets of rules are invited.

The new responsibility for court rules development requires close communication among all the Bar Association Committees. But it is hoped the enhanced role of the Bar Association will benefit the entire legal community.

² The first set of proposed rules under GR 9 was published for comment at 98 Wn.2d#3 (January 7, 1983). The comment period ended April 29, 1983.

³ Reiser, "The Board's Work", *Bar News* 37:2:27 (February, 1983); Tegland, "Judicial Council Report", *Bar News* 36:8:38 (August, 1982).



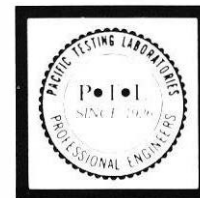
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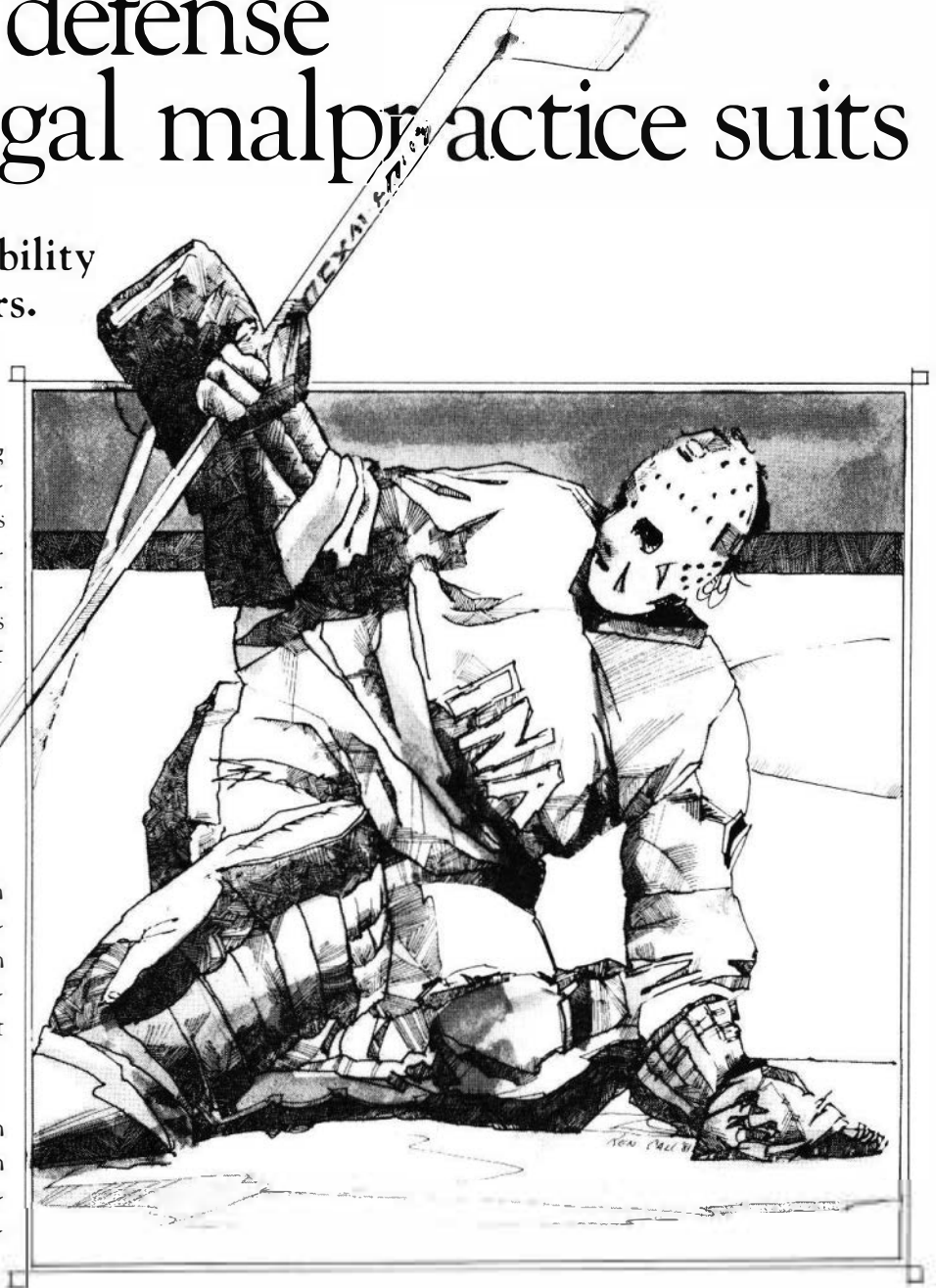
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ANTITRUST SECTION

