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**News**

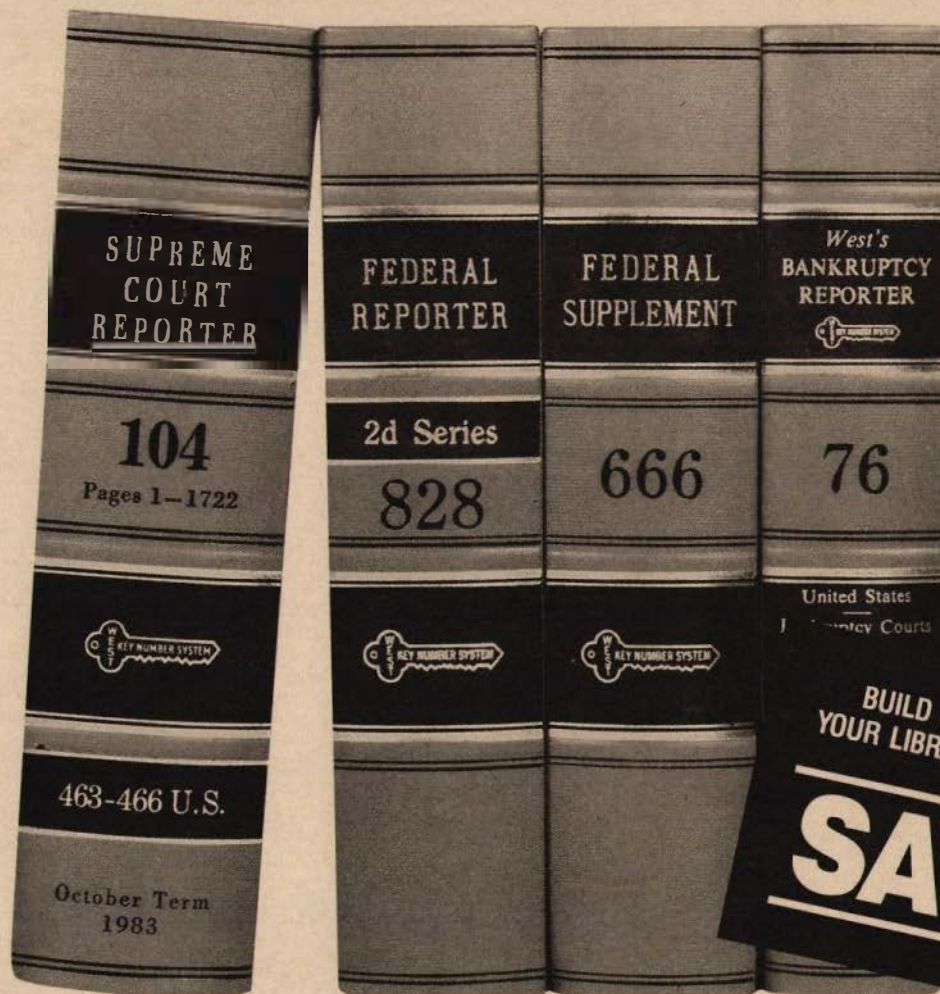
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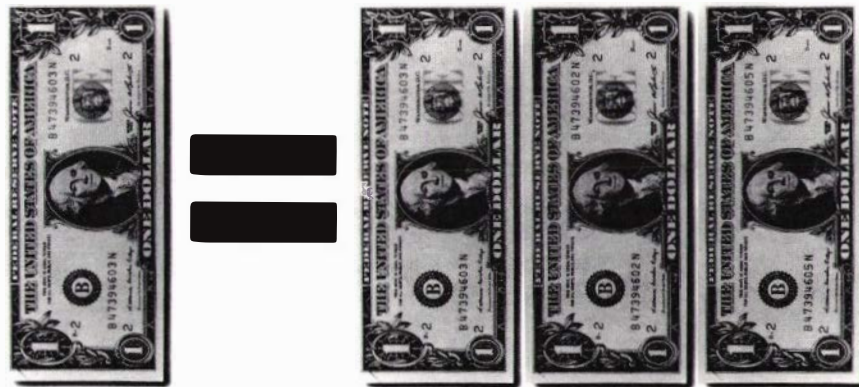
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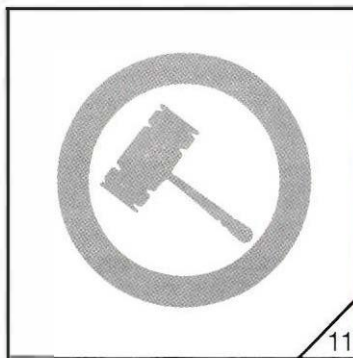
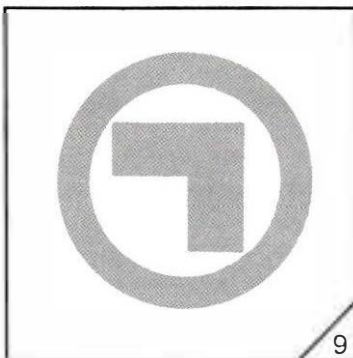
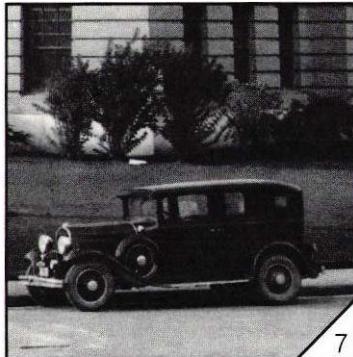
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## The Last Word

Three years ago, while looking forward to reading my first editorial in print, I had a dream:

I had written my first editorial and was looking forward to seeing my thoughts in print. The *Bar News* came out, and I immediately turned to the Editor's Page. There were words on it, to be sure, but they weren't my words.

Persons unknown had substituted a column, had put in what they wanted Washington lawyers to read. And what they wanted lawyers to read weren't my words.

When the first *Bar News* under my editorship appeared in April 1985, I immediately turned to the Editor's Page. With a pit in my stomach.

There in the *Bar News* were my words.

Every one of them.

