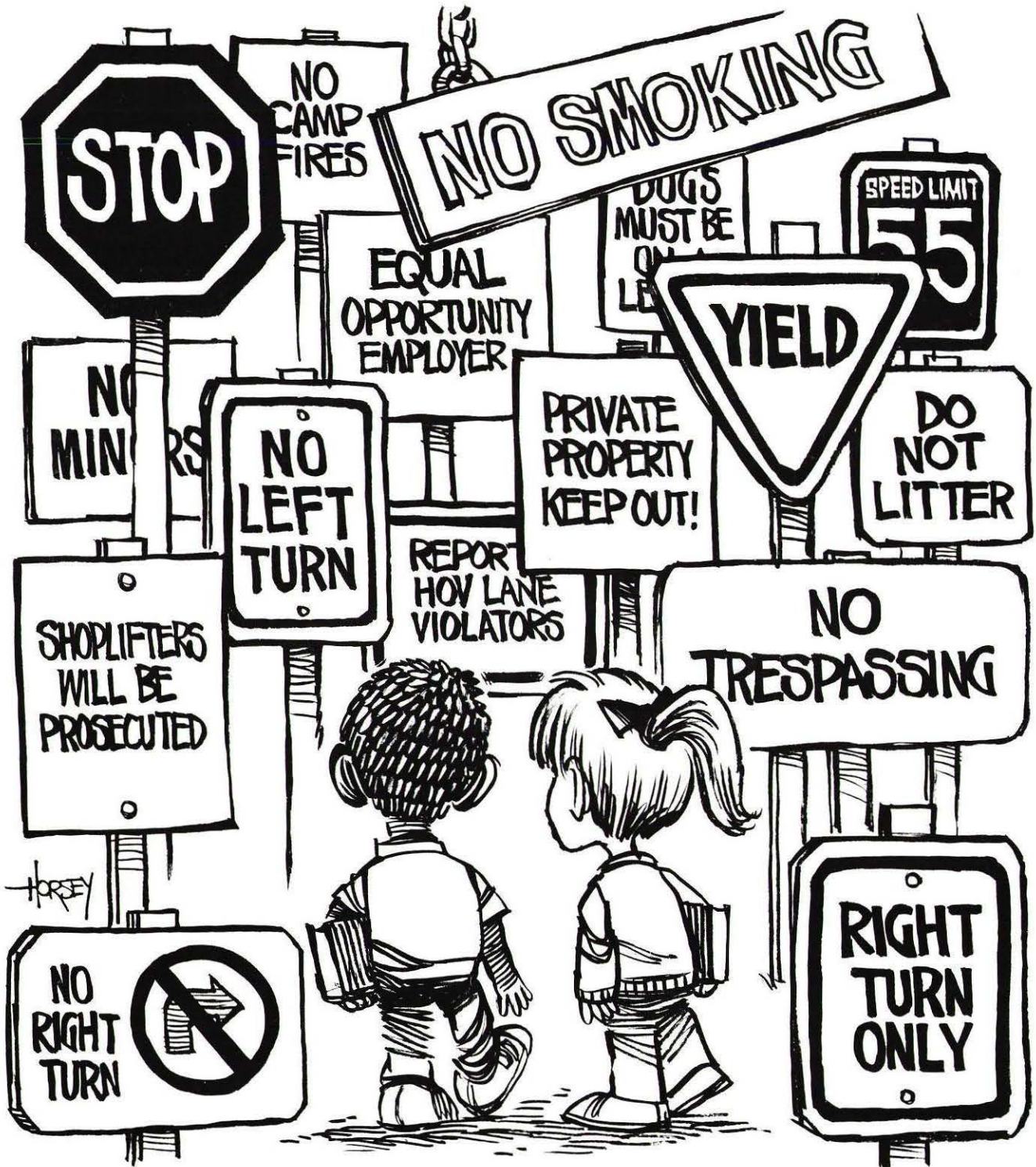


Washington State **Bar News**

Vol. 46, No. 4, April 1992



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