Antitrust Commission Report Available

by **Thomas L. Boeder**
Chairman, WSBA Antitrust Section

Early in 1981, the Antitrust Section of the Washington State Bar Association, under the chairmanship of Fredric C. Tausend, established a special commission to study and report on the Washington antitrust laws. Seattle attorney William L. Dwyer was appointed to chair the commission with the assistance of vice chairmen Thomas J. Greenan and James Magee. The work of the commission, which came to be known as the "Dwyer Commission," continued until 1983 when its final report (consisting of over 400 pages of background information, analysis and recommendations) was completed. This report is now being published and is available for purchase from the Washington State Bar Association office in Seattle.

The Antitrust Commission Report may well be the most exhaustive and definitive analysis of any state antitrust law in the country. It is certainly the most thorough research source available to those involved in cases under the state's principal consumer protection and antitrust statute, RCW 19.86.

Background

At the beginning of the commission's project, all members of the Antitrust Section were invited to join the commission and to take part in its work. The response from the antitrust bar to this request for participation was excellent. The objective of the project was twofold: First, to produce a thorough written analysis of RCW 19.86 and the law which has been developed since the statute was enacted in 1961; and second, to formulate proposals to the Washington Legislature for changes that would enhance the effectiveness of the statute.

Commission members were organized into four task forces that took responsibility for the individual sections of the commission's study and ultimate report: Private Enforcement Task Force, Thomas J. Greenan, chairman; Public Enforcement Task Force, Thomas L. Boeder, chairman; Exemptions and Immunities Task Force, James L. Magee, chairman; and RCW 19.86.020 Task Force, Hugh F. Bangasser, chairman.

It was understood at the outset that the commission as a whole would not attempt to edit, modify or overrule any conclusions or recommendations resulting from the months of careful research, analysis and consideration by the diverse and well-qualified members of each task force, so that the overall report is essentially a combination of reports by each separate task force.

In addition to the usual statutory analysis and legal research, the antitrust commission relied upon two additional sources of information which lend unique depth to the study

and ultimate report: 1) questionnaires submitted to superior court judges and antitrust lawyers in Washington to identify unreported antitrust and consumer protection cases brought in the superior courts of the state (significant pleadings and briefs from these unreported cases together with summaries of this material were prepared and made available to commission members); and 2) a summary prepared by the Washington State Attorney General's office of all antitrust and consumer production cases in which the attorney general has participated since enactment of RCW 19.86 in 1961.

Special Features

In addition to the in-depth legal research and analysis and the legislative recommendations found in the Antitrust Commission Report, the publication contains a number of special features:

- a summary analysis of basic provisions in the antitrust statutes of each state
- the results of a survey of the views of the Attorneys General of all fifty states regarding the importance of criminal antitrust sanctions
- a detailed analysis of the labor and agriculture exemptions under RCW 19.86
- a detailed analysis of unfair and deceptive practices law as it applies to consumer protection actions under RCW 19.86

Legislation

Numerous legislative recommendations by the commission's task forces were distilled into a proposed Antitrust and Consumer Protection Improvements bill, which was enacted, with minor amendments, by the 1983 legislature and signed by Governor Spellman. The principal elements of that act are as follows:

1) Maximum civil penalties for antitrust violations are increased to \$100,000 for a person other than a corporation and \$500,000 for a corporation.

2) The maximum limit for discretionary treble damages that may be awarded by a court for violation of RCW 19.86.020 (prohibiting unfair and deceptive acts or practices and unfair methods of competition) is increased from \$1,000 to \$10,000.

3) The Washington Unfair Practices Act, RCW 19.90, is repealed based on the rationale that this statute is archaic, ineffective and unnecessarily duplicative of remedies provided by RCW 19.86 itself.