Thanks to the Board of Governors' continued commitment to not tinker with what the editor wants to say.

Beginning next issue, a left-handed suth'nuh who rowed crew at Oxford and uses words like "fretful" and "oxymoron" in conversation is your new editor. Vancouver lawyer Lindsay Thompson opines that his resumé shows a "certain lack of direction and purpose in life." Being the ninth editor of the *Bar News* should afford him unending opportunities to seek direction and purpose in at least one enterprise.

The *Bar News* has, like Topsy, grown during my tenure. It has sprouted features which may or may not again see the print of day: columns dealing with law-related education, the Lawyers' Assistance Program, appellate practice, and "The Corner Office"; color covers; local bar histories; words of wisdom from 50-year members of the Bar; an inaugural "Into the BOG" (Board of Governors). To everything there is a season.

As for three years as editor: Sometimes it seems like three weeks, sometimes Keystone Kops, sometimes Kafka. (Sounds like the practice of law, huh?) My predecessors as editor, Steve Reisler and Jay White,

are in their final year on the Board of Governors. As for me, if nominated, I will not run; if elected, I will not serve. (Bet you've heard that before.)

Other people warrant special mention: The judges of the Snohomish County Superior Court made me feel at home even after I set up shop in the county to their south. Jennifer Klamm and, before her, Karin Foster, elevated salvaging to an art form as managing editors of the *Bar News*. Lorraine Wall, their colleague, was always cheerfully ready to help me out.

My office mate, Caroline Davis, who happens to be the editor of the Seattle-King County *Bar Bulletin*, helped make the Pioneer Building a hotbed of all the news that's fit to print. Claire Cordon, who attended the Governors' meetings for a year as the Washington Women Lawyers' rep, has been a good-hearted comiserator.

Alex Hart taught me that one's family is not limited to blood relations: As with any social group, Bar participants can take on quasi-family roles. I encouraged Hart to write the article on adult children of alcoholics which appeared in the December 1986 *Bar News*. That article received over 50 responses—more than anything reported in the *Bar News*—and led to an on-going lawyers' support group which has celebrated its first anniversary.

My parents, Betty and Herbert Grayson, have been the best of role models: They have never stopped growing or having adventures.

Already happily embarking on new adventures, editorial and otherwise, I am a contented cog on a one-year-old quarterly, *Washington Criminal Defense*. I hope to continue as a pro tem and to land a spot teaching law students everything I wished I'd been taught in law school. I figure that leaves 15 hours a day to eat, sleep and play, my three favorite activities.

I have kept track of my time spent on the *Bar News* since day one. I haven't kept track of time traveling to or from meetings or the innumerable hours talking my friends' ears off. The three-year total is over 1,500 hours, or 50 hours a month (with a high of 85 hours in May 1985 and low of 14 hours

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in August 1986, when I did not go to the monthly meeting). The \$10 an hour this has worked out to is about half of what I receive as an appointed criminal attorney in King County. Then again, I haven't been sued for \$2.5 million as editor, as I have been as an appointed attorney.

I have noticed that my editorials have dealt with two major themes: My rites of passage as a lawyer and the processes of the institution called the Washington State Bar Association. To me, at least, they seem complementary.

The central theme of my editorials has been the need for communication and sharing. Certainly, some of the Governors' actions recognize or respond to this universal need. The development of a policy to disclose Bar records is the latest effort to promote such openness. It has been my observation that people—be they in a family or professional relationship—feel the most cared for when they are subject to the same rules. Such consistency provides reassurance.

I have been comforted by many of

the Governors' decisions these past three years, even where I disagreed on the merits, because I knew that they too practiced law for a living and were subject to the same reality as your editor, a solo practitioner. The executive director is daily called upon to carry out responsibilities which necessarily involve the practice of law. I respectfully believe that it should be a requirement of the job that the WSBA executive director be a member of the Washington State Bar Association.

Another instance of the Governors' responsiveness is their establishment of more regular turnover on Bar committees. The goal of such turnover is apparent: to insure fresh perspectives and to prevent staleness among members. Although I recognize that bureaucracies may function according to a different timetable, periodic turnover among Bar staff would accomplish similar goals and benefit the Washington State Bar Association.

I do not feel dismayed that the Governors and I have sometimes had

differences of opinion. Diversity of opinion and the freedom to express it are values Voltaire was ready to die for. I can contribute to a responsible Bar by continuing to let the Governors know what I think, this time as a private citizen. They care what each of us thinks, and I care as well. And that is how the word "welfare" came to be.

Being editor has involved hazards. During trips to Fife and Olympia, severe winds cause the power to go out. The last power outage comes on my last trip as editor. How appropriate.

During a break at my last meeting, I go for a run to jog the brain cells. I see a rainbow, evanescent, untainted. It makes me ponder mortality. Clouds, low and fast, midnight blue tangling with nuclear white, race by on their journey to the sea. As the vertical arc of prism slowly disappears en route to its next adventure, so do I.

*Carole Grayson*

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# Zeal in Grays Harbor County

by James M. Stewart

A case in Grays Harbor County that created great excitement in the 1930s involved the price to be paid in a condemnation suit of a utility. The case involved two outstanding and well-known members of the Grays Harbor County Bar.

During the early parts of the trial, counsel for the plaintiffs sensed that there appeared to be exceptional rapport between the defendants' attorney and one of the attractive jurors. They suspected that during the long lunch break, counsel and juror might be having a friendly picnic of sorts. The plaintiffs' assistant counsel, with a photographer, located the scene of the suspected tryst. While counsel and juror were engrossed with their own activities and oblivious to any third-party actions, the assistant counsel stepped out from behind the tree, reached down and removed the blanket covering the two, expressed his apologies for disturbing them, re-covered the two after the photographer had been afforded the opportunity to photograph the situation properly, and then retired to town to develop the film.

The event was eventually resolved by the then-authorized Disciplinary

Committee or Board of Governors. The errant attorney was disbarred for a few years. I presume the charges were for "tampering with the jury," though I cannot say for sure. Both attorneys, the alert but unsportsmanlike counsel for plaintiffs and the frolic-loving counsel for defendants, were outstanding and well-respected attorneys of the Grays Harbor Bar and have now passed on to their maker. One could venture that after their demise one may have gone to Heaven and one to Hades, or perhaps both have gone to the same place.