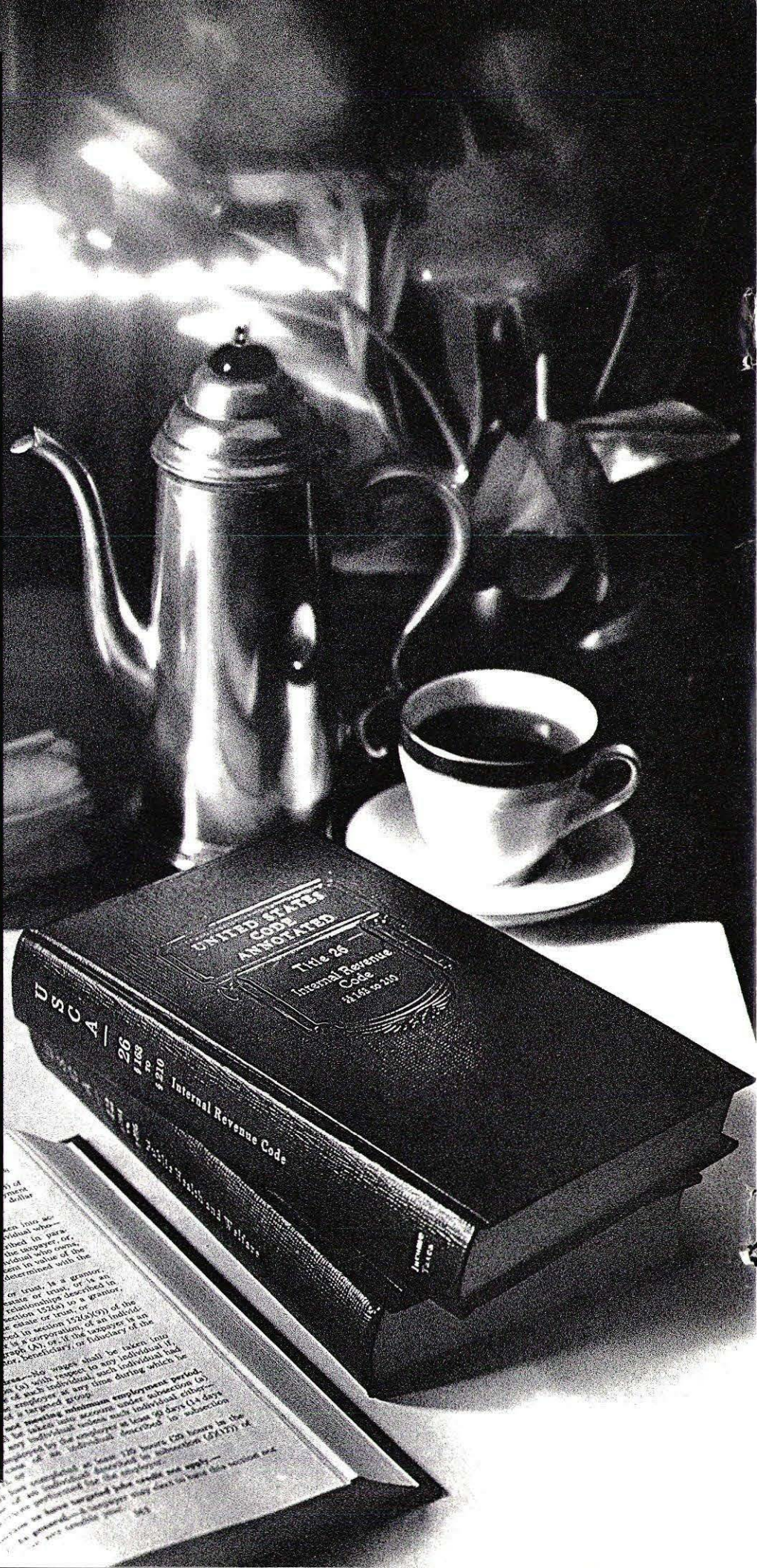
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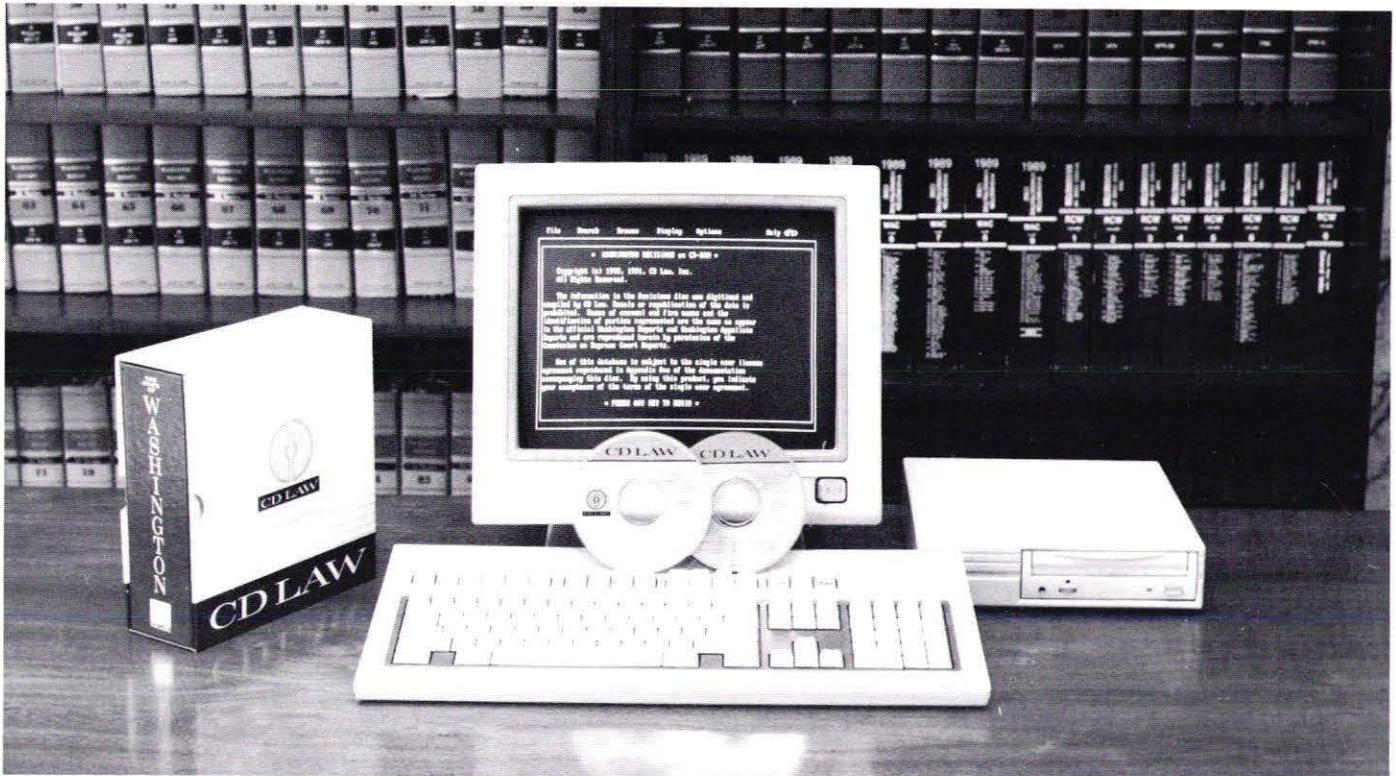