4) Copies of initial pleadings and appellate briefs in private actions raising issues under RCW 19.86 are required to be filed with the Washington State Attorney General's office.

Conclusion

The final report of the WSBA Antitrust Commission should prove an invaluable tool for those lawyers and judges confronted with issues and causes of action arising from the state's principal antitrust and consumer protection statute, RCW 19.86. Copies of the report may be obtained by mailing \$30.00 to the Washington State Bar Association, Attention: Serni Reeves, 505 Madison Street, Seattle, WA 98104.



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GRAYS HARBOR COUNTY

by JOHN L. FARRA

The 1983 Bar Derby and Salmoner, put on by the Grays Harbor Bar Association, is set for June 17 at Westport, Washington. This year's chairman is **Curtis M. Janhunnen**. For more information, contact Mr. Janhunnen at P.O. Box 1806, Aberdeen, WA 98520, telephone (206) 533-1600.

Because this column has not been written for many years, a number of updates will be recorded over the next few months. Out at Ocean Shores there are three attorneys: **Michael Valdez** and **C. Scott Sage**, having recently formed the firm of Valdez and Sage; and attorney **Mary Shearer**.

It is unfortunate that there has not been a column from our area to set forth the esteem in which the late **Lester Stritmatter** was held by his fellow attorneys and by all members of the Bar. It should be noted that he was one of the truly respected and loved attorneys in this area of the state.

PIERCE COUNTY

by GEORGE KELLEY

Remedial legal education for lawyers included a program presented by **Frank Ladenberg** and **Douglas Smith** on dissolutions and military pensions under the Former Spouses Protection Act. The program was well received by all but the few retired colonels in the audience.

Local government lawyers were treated to a luncheon discussion of recent developments in federal civil rights tort litigation by **John Kennedy**. He is involved in the defense of the county against claims arising out of the sheriff's department scandal. John unfortunately did not divulge which, if any, members of our bar and bench might have been mentioned in the deposition testimony of ex-gangsters, nor in what context they were not mentioned.

Twenty-one (yes, count 'em) new lawyers were sworn in in ceremonies

conducted by **Judge Waldo Stone**. **Dino Batalli** was among the admittees, having returned to practice after an extended sabbatical leave. **David B. Knodel**, son of District Court **Judge Art Knodel**, also took the attorney's oath.

Ron Thompson, along with some local politicians and dignitaries, was recently treated to a trip to Japan by Japan Air Lines. The trip was to introduce JAL's new air service to SeaTac. How Ron, who is not political and only of average dignity, qualified for the trip is unknown. Possibly they confused him with twin-brother **Don Thompson**, the judge.

Mark C. Dean, a recent U.P.S. graduate, and **John C. Galbraith**, a refugee from the prosecutor's office, have joined the firm of Billett, Comfort and Rosenow. **Dennis W. Ashman**, another ex-prosecutor, has opened an office on Tacoma Avenue. One is left to wonder how a new lawyer is to find employment with all of these ex-prosecutors competing in the job market.

SEATTLE-KING COUNTY

by JAMES L. VARNELL

Office Changes. **James H. Hicken III**, **Lish Whitson** and **Harry E. Jennings, Jr.**, have become members of Helsell, Fetterman, Martin, Todd & Hokanson. **Robert L. DiJulio** has become a partner in Wolfstone, Panchot, Bloch & Kelley. **Dwayne E. Copple**, **Daniel W. Fern** and **Julie G. Wade** announce the opening of their office at Market Place One. **Lucas A. Powe**, **Ronald G. Housh**, **Thomas W. Bingham** and **George C. Allen** have formed a partnership with offices at 3105 Seattle-First National Bank Building.

Guy I. Towle has become a member of Reed, McClure, Mocerri & Thonn, P.S. **Graham & Dunn** announces the following have become members of the firm: **R. Bruce Johnston**, **Kent Whiteley**, **John T. John**, **Joseph C. Finley** and **John E. King**. The following attorneys are now associated with Graham & Dunn: **Anne R. Voegtlen**, **Gwyn E. Staton**, **Ellen Conedera Dial**, **George M.**

Beal, Jeffrey P. Stark, Irvin W. Sandman, Dennis J. Pothoven and Timothy L. Austin.