There are those friends who would say that the errant one was framed, and well he may have been, though it does appear difficult to see how this could be. Because of their passing and leaving many family members, friends and associates, it is considered more discrete to chronicle the event and leave the names anonymous. In France, one would say, "Cherchez la femme."

---

*James M. Stewart has practiced law in Montesano for over 40 years. He was president of the Grays Harbor County Law Library for several years and is a devotee of local bar history.*

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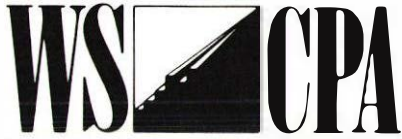
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## What Lawyers Do— A Short (True) Story

by John J. Michalik

*WSBA Executive Director*

The image of lawyers has always been, and may well continue to be, a bit of a "mixed bag". The good and the bad are often brought out by virtue of the same sort of circumstances, including the very nature of legal work; the expectations of clients, particularly those under stress; the special responsibilities which the public seems to impose upon a "professional"; the visibility of success and/or failure; the role, totally apart from the practice of law, which lawyers tend to play as leaders in society at large; and a myriad of other facts and factors. Too often, I think, the good that lawyers do becomes expected and unnoticed while the negative side becomes emphasized, no matter how small in proportion to the positive. With that in mind, I'd like to share with you a positive story.

This is the story of one lawyer's efforts on behalf of one client—a little thing that escapes notice, as so much of what we do does, but which has huge importance. This is a short story about Charlene A. Curtiss, and it is best told through the following letter, which I received this past December.

Dear Sir:

I am writing because I would like to be on record with your association for commending the hard work and dedication of a Public Defender in the Seattle area.

Last year, I was represented in a criminal court matter by Ms. Charlene A. Curtiss, who is with the Associated Counsel for the Accused law firm. Ms. Curtiss did a very admirable job of representing me at that time. And, though I entered a plea of guilty, she made very persuasive arguments before the judge about

mitigating circumstances and correcting the prosecutor's incorrect offender score computation, which had an effect upon the length of sentence.

Normally, the public defender's job is completed once sentencing has been finished. But, late this year, a problem arose with my release date from the Department of Corrections. The only way for me to correct this was to go back to court and ask the judge to amend my sentence. I contacted Ms. Curtiss and, despite an already huge work load, she was most supportive and helpful and had me reassigned to her caseload. Since that time, she has managed to get me a date to come back before the court to be resentenced and she has been successful in her efforts to get the cooperation of the Prosecuting Attorney.

Because of an earlier sentence, it was also necessary to get the cooperation of the Parole Board, which Ms. Curtiss also succeeded at. The result of her hard work is that I will be probably discharged from incarceration in one week, which will allow me to fulfill my plans to attend school and take a job which had been offered to me. Two very important roles in getting back on my feet and moving on with my life honestly and successfully.

It is not very common that I hear of other criminal defendants praising their attorneys. From what I gather, most write to the Bar Association to have an attorney reprimanded. In light of all the help and dedication I have been the recipient of, and considering that Ms. Curtiss' efforts did not cease even while she was going through a recent personal traumatic loss, I cannot say enough good about her.

It is my hope that if there is any kind of honor or award which

is presented to attorneys for their dedication to the welfare of their clients, particularly for public defenders, I hope that you will consider this letter a nomination vote for Charlene Curtiss. There are hundreds of people every year who are lucky to have someone like Charlene out there representing them. I am one of them.

That sort of letter can make your day, but it's not the end of the story. I wrote back to the letter's author, whose first name is John, and to Ms. Curtiss for permission to use the letter in this column. Both agreed, and in responding John noted the following:

I am very grateful to Ms. Curtiss for the job she has done and I am the type of person who will stand up and praise someone without any embarrassment when they have done something to positively affect my life. Incidentally, because all did work out so well, I am now in a great trade program for the travel industry, and am operating a small computer services and advertising company with a friend of mine.

I am proud of Charlene Curtiss and proud of every lawyer who provides that kind of "service" to their clients. There *are* "hundreds of people every year who are lucky to have someone like Charlene out there representing them." The awards and rewards for that continue to be, as they always have been, letters and outcomes like John's.

# WASHINGTON STATE BAR NEWSLINE

## The Board's Work

by Lindsay Thompson



### RED LION BAYSHORE INN, PORT ANGELES: MARCH 18-19, 1988

**PRESENT:** President Dean and all Governors except Bill Bergsten of Tacoma and Steve DeForest of Seattle, absent on March 19, and Ed Shea of Pasco, absent part of March 19.

**ALSO PRESENT:** Rebecca Baker (DMCJA Governors), C. C. Bridgewater (Wa. Assn. of Prosecuting Attys.). Stew Cogan (SKCBA Trustees), Ed Holm (IOLTA), Laura Inveen (Wa. Women Lawyers), Judge Dan Kershner (Superior Ct. Judges Assn.), John Michalik (WSBA Exec. Dir.), Mary Prevost (Govt. Lawyers), Judge Edward Reed (Ct. of

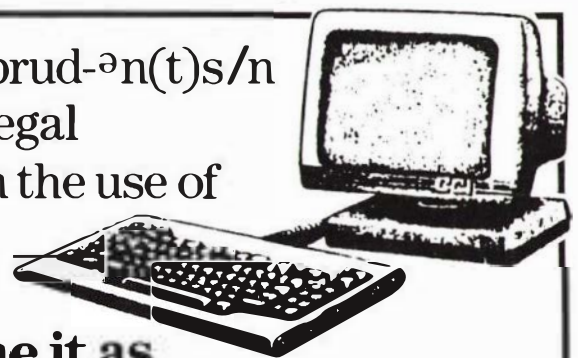
Appeals Judges Assn.), John Riley (WSBA Young Lawyers Div.), Lindsay Thompson (Bar News Editor), and Robert Welden (WSBA General Counsel).