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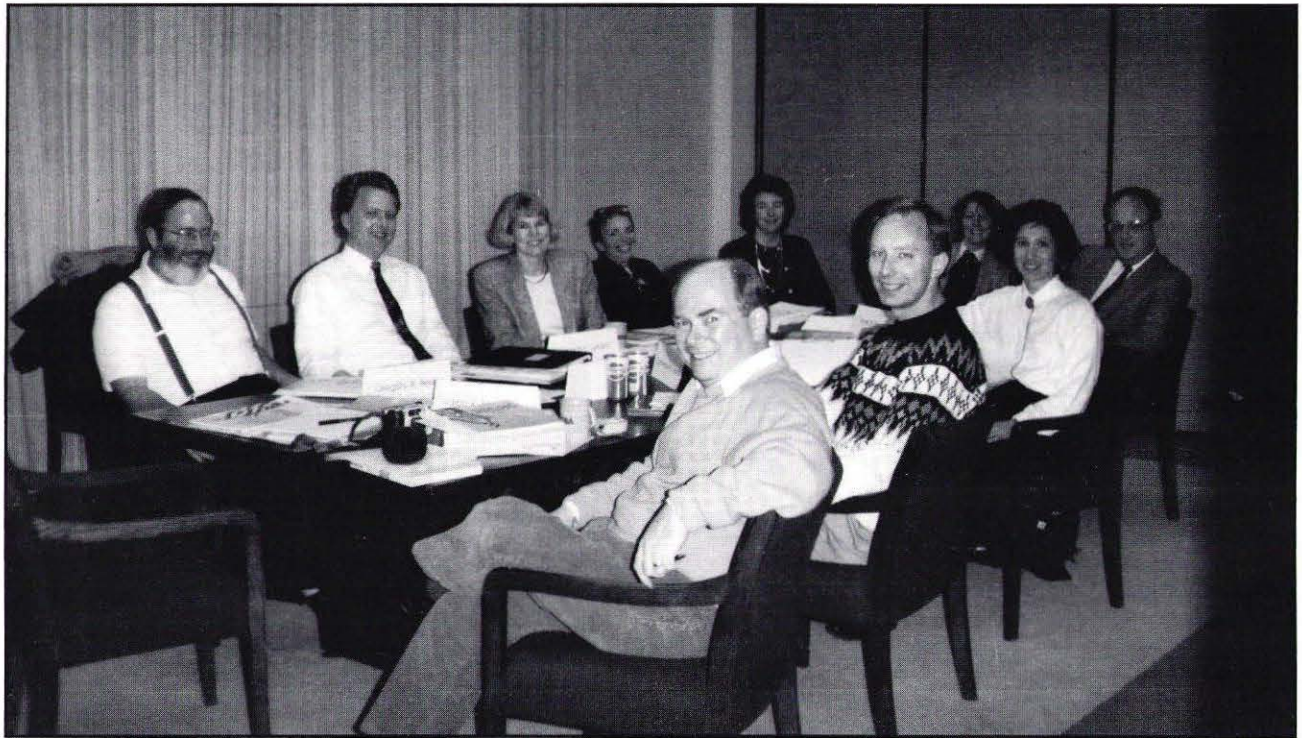
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Betsy Brinson, Issue Editor