James C. Middlebrooks has opened his office in the Duncan Building. **Eugene M. Moen** and **Paul W. Chemnick** have opened their offices at Market Place One. **Timothy R. Fishel, Eugene D. Seligmann** and **Thomas R. Dreiling** have formed a partnership with offices at Grand Central On The Park and with **Robert B. Beckerman** as an associate. **Joanne Foster**, formerly of Tahollah, is associated with **John Henry Browne** and **Allen M. Ressler** with offices in the Smith Tower. The Law Offices of **Warren C. Ogden** have merged with and become part of Williams, Lanza, Kastner & Gibbs with an Eastside office located on Mercer Island.

In the category of "Will wonders never cease?": **Hiram Groshell** and **Carl Hultman**, formerly tenacious criminal defense attorneys in King County, have now gone over to the other side and are employed with the Pierce County Prosecuting Attorney's Office.

The next thing we know, **Tom Hillier** of the Federal Public Defender's Office will join the U.S. Attorney's Office and be replaced in his public defender job by **Bill Redkey**.

The Boys of Summer. After three years among the "also-rans" of Seattle Parks Department softball leagues, Pro Se has regained its preeminence and occupies sole possession of first place with an undefeated record. Much of the credit for this quick start is attributable to the managerial talents of the **Hon. John L. Weinberg**.

If the quality of play continues, it should remind watchers of the "salad days" when Pro Se team members included **Bruce Pym, Steve Crary, Jack Strother, Fred Frederickson, Bill Creech, George Bennett** and **John Hoerster**.

Present team members include U.S. Magistrate (Tacoma) **Frank Burgess**, Seattle Municipal Court Magistrates **Tom Clark** and **Fred Bonner, Jim Grutz, Brian Scott, Ken Kaplan, Gary Strauss, Clem Barnes, Doug Berry** and **David**

Wilson. Missing from this year's team is **David (Mr. Notre Dame) Cantu**.

Providing a stiff challenge for Pro Se is the team of Nolo Contenders led by **Rick Troberman, Jim Shafer** and **Bob Wayne**. Not far behind are the Drifters who feature **Dick Weil, George Mack** and **Keith (Mr. Tar Heel) McClelland**.

SPOKANE COUNTY

by **JONATHAN C. RASCOFF**

Excitement is mounting as the date nears for the 94th Annual Washington State Bar Association Convention, to be held in Spokane this September. The theme of the convention will be law practice management in the '80s. Speakers include political humorist Mark Russell and Dr. Alfred E. Kahn, economic advisor to the Carter administration.

The Circle Game. Former valley boy **Herb Landis** has joined attorneys **Jim Olson** and **John Loeffler** to form a new partnership, Olson, Loeffler and Landis.

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Recent bar admittee **Jim Kane** is an associate with the firm.

Roger Peven, a ten-year veteran with the Public Defenders office, has teamed up with attorney **Richard Bechtolt** to form a new partnership, Peven and Bechtolt. The firm will engage in general civil and criminal practice.

Dennis Clayton has announced the formation of Clayton, Henry, Perrizo and Young, a new firm consisting of, in addition to Clayton, attorneys **Robert Henry**, **Michael Perrizo** and **Robert Young**. Perrizo is presently on special appointment with the Small Business Administration and won't be joining the others until October.

Girls! Girls! Girls! Heard from the grapevine - **Bob Scanlon** has not been the same since babysitting **J.R. Clemons'** 3 daughters, all under age 5, while Clemons and his wife toured London last spring. . . Scanlon has 2 daughters of his own, both under 5. He was recently seen wandering the halls of the courthouse dressed up as the cookie monster,

asking passersby if they knew where his "jamys" were.

Congratulations to **Richard M. George**, proud father of a boy born May 14th. Be sure to stop by **Mike Hemovich's** office for your free cigar, Rich.

Attention, graduates of the University of Washington Law School, class of '58! **Bob Carter** will be organizing a class reunion, to be held during the State Bar convention. If you mention this column, Bob says he will buy you a free drink.

King County to Implement Early Disposition Program

In an effort to increase settlements and reduce court congestion, the Superior Court of King County and the Seattle-King County Bar Association are preparing to implement an Early Disposition Program (EDP) for the week of November 21, 1983.