### NEW PRESIDENT CHOSEN FOR 1988-1989

The Board's Presidential Search Committee, made up by Governors Frank Hayes Johnson of Spokane, Bill Bergsten of Tacoma and Mike Carlson of Everett, recommended former Board of Governors member (1983-1986) and Seattle attorney Elizabeth J. Bracelin as the next president of the Washington State Bar Association. Bracelin was unanimously elected by the Board.

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**REFERENDUM REVIEW** Six members of the Association replied to the request for comment in the January 1988 Bar News, committee chair Mike Carlson told the Board. He said the committee also reviewed 32 states' bar bylaws and court rules and found most don't have referendum rules. "Of the 32 states reviewed, it can fairly be said that none has a referendum process more liberal than ours," Carlson said.

The committee found that the present system generally works well. "We kept two questions in mind," Carlson told the Board. "First, how would we view any proposed changes if we were members of the Bar and not the Board of Governors? Second, what is necessary to allow both representative government and Bar operations that are stable, predictable and consistent?" The committee sought the Board's opinion on eleven possible amendments to existing procedure.

Discussion of these issues was long. Governors Reisler and Weston of Seattle proposed that the Board poll the members of the Bar periodically on issues before them for their input as an adjunct to the referendum process. Governor DeForest thought that a good idea. "You can perceive all sorts of horrors arising from abuse of the referendum, but I think it's a mistake to appear to be removing any rights of members."

Several Governors expressed opposition to any change in the current bylaw and questioned the need for sending the committee back to draft an amendment. A series of straw votes ensued on the eleven proposals, the result of which was approval of four changes for consideration by the membership:

- that proponents be required to verify their petitions with a CR 11 statement,



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- that the subject of a failed referendum be barred from repetition for one year,
- that the binding effect of a successful referendum be reduced from two years to one, and
- that a referendum result may be overturned by a subsequent referendum which meets higher signature, voting and majority requirements in light of sharply changed circumstances or an emergency.

On a vote of the Board, the committee was instructed to make these amendments and publish the text in the May Bar News for notice and comment by members. The draft will be considered by the Board again in June.

**ACCESS TO ASSOCIATION BOOKS AND RECORDS** Former Bar President Lee Campbell gave the report of his committee on access to the books and records of the Association. Their proposal was a

policy statement drawn substantially from the Public Disclosure Act, RCW Ch. 42. "We've tried to make this as liberal as we can but respecting confidentiality mandated by rule or statute or Board policy," Campbell told the Board.

Governor Ed Shea of Pasco thought that in the event the Executive Director determined a request under the policy was unreasonable and denied it, there should be an automatic referral of the decision to the Board of Governors. "We are here to make decisions, and that's the sort we should be handling."

Governor James Turner of Bellevue then moved, seconded by Governor Reisler of Seattle, that the Board receive the committee's report as amended by Shea's referral requirement, publish it in the May Bar News for notice and comment, and place it on the June Board agenda for adoption. The motion passed unanimously.

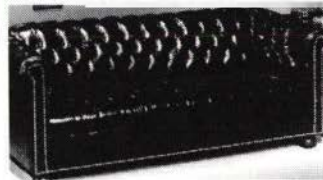


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OPPORTUNITIES FOR  
MINORITIES IN THE  
PROFESSION

Mary Alice Theiler  
of Seattle, chair of  
the SKCBA Minorities  
in the Legal

Profession Committee, gave an extended report on the work of her committee in examining the state of opportunities for minorities in the law in Washington. The committee's initial appraisal is that opportunities here and nationally have leveled off and are in some places declining.

Theiler said that Oregon has had a unique program funded by an assessment of bar members since 1973. She felt the Washington State Bar should seize the day and assert a leadership role in creating a climate for minority access to the law. President Dean challenged the Board to come to the April meeting ready to appoint a Bar task force to tackle the issue.

OTHER ACTION: The Board decided a number of other matters

during their meeting, including these:

- to delay appointing a successor to Patrick Comfort on the State Law Revision Committee pending additional nominations by the Board.
- to endorse a proposal by the ad hoc committee on securities laws to create a Rule 504 exemption from registration under Washington securities laws.
- approved the proposed Editor's Handbook of the Young Lawyers Division for the publication De Novo.

NEXT MEETING April 22-23, 1988,  
Yakima, Washington.

Items tentatively on the agenda include CLE operations, the client security fund, reports on Bar committees, their operation and sunset termination, the referendum process and access to Bar books and records.



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The price of the 1987 WAC Supplement is \$52, and sales tax of 7.8% applies to all sales other than to state agencies. State law also requires payment in advance. To order the Supplement, send your name and mailing address, along with your check or money order in the amount of \$56.06 (tax included, no shipping charged in U.S.) to:

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## I'd Like to Introduce You To . . .

by **John M. Redenbaugh**  
*Associate Director of CLE*

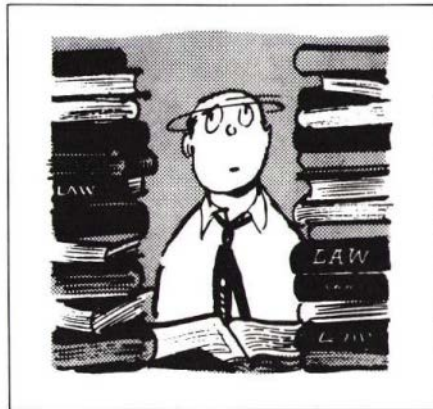
The CLE Department of the Washington State Bar Association: a team of Bar staff members dedicated to providing you with quality continuing legal education and answering any questions you might have about your CLE needs.

As you already may know, seminars, course materials, deskbooks and handbooks are the backbone of the services provided by the WSBA CLE Department. Each year over 30 program titles are presented at approximately 70 sites around the state for the benefit and convenience of State Bar members. In addition to half-day and one-day programs, the department also oversees the presentation of section mid-year meetings and seminars, the two-day annual Estate Planning Seminar and the seminars produced for Bar convention attendees. Each program results in the production of course materials distributed to all registrants (which are also available for sale to those who cannot attend the seminar). The CLE Department also maintains a lending library consisting of course materials from past WSBA CLE seminars.