The WSBA LRE Committee (clockwise from right rear): Gregory Beeler, Joseph Lynam, Susan Jones, WSBA staff liaison Jo Rosner, Joan Morgan, Betsy Brinson, Mark Packer, Catherine Merrill, Rob Neate, Ralph Nickerson. Not pictured: Theresa Carter, Mike Williams, Allan Overland, Judith Teeter.

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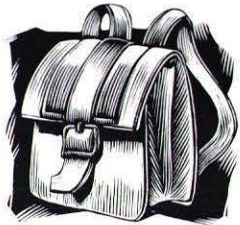
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## ART CREDITS

Editorial cartoonist David Horsey created our special cover showing youngsters confronting a forest of law-related issues. He also contributed the pencil sketch on page 23.

## WSBA PHONE NUMBERS

A new phone system has been installed, requiring, among other things, new telephone numbers throughout the office. For a complete listing, see pages 11 and 12 of the January 1992 *Bar News*.



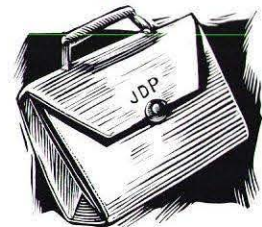
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Letters to the Editor of reasonable length are invited. Such letters should be typed and signed. The Editor reserves the right to select communications or excerpts therefrom for publication, and to edit any letter as may be appropriate.