The program will consist of one-hour settlement conferences before a panel of

two attorneys (one plaintiff, one defense) and one King County Superior Court Judge. Civil cases will be selected by the Court Administrator and Presiding Judge, and appearance will be mandatory.

Sixty days before the date of the settlement conference, the litigants will be notified that their cases have been selected, and each will be ordered to file a comprehensive settlement memorandum within 30 days of the date of hearing. These memoranda will be distributed to the panel hearing the case for review and discussion prior to the date of the settlement conference.

King County's Early Disposition Program is modeled after a highly successful program in effect in Alameda County, California, since May, 1978. As of this writing, the Alameda County Superior Court has held special settlement programs on seven occasions, and plans an eighth in June, 1983. Prior to the first EDP in Alameda County, the time from filing of an At Issue memorandum in Superior Court (similar to a Note for Trial in King County) was 28 months for jury cases, and the backlog of cases exceeded 4,000. As a result of the program, litigants can now obtain a trial date in less than 12 months, and an average of 47% of cases heard at the EDP settlement conferences settle.

Comments from the bar are solicited, and should be directed to Lawrence L. Longfelder or John Patrick Cook, co-chairmen of the Early Disposition Program, Seattle-King County Bar Association.

UW Class of '58 Plans Reunion

The University of Washington Law School Class of 1958 will hold its 25th-year reunion on Monday, September 12, in Spokane, in conjunction with the State Bar Annual Meeting. Cocktails and dinner arrangements will be made by Robert T. Carter of Randall & Danskin in Spokane. Please contact either Mr. Carter or David J. Whitmore of Wenatchee for further information or reservations.

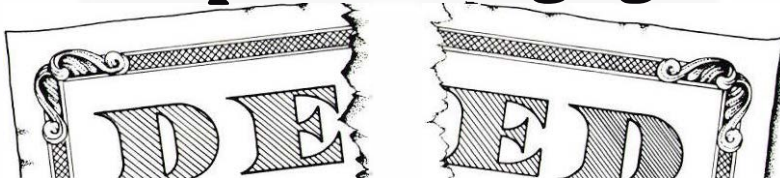
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National Bar Convention in Seattle August 7-13

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Arnette R. Hubbard
Past president, NBA

The National Bar Association (NBA), the nation's oldest and largest organization of Black lawyers, will hold its 58th Annual Meeting and Convention August 7-13 at the Westin Hotel in Seattle.

Hosted by the Loren Miller Law Club, the NBA's Seattle affiliate, the Convention will include policy-making meetings of the NBA Board of Governors, as well as the NBA Annual Awards Banquet and special events sponsored by NBA divisions and law school alumni groups. The NBA's sixteen sections plan a stimulating schedule of continuing legal education seminars on various areas of the law.

Warren Hope Dawson, a Tampa, Florida attorney, is the Association's 40th president. He will hand his gavel to NBA president-elect Dennis W. Archer of Detroit, Michigan, at the close of the Convention.

The National Bar Association was founded in 1925 in Des Moines, Iowa, by twelve Black legal pioneers who shared a commitment to its purpose, "...to advance the science of jurisprudence, uphold the honor of the legal profession, promote social intercourse among the members of the bar and protect the civil and political rights of all citizens of the several states of the United States."

Since its inception, the National Bar Association has addressed important political issues. When the Supreme Court outlawed segregation in public schools in *Brown v. Board of Education* in 1954, the decision was the culmination of a long struggle by Black lawyers, several of whom were NBA members. More recently, the Black vote was the focus of grassroots efforts and organized lobbying to extend the Voting Rights Act of 1965. The NBA has concerned itself with supporting affirmative action pro-



WARREN HOPE DAWSON
President, NBA

grams in the nation's colleges and law schools, minority employment in the criminal justice system, minority-owned business development, and civil rights in South Africa.

In its 58 years, the National Bar Association has grown from twelve original founders into a professional network of 8,500 lawyers, judges, legal faculty/administrators and law students, with 53 affiliate chapters across the country.