The WSBA CLE offices may be contacted by phone at (206) 448-0433 or in person on the fourth floor of the Bar offices located in downtown Seattle in the Westin Building. You'll find a friendly staff eager to help you track down a previously published WSBA course manual, borrow materials from our lending library, obtain accreditation for a CLE activity presented outside of the state, or find a deskbook to assist you in serving the demanding client that just walked in the office.

The CLE Department is staffed by ten hardworking, enthusiastic individuals. CLE Director T. Noble Foster (immediate past president of the nationally recognized Association of Continuing Legal Education Administrators) is assisted by two staff attorneys (Associate Director John M. Redenbaugh and Assistant Director Steven M. Rosen), three pro-

gram coordinators (Karla Ellison, Lita Spratt and Robin Anderson), an administrative assistant (Jill Longhom), a publications coordinator (Carole Lannerd), one secretary (Donna Vince), and a receptionist (Christina McLaughlin).



### Who do you call when you have a CLE-related question?

If it's a question relating to one of our upcoming seminars, please contact the program coordinator listed in the brochure announcing the seminar, or telephone the receptionist at (206) 448-0433 and she can transfer you to the appropriate person for an answer.

If you have a question regarding accreditation, please feel free to contact Jill Longhom. In the alternative, if you merely need a form (Form 1) for requesting accreditation of a CLE seminar, you may contact the receptionist and request the same.

The office maintains a lending library on the fourth floor which may be of interest to you next time you need helpful materials produced in conjunction with one of the prior WSBA seminars. Also, course materials from most prior seminars (and, of course, seminars now being presented) may be purchased separately by contacting Carole Lannerd at (206) 448-0433 and mailing your request in along with a check made payable to the WSBA.

### Major Publications

You should know that the CLE Department of the WSBA is increasing its emphasis on producing major publications, such as the recently released *Washington Motor Vehicle Deskbook*. Deskbooks and handbooks published by the WSBA have a reputation for high quality, careful preparation, and invaluable assistance. Future releases planned for the next two years include the: *Family Law Deskbook*; *Supplement to the Washington Partnership Law and Practice Handbook*; *Second Edition of the Community Property Deskbook*; and the *Second Edition of the Appellate Practice Handbook*.

### Mid-Year Season

In closing, don't forget that spring and summer also bring the season of "Mid-Years". The CLE Department now produces seven mid-year meetings for various sections and the Young Lawyers Division to meet your continuing legal education needs. This year's offerings include mid-years for the Young Lawyers Division (3/26-27); Trial Practice Section (4/15-16); Corporation, Business and Banking Section (4/29-5/1); Environmental and Land Use Law Section (6/2-4); Real Property Probate and Trust Section (6/10-12); Family Law Section (6/10-12); and Creditor-Debtor Section (7/15-16).

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 APR 14 Seattle (Four Seasons) -15 Olympic)
- Corporation, Business and Banking Mid-Year: Recent Developments and Attorney-Client Relationships** 12.50 credits  
 APR 29 Blaine (The Inn At Semiahmoo) -30  
 MAY 1



**ATTORNEY—CPAs**

The spring meeting of the Washington State Chapter of the American Association of Attorneys—CPAs was held on January 21 at the Rainier Club.

Officers for 1988 were elected: president, **James Rigos**, Rigos Professional Education Programs; vice president, **Roger Stouder**, Reed, McClure; secretary, **John Babcock**, Touche Ross; and treasurer, **Joseph Brotherton**, Brotherton Corp., P.S.

**Rod Waldbaum** reported on the new continuing education requirements applicable to attorneys who use the CPA designation. Such individuals must now comply with the full 40 annual hours required of CPAs who are actively involved in auditing. The association entered a resolution opposing this anti-competitive action.

There was a report on the planning progress for the summer (June 30-July 6) national convention to be held

in Seattle. Headquartered at the Four Seasons Olympic, the convention will feature a Victoria excursion on the Princess Marguerite, a July 4 dinner on Blake Island and 12 hours of CPEs. Watch for more details in the June *Bar News*.

**CLARK COUNTY REPORT**

by **JOHN F. NICHOLS**

Being an attorney does not immediately come to mind when you are compiling your ten most dangerous professions. Everyone can think of the isolated incidents of violence, but aside from carrying overloaded briefcases and maybe tipping over in your swivel chair, this is a low risk occupation. Not so for two local attorneys. Consider the following:

**Steve "Woozy" Wozny** in a letter published in *The Columbian* revealed that not only was he licensed to carry a concealed weapon, but he also had attended "Massad Ayoob's Lethal Force Institute basic and in-

termediary classes" dealing with the "judicious use of deadly force." Wozny is easily recognized as the attorney with the bandolier across his legal pad. I don't know about you, but if I'm going into a full-contact motion docket, I want a semi-automatic Court Rules in my pocket and Woozy riding shotgun; and I'll keep arguing until the bailiff pries my Am.Jur. out of my cold, dead hand.

**Rich "Sandman" Saunders**, obviously not a graduate of Massad's school, was unprepared for the dangers frequently encountered during trial practice. When Saunders rose to make an innocent hearsay objection, he felt a stabbing pain in his back preventing him from standing upright. The motion was sustained but Saunders was cautioned to refrain from any further Groucho imitations. Cause of the back strain was uncertain, but two theories were prevalent. This first has Saunders thinking "hearsay", but his lower body poised for a relevancy objection. The juxtaposition caused undue stress on the

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lower back. The second and more acceptable explanation has Saunders' client tying his shoe strings together prior to the attorney rising.

Sure, it's a dangerous life, but it's the one we have chosen to lead. Remember: If we outlaw attorneys, then only outlaws will have attorneys.

**PIERCE COUNTY REPORT**  
by **GEORGE S. KELLEY**

**Robert Marsden** has retired as your Pierce County reporter. Bob, who once earned his living in the news business, brought a touch of

professionalism and good taste to these pages. Future reports are likely to lack these qualities but we hope they will be entertaining and somewhat informative.