Just A Thought

Editor:

How do the courts decide which cases to publish? I recently reviewed Puget Sound Power and Light Co. v. Strong, 117 Wn.2d 400 (October 4, 1991), and found myself wondering why that sort of case warranted the paper (that once was a tree and could have been a utility pole). A whole case devoted to the damage value and replacement costs of utility poles! \$169.39 at issue! [Andy Rooney to Judy Garland: "Let's make a case!"]

There must be cases more important than that. For instance, the Supreme Court has refused to review where other judges have invented court rules and the lower appeals court did not publish. Or if the Supreme Court or an appeals court reviews, they fail to publish

despite a statewide lack of case law in the area (drug testing). What's going on?

Maybe one of your writers/contributors can poll former law clerks and pass along some ideas? It is quite mysterious.

Meanwhile, is someone starting a section for utility pole rights? After all, the case plainly states: "There is no discernable life expectancy for an individual pole." Puget Sound Power and Light Co. v. Strong, supra, at 403.

BARTON L. JONES  
Walla Walla

A Place for the Bar News

Editor:

When I read "Setting Up a Successful Law Office: Equipment and Supply Checklist" by Gregory S. Morrison in the January 1992 Bar News, I was struck by the absence of any provision for recycling. Law offices are some of the worst offenders in producing mountains and mountains of paper, and law office employees no doubt also generate glass, aluminum, and plastic waste.

I suggest that in addition to "wastebasket" for nonrecyclables, the equipment should include desk-side boxes for white paper and colored paper, and bins for newspaper, glass, aluminum, tin, and recyclable plastic. In communities where recycling collection services are not currently available, perhaps groups of law offices, or local bar associations, could work toward increasing the practicality and visibility of recycling.

MARTHA S. LESTER  
Seattle

New Developments in AIDS Law

Editor:

For those involved in AIDS litigation, I refer you to the January 1992 (reconsideration denied) case of United States v. Perez, reported in 33 M.J. 1050 (ACMR 1991).

Perez was charged by courts-martial of aggravated assault and convicted of the lesser-included offense of "assault consummated by a battery" among other charges. Perez was an Army sergeant who tested HIV positive and who had had a vasectomy some five years earlier, and he had had consensual heterosexual intercourse with a civilian woman. At trial, the government's expert testified that HIV is transmitted through sexual relations or the transfusion of blood or blood products.

The defense medical expert was one Doctor Wright, who specializes in HIV research. He testified as follows:

"Based upon the fact that Sergeant Perez has a vasectomy and the fact that he has not transmitted the virus either to his wife or to other sexual partners, my best medical opinion is that Sergeant Perez can't transmit the virus because he has an acellular semen transmission" (emphasis the court's).

The Army Court of Military Review (the first level of appeal) dismissed the charges and specifications relying on the above testimony and on the ground that the "government has failed to prove an essential element of the offense, that the



The first thing we do, let's kiss all the lawyers.

Edited - Shakespeare  
King Henry VI part II

Lawyers must be among the most misunderstood, maligned bunch of hard-working people in the world. After all, what lawyer hasn't been served this out-of-context Shakespearean quote?

"The first thing we do, let's kill all the lawyers."

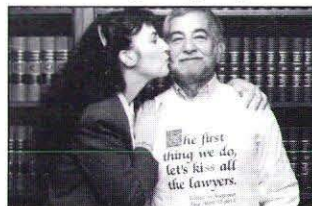
But now, with apologies to the Bard, Heresay Products offers an edited version that should do wonders for the Bar.

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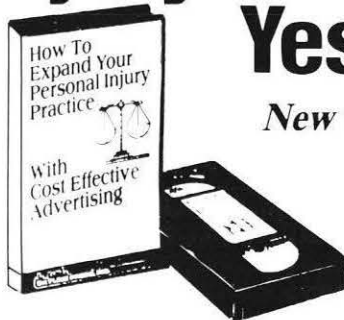
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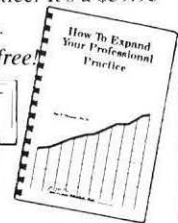
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## Guest Editorial

I started my professional career as a teacher. The school district I worked in had fewer than one hundred students. I was the entire math department. The graduating class of 12 was the largest they had had in several years. As freshman class advisor, I counseled four young women; there were no males in the class. They had valid concerns about how they could have a senior prom.