Seattle ALA Elects Officers

The Seattle Area Chapter of the Association of Legal Administrators (ALA) recently installed its 1983-84 Board of Directors: Thomas M. Chase, President, Administrative Manager of Foster, Pepper & Riviera; Andy Frank, Secretary, of Jones, Grey & Bayley, P.S.; Claudia Moshuk, Vice President, of Schweppe, Doolittle, Krug, Tausend & Beezer; and Jacquelyn O'Dell, Treasurer, of the Tacoma firm McGavick, Graves, Beal & McNerthney.

The ALA is a national organization which promotes the exchange of information on law office management and encourages the continuing education of

its more than 3,500 members. The Seattle area chapter has over seventy members, some from as far away as Spokane.

Membership is open to individuals employed by a private law firm, corporate legal department, government judicial or legal agency, or other organization devoted primarily to the practice of law, whose primary duties are in the performance of managerial or administrative functions in connection with that organization. For more information on meetings and memberships, interested persons should contact ALA Secretary Andy Frank.

State Chapter of AAA/CPA Organized

Attorney/CPAs met May 25 in Seattle to form the Washington State Chapter of the American Association of Attorney/Certified Public Accountants (AAA/CPA).

Joseph L. Brotherton was elected President of the chapter; Rodney J.



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Waldbaum is Vice President; and Marcia F. Louis is Secretary-Treasurer.

The Washington Chapter was officially recognized by the 1,300 member national association at its mid-year meeting May 29-June 4.

Membership in the AAA/CPA is open to anyone who holds a Certificate in Public Accounting and is also a member of the Bar. For more information, call (206)325-3537.

Central Region Recruiting Conference Planned

A Central Region Law School Placement Recruiting Conference organized by seven mid-western law schools will be held October 21-22 at the Holiday Inn-Old Mill in Omaha, Nebraska.

The conference is designed to provide hiring partners and other employers an opportunity to interview a large group of qualified students for post-graduation jobs or summer clerkships during one weekend, saving time and money.

Sponsoring law schools are Creighton, Drake, Missouri at Columbia, Nebraska at Lincoln, St. Louis, Washburn and Washington. For more information, contact Janet B. Krause, University of Nebraska College of Law, Lincoln, Nebraska 68583-0902, telephone (402) 472-2161.

IN MEMORIAM

Dudley N. Perrine, 68, of Port Orchard, died May 15. Mr. Perrine graduated from the University of Washington Law School in 1939 and was admitted to the Bar in 1940. After two years of practice, he joined the Navy in 1942 to serve in World War II, retiring to inactive duty as lieutenant commander. In 1946, Mr. Perrine formed a partnership with the late attorney Ross Watt in Port Orchard, where he continued in general practice for 37 years.

Retired Seattle attorney **William Paul Uhlmann** died May 20 at the age of 80. A graduate of the University of Washington Law School, Mr. Uhlmann prac-

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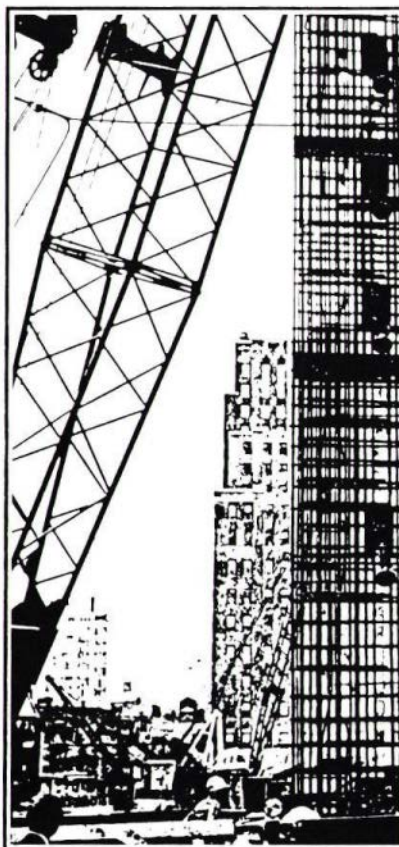
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ticed law for 49 years until his retirement in 1975 from the firm of Skeel, Henkie, Evenson and Roberts. He had served with the Marine Corps during World War I, and achieved the rank of lieutenant colonel in the Marine Corps Reserve. Mr. Uhlmann was admitted to the Bar in 1927, and served as president of the Seattle-King County Bar Association in 1953-54.