Judge **William Brown**, one of our state's most senior active judges, announced his retirement at the end of his present term in December 1988. The announcement, set forth in a letter to local bar president, **Henry Haas**, was intended as notice to all those wishing to run for the vacancy to get going with their campaigns. Watch this space for a list of those lawyers not running for this position as it may be shorter than a list of those who are.

**Sandy Kindig** has joined the firm of Betzendorfer and Granoski. Bringing Sandy into the firm was **Joe Betzendorfer's** alternative to learning the Parenting Act of 1987.

The Tacoma-Pierce County Bar Association's annual Lincoln Day Banquet had newly appointed Federal District Court Judge **William Dwyer** as featured speaker. In a refreshing change from past speeches judge Dwyer actually spoke on Abraham Lincoln's life and times.

The Lincoln Day Banquet also marks the terms of the new bar association officers. President is **Keith Black**, vice president is **Marc Christianson**, and secretary-treasurer is the aforementioned **Sandy Kindig**. New members of the board of trustees include **Mike McKasey**, **Joe Gordon, Jr.** and **Mark Adams**. Adams, a Court of Appeals Commissioner, apparently wants to hang around with lawyers. If so, he should be aware that lawyers pay for their Lincoln Day Banquet dinners while judges and commissioners are honored (nonpaying) guests.

The downtown Tacoma law firm Eisenhower, Carlson, et al., following a trend toward regionalized offices, has announced the opening of a Seattle office. If it works out, look for future expansion to Roy and Orting.

**Terry Lumsden** announced a new office at 721 South 38th Street. **Roy W. Kent** has joined the firm of Kane, Vanderberg, Hartinger and Walker as special counsel. **Bonneville, Viert, Morton** and **McGoldrick** announced

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that Kathleen B. Ebert and Marc H. Cochran have become partners in the firm and that Beth C. Henney has become an associate.

### GRANT COUNTY

Michael R. Tabler and Jill I. Lunn have joined Brian J. Dano as partners in Dano Law Firm in Moses Lake. Tabler will continue to practice from his Waterville law office. The firm also maintains an office in Royal City.

### SEATTLE-KING REPORT by JAMES L. VARNELL

*Office Moves.* Schweppe, Krug & Tausend announces that Nancy R. Ashley and Michael A. Gammer have become members of the firm, and Brian J. Rodan has joined as an associate. J. Murray Kleist has become of counsel to Schroeter, Goldmark & Bender. Diane G. Fitz-Gerald, Bar-

bara Hallowell and David J. Lenci have become partners in Culp, Guterson & Grader. Carl A. Baier, Peter S. Holmes, Armand J. Kornfeld, Sara Lemke-von Ammon and Kristi M. Wallis are now associates there.

Reed McClure Mocerri Thonn & Moriarty announces that the following have become associates: Bradley D. Grisham, Katharine M. Witter, M. Lee Creighton, Deborah K. Schram, Robert J. Zech, Jr. and Mark W. Weakley. Mitchell A. Broz has joined Mundt, MacGregor, Hapfel, Falconer, Zulauf & Hall as an associate. Anthony A. Russo has moved his office to 2133 Third Avenue.

Short Cressman & Burgess announces that Paul J. Dayton, Bryan P. Coluccio and Robert E. Hibbs have become partners. The following attorneys have relocated their offices to 1250 Bank of California Center: Karen Thompson and Suzanne Howle of Thompson & Howle; Mary Anne Vance (a keen observer of writing talent: this correspondent's) and Marci Burkel. Carol Sanders has

joined Preston, Thorgrimson, Ellis & Holman in the position of counsel; David O. Thompson and Ruth Tressel have joined as associates. Susan Rae Sampson is now associated with the law offices of Loren D. Combs, Inc., P.S. William Lothian Sells, Jr., James E. Macpherson and Ann L. Lange have joined the law offices of William Lothian Sells, Jr., to act as House Counsel for Fireman's Fund Insurance Companies. Mark H. Sidran is a partner at McKay & Gaitan. Dwayne E. Copple, Thomas O. McLaughlin, Daniel W. Ferm and Julie G. Wade have transferred their practice to Williams, Kastner & Gibbs. Davis S. Marshall has become a partner in the newly-named firm of Prince, Kelley, Newsham & Marshall. Ernest L. Rushing has joined Stoel Rives Boley Jones & Grey as an associate.

The law firms of Perkins Coie and Johnsen, Manfredi and Thorpe of Los Angeles have merged. The combined firm will operate under the name of Perkins Coie. Richard D. Bonesteel has joined the real estate department

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of Perkins Coie as of counsel. **Sandra A. Dannehold** has relocated to her hometown, St. Louis, Missouri, and has joined the firm of Lewis & Rice. **Richard S. Swanson** has been named executive vice president and general counsel of Continental Savings Bank and of Continental, Inc., its holding company. **Michael C. Nance**, **Michael P. Iaria** and **Robert H. Gombiner** have formed a law firm

with offices at the Duncan Building. **Terry Scannell** has been named general counsel for Color & Design Exhibits. **David T. Hokit** and **Larry R. Schreiter** have become principals of Curran, Kleweno & Johnson. **David Israel** has joined Theodore M. Rosenblume, Charles E. Smith & Associates, P.S., as an associate.

*Honors and Honored.* **Robert Boruchowitz**, president of Washing-

ton Defender Association, received the National Legal Aid and Defender Association's Reginald Heber Smith Award for his dedicated service and outstanding achievements as a public defense attorney. The Legal Foundation of Washington announces that Judge **J. Ben McInturff** was elected president; recently-appointed King County Superior Court Judge **Michael J. Fox** was elected vice president; and **Margaret McKeown**, secretary. **Rodney J. Walbaum** has been elected a national director of the American Association of Attorneys/Certified Public Accountants.

King County Superior Court Judges **Frank D. (Don) Howard**, **Robert Elston** and **Robert Winsor** were honored at a luncheon by the Washington State Trial Lawyers Association. Judge Howard has been named to the U.S. Bankruptcy Court, and Judge Winsor was elected to the Court of Appeals, Division I.