Even under these idealized conditions of small class size and individual student contact, the outside world invaded the classroom. The seventh and eighth graders had neither literature nor grammar books because the school district could not afford them. There were problems with drugs; angel dust and windowpane were rampant. There were teen pregnancies. I had a very bright senior who was frustrated by being able to come to school only on the days she could find someone to baby-sit. It often was the sophomore father, who himself could little afford absenteeism.

It did not take me even a year to realize that I had neither the stamina nor the personality to be the quality teacher I wanted to be. So I did what had always been safe and easy for me; I went back to school.

The problems our schools face have only multiplied in number and increased in seriousness since I left teaching 13 years ago. Law-related Education (LRE), with its many facets, is a way that attorneys can support schools in their struggle to accomplish what is a burgeoning job. But LRE need not stop at the classroom door. Law is all-

pervasive, touching every aspect of life and all age groups. And, just as law appears in a multiplicity of ways, lawyers can disseminate LRE in equally divergent manners, as you will read throughout this issue.

Many of the contributors to this edition of *Bar News* are members of the WSBA's Law-related Education Committee. They, along with all the other committee members, have willingly taken a tremendous amount of time and put forth great efforts to create this edition of the *Bar News*, which highlights LRE activities in Washington. Most of these activities are only possible because of the enthusiastic and selfless support of members of the Bar. It has been my great honor to chair this committee and a distinct pleasure to work with the attorneys who comprise the Law-related Education Committee, not to mention the Bar staff who have been so helpful. To them, one and all, I say thank you. My very special thanks to committee member Rob Neate and staff liaison Jo Rosner, who assisted me in acting as the guest editorial board for this edition of the *Bar News*. We hope that you not only enjoy the contents of this issue, but that in some way it inspires you to become involved in Law-related Education. Remember, May first is Law Day!

*Betsy Brinson*

*Betsy Brinson (J.D., U.S.C., 1981) is an attorney with the law firm of Carpenter, Walker and Hardesty in Bellingham.*

---

appellant had the ability to assault the victim by transmitting the HIV virus." In a footnote, the court declared, "Our holding is based on a failure of proof; we do not determine as a matter of medical scientific fact a [*sic*] HIV-positive male who had a vasectomy

cannot transmit the AIDS virus through sexual intercourse."

For those working in military law and courts-martial, there are other significant holdings with respect to the issue of adultery.

I regard *Perez* as a significant case,

indeed astounding, if the defense medical expert's testimony is at all valid. I imagine his phone is ringing off the wall not only for his assistance but for support for his conclusions.

J. BYRON HOLCOMB  
Bainbridge Island

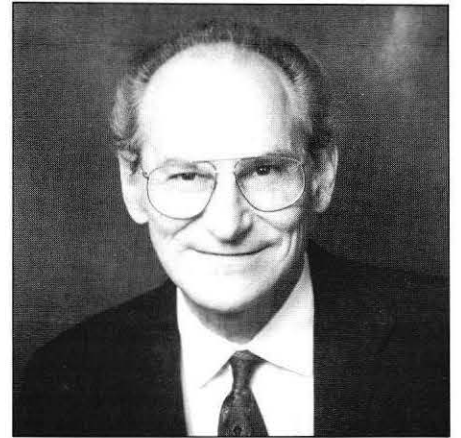


## Attorneys in the Classroom

The interest in law among high school students is high. Whether this stems from the way we lawyers conduct ourselves, or whether the students are moved by our more "L.A. Law" counterparts, is beside the point. The interest shown by lawyers in MENTOR students can reinforce and inspire a youngster who is on a positive track. It can also rescue a student who is *not* on a positive track.