DISCIPLINE

Disbarments

Gary E. Culver was ordered disbarred by the State Supreme Court on May 9, 1983. Culver's disbarment was based upon findings that he engaged in conduct resulting in a felony theft conviction in March, 1982. In addition, Culver was given three consecutive four month suspensions on three other counts, to run concurrent with the disbarment. Two of those counts involved knowingly filing a false excise tax affidavit. The remaining

count involved the sheriff's sale of a house based on a debt which had been discharged in bankruptcy; there was a homestead filed on the property, and Culver had represented to opposing counsel that the sheriff's sale would be cancelled.

Seattle attorney **Michael A. Doty** was disbarred by order of the Supreme Court on May 9, 1983. Doty's disbarment was based upon findings that he had mishandled client trust funds, failed to properly account for client funds, failed to cooperate with the Bar disciplinary investigation, practiced law while suspended, and demonstrated unfitness to practice law.

Suspensions

R. Bruce McFarlane was ordered suspended from the practice of law for 30 days by the State Supreme Court. The suspension, effective May 6, 1983, was based upon findings that McFarlane had been retained by a client with regard to a contract to build a house. McFarlane

took no action in the case, although he represented to the client that the matter had been filed in federal court. McFarlane continued to misrepresent the status of case until the client retained other counsel. During the investigation of the complaint, McFarlane failed to cooperate with bar counsel.

On February 16, 1983, the Supreme Court entered an order suspending Seattle attorney **Harvey L. Chamberlin** from the practice of law pending disciplinary proceedings, pursuant to RLD 3.1. This notice is published pursuant to RLD 8.4.

Seattle attorney **Jerry A. Napolitano** was ordered suspended from the practice of law pending the outcome of disciplinary proceedings against him by order of the Supreme Court dated March 31, 1983.

By order of the Supreme Court, dated April 6, 1983, Tacoma attorney **Gary W. Rentel** was suspended from the practice of law pending disciplinary proceedings, pursuant to RLD 3.2. This notice is published pursuant to RLD 8.4.

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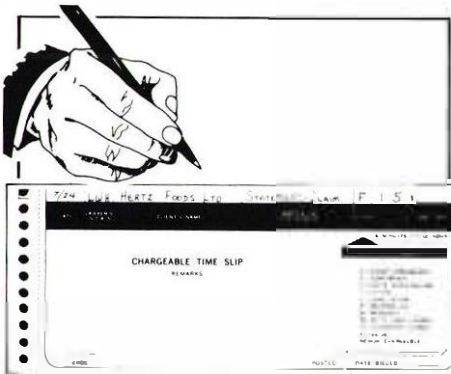
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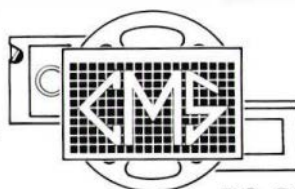
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Will sought of Claude J. Sauriol, who resided in Auburn, Washington, until his death May 24, 1982. Contact Kevin Michael Paulich, attorney, (206)682-3840.

Any person having knowledge of the existence of a Last Will and Testament for Clarence O. Campbell, a Grays Harbor County resident, executed after date of August 23, 1950, please contact Daniel J. Tighe, Post Office Box 567, Montesano, Washington 98563, telephone (206)249-4885.

Information needed re: existence of Will of Joseph C. Kennedy. Contact Karen A. Hughey, Betts, Patterson & Mines, P.S.; 40th Floor, Bank of California Center, Seattle, WA 98164, telephone (206)292-9988.

Anyone having knowledge of existence of the will of Samuel Eazor from Mineral, Lewis County, please contact his son Sam at (206)924-2248 or (206)759-1511.



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Farms	Natural Gas Utility	Sporting Goods
Farm Machinery & Equipment	Nursing Home	Steel Fabrication
Fiberglass	Office Equipment	Telecommunication Equipment
Fishing	Office Machines	Telephone Utility
Food Processing	Oil & Gas	Timber
Food Products	Oil & Gas Drilling	Toys
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Gasoline Marketing	Optometrist	Wood Preserving
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