*Diamonds: Softball Variety.* Any woman and/or teams interested in playing in the Women's Law Office Softball League should contact **Karen Strand** or **Barbara Hendrickson** at Lane Powell Moss & Miller, (206) 223-7000. Any woman employee of a Seattle-King County law firm, or the spouse of a woman employee, is eligible to play in the league.

**A PPEAL:** *The Washington Supreme Court ruled that King County must pay damages to a developer whose plat was delayed because of the County's appeal of a trial court decision requiring the County to act on a plat application. The basis for the damage award was Appellate Rule 8.1(b)(2).*

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We are pleased to have helped Richard U. Chapin achieve this result for Norco Construction Company. **Norco Const. Co. v. King Cty.**, 106 Wn.2d 290, 721 P.2d 511 (1986).

**KNOWLEDGE** of the possibilities for recovery on appeal comes with day-to-day familiarity with the Rules of Appellate Procedure. We are available for consultation, association or referral in your next case.

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## SNOHOMISH COUNTY REPORT

by **H. SCOTT HOLTE** and **REBECCA CLARK**

It was with great sadness that the members of the Snohomish County Bar Association learned of the recent passing of **Jim Hunter**. Jim was an esteemed and respected attorney, who enjoyed a statewide reputation as a trial lawyer. He was born in Cowley, Wyoming on November 7, 1915, but resided in the Everett-Mukilteo area since 1918. Jim was graduated from the University of Washington School of Law in 1939, joining the O. D. Anderson law firm in Everett. Thereafter, Jim practiced law with O. D. until his death in 1962. Jim continued as the senior partner in the Anderson-Hunter firm until his re-

cent passing.

He was a member of the Snohomish County, Washington State and American Bar associations; and for many years had been a fellow of the American College of Trial Lawyers. In addition to a very busy law practice, Jim contributed greatly to his community. He served on the Board of Trustees of General Hospital of Everett, was an active member in the First Presbyterian Church of Everett and was a former president of the Board of Directors of the First National Bank of Everett.

Jim Hunter will be sorely missed by the community he served so well, but there is no question that he will be missed most of all by his fellow lawyers. He truly exemplified excellence as a legal practitioner. He was widely known for his skills as a trial attorney; any number of prominent trial lawyers received some painful adversarial lessons at the hands of J. P. Hunter. Perhaps the epitome of Jim Hunter is exemplified in the story retold by **Pete Dewell** at Jim's memorial service:

J. P. was demonstrating his outstanding courtroom demeanor in front of the jury, during a particularly effective cross-examination of the plaintiff, when the trial judge interrupted with a question directed to the witness. Jim stopped, turned to the trial judge and said, "If the question directed to the witness by the court is on my behalf, I withdraw it. If the question directed to the witness by the court is on behalf of opposing counsel, I object."

Jim Hunter is survived by his wife, Rose Ellen, and his sons, John and Jamie, and their families. The Snohomish County Bar Association held a memorial service on March 4 in the Presiding Department of the Snohomish County Superior Court.



**Other News:** **Kay Fields** has taken over **Kay Trumbull's** practice, emphasizing domestic relations. Her office is in the Fisher Business Center in Lynnwood. **Barry Hammer** has left Newton, Kight and Novack and

has gone solo; his new office is 3802 Colby in Everett.

**Daniel W. Wyckoff** is the new chief of the Department of Wildlife's Enforcement Division. Wyckoff practiced law in Everett from 1976 to 1984, when he became an assistant attorney general.

Pro bono is alive and well in Snohomish County. Twenty-three attorneys recently volunteered for Sno-

homish County Legal Services as a result of a volunteer recruitment phonathon bringing the total to 186 volunteer attorneys.

## SPOKANE COUNTY

**Robert P. Kingsley** has opened his law practice at E1017 Mission in Spokane. Kingsley has worked as a

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Co-author, *Defending DWIs In Washington* (Butterworth, 1987). Executive Board, WSBA Criminal Law Section. Past Chair, Washington State Trial Lawyers Association, Criminal Law Section. Founding member, Washington Association of Criminal Defense Lawyers. Member of National Association of Criminal Defense Lawyers since 1974.

#### Jon Scott Fox

Chair, DWI and Misdemeanor Section, Washington Association of Criminal Defense Lawyers. Frequent lecturer and author on DWI defense topics. Founding member, Washington Association of Criminal Defense Lawyers. Former Adjunct Professor of Law, Lincoln School of Law. Member, California and Washington bar associations.

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state assistant attorney general and with the county prosecutor's office.

## THURSTON COUNTY REPORT

by ALAN SWANSON

This last December the Thurston County Bar Association hosted the (we hope) first annual joint dinner with our brethren in the Lewis County Bar Association. Thanks go to Thurston County president Jay Lyman and Lewis County president Larry Fagerness for setting it up. Our own judge Gerry Alexander presided over the festivities, bringing his own good-natured repartee to the occasion.

And if that meeting wasn't enough, we also met with the local bunch of governmental lawyers in January. WSBA president Jack Dean was the featured speaker. Recognizing as we do in this campaign year that any good speech must contain one earth-shaking bit of news, president Dean announced that judge Frank Baker had quit smoking (no!), and though Baker had not noticed any increase in his ordinary irritability with young lawyers, he had gained a bit of weight, and so was taking a trip down south, promising to return as a "new man." Be still, faint heart!

A few changes of venue: Jeff Watson has returned from down south, a new man himself, and is again practicing as Thurston County Chief Civil Deputy Prosecutor, taking over from Dale Kamerrer, who moved across the street to work with those governmental lawyers in the Tort Claims Division. Wayne L. Williams has become a partner in the firm of Rolland & O'Malley, and they have come up with the clever new partnership name of Rolland, O'Malley & Williams. Reiko Cushman, formerly a full-time assistant City Attorney, has backed off to part-time with the city, allowing additional time to associate with John Sinclair.

Speaking of upscale firms on the cutting edge of today's issues, we all noticed down here in Thurston County an article in one of the Seattle



papers that Bogle & Gates and other Seattle power firms were scuttling their image as "traditional," apparently fearing that such an appellation reeks a bit too much of cigars and old leather chairs. Well, many of us have recently noticed that our own traditional firm of Owens, Weaver, Davies, Mackie, Lyman & Phillips seems to be going with a much more "L.A. Law" type of look. In that regard, special mention must be accorded to the last name on that long letterhead, **Richard G. Phillips**, for his own unique contribution to the world of local legal fashion!

So much for mere allegations. Another report will follow as soon as something interesting happens.

### WHITMAN COUNTY REPORT by JEAN H. CAMPBELL

To set the record straight on one important matter and to continue the update of the activities in Whitman County, I again take pen in hand.

Firstly, an important message to all Whitman County attorneys and especially to **Fred Bruhn** and all his friends in King County: **Robin Bruhn** does *not* have a baby, as my last report mistakenly reported. She is single (not married, as reported), is practicing one-half time in the Latah County, Idaho, prosecutor's office and is teaching business law at Washington State University.

**Leslie Cloaninger** is residing in Colfax, is married and *does* have a baby.

The law offices of **Theodore F. S. Rasmussen** in Tekoa are the headquarters of **Ted Rasmussen** and **Constance (Connie) Cowley**, who practice both in Washington and Idaho.

**Stephen Bishop** and **Nicholas Manring** of Bishop and Manring in Garfield are keeping busy, as always, and *might* even join the local bar association if they keep getting their names left off the Whitman County bar mailing list, and thus, left out of the *Bar News*.

**Don Sheahan** is practicing in Rosalia and has plenty to keep his time occupied.

## DISCIPLINE

### Reprimand

Attorney **Joseph J. Roller** (admitted 1956) was ordered by the Disciplinary Board to receive a Reprimand for his conduct in assisting his wife in purchasing client property without advising his client that the purchaser of the property was Roller's wife, while representing to the client that the purchaser was an unrelated third party, and without suggesting or assuring that the client obtain independent legal advice.

### Suspended

Seattle attorney **Mary Fung Koehler** (admitted in 1968) was suspended from the practice of law for one year from January 31, 1986 to January 31, 1987 by order of the Supreme Court entered February 18, 1988. The discipline was based upon interference with the administration of justice during a dissolution action; her attempt to collect a clearly excessive fee in the same action; and her

failure to remove an attorney's lien she had filed against her client's real property.

The Court also imposed discipline based upon Koehler's refusal to release a mortgage given to her by a second client, which stated that it was security for "not more than \$2,000 in legal fees," until the client paid her \$8,338.40.

Finally, this discipline was based upon Koehler's failure to obey a previous court order requiring her to issue periodic statements for services rendered to clients. *In re Koehler*, 95 Wn.2d 606, 628 P.2d 461 (1981).

Seattle attorney **Carlos M. Sosa** (admitted 1981) was ordered suspended for a period of 165 days, to be followed upon reinstatement by two years' probation with certain conditions. This suspension was a result of Sosa's felony conviction for possession of cocaine. Sosa's suspension ended November 19, 1987, with reinstatement approved by the Washington State Supreme Court on February 11, 1988.

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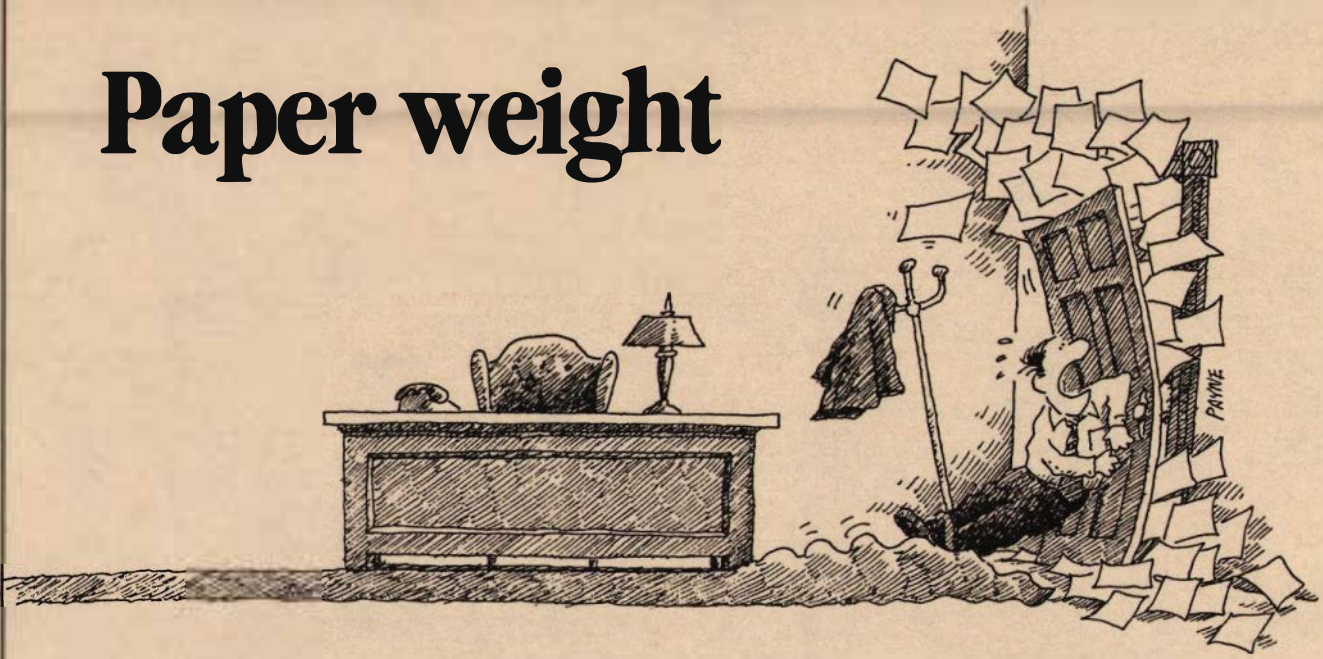
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