The WSBA began its MENTOR program in 1984. It now operates in 57 public schools around the state and involves over 100 volunteer lawyers. A law firm is typically paired with a single social studies or business law class of 25 to 40 students. MENTOR attorneys visit the class, discussing with the students aspects of the law that touch their lives. The students visit the courts as part of their MENTOR program and have an opportunity to debrief the cases they've observed with their attorney and, perhaps, a judge. Some MENTOR classes observe a civil and/or a criminal trial; visit a juvenile detention center; or visit an appellate court. The class also visits the attorney's law firm; the visit includes a tour of the office, an overview of the library and computers, and a question-and-answer session with various personnel. The MENTOR program often includes mock trials with some of the students participating in the roles of attorneys, judges, witnesses, plaintiffs, defendants, or expert witnesses.

In mid-1989 the WSBA Public Affairs Department conceived the idea of the MID MENTOR program. It is designed to assist middle level students understand our legal system. Implementation has been so successful that the program has now been established as a part of statewide LRE.



*Joseph P. Delay*

The Bar Association provides for administration of the programs, as well as resource materials and strategies. Workshops are held to provide training and networking opportunities for MENTOR attorneys and teachers.

The MENTOR program is under the direction of our public affairs staff attorney Jo Rosner. She also coordinates the National MENTOR Program which now encompasses 20 states and two Canadian provinces. Jo is a former high school teacher whose interest in law-related education inspired her to obtain her law degree.

Because of Jo Rosner, Washington state leads the nation in its MENTOR programs. While many young lawyers have committed themselves to MENTOR, it is ideal for senior lawyers. All over the nation, they are being asked to take part in a new phase of MENTOR in which volunteer retired lawyers can serve as mentors for individual high school students.

I hope by this article to encourage more lawyers to become involved in the WSBA's MENTOR programs. If you are interested, please call Jo Rosner at (206) 727-8282.

*Joseph P. Delay*



# Why Bother with Law-related Education?

As you realize by now (or soon will), the focus of this issue of *Bar News* is "law-related education," a.k.a. LRE. The WSBA LRE Committee asked me if I'd be willing to tackle the question, "Why bother with LRE?" I have, as they would say in trout country, "risen to the bait."

A bit of definition is in order. As used in this context, law-related education is not law school. Law-related education is not CLE. Law-related education is teaching the public about law-related concepts and our legal system. It encompasses adult education (People's Law School type programs, Citizen Rights pamphlets, the *Seattle Times'* "Legal Lines," call-in radio talk shows, etc.) and youth education (the WSBA MENTOR Program, Mock Trial competitions, career day at school, teacher education, etc.)

Back to the original question—why bother? There are a number of ways of phrasing the question: Why is LRE important to the organized bar? Why is LRE worthy of an individual lawyer's attention? Why should lawyers care about educating the public about our legal system?

From the organized bar's perspective, I have previously opined in this column about the need for "good deeds" to improve the image of the legal profession, i.e., no amount of PR will make up for a lack of good deeds. It runs deeper than that. It is one of the fundamental purposes of the Washington State Bar Association. Our bylaws read at Article I - "Functions,"

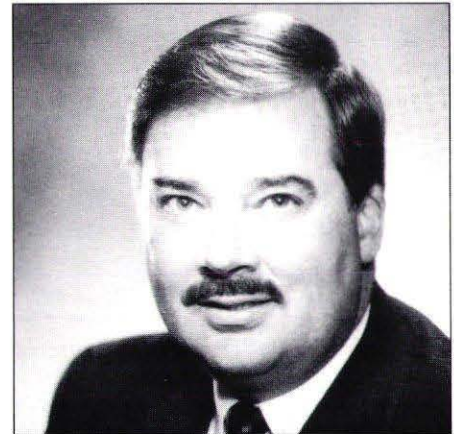
Section A - "Purposes," Sub-section 1 - "In General," Sub-sub-section f: "To promote respect and understanding for our legal system." This portion of the WSBA bylaws is taken word for word from the Washington Supreme Court's General Rule 12—Purposes of the Washington State Bar Association.

But there are a lot of things in rules and bylaws that sound good and simply quoting them begs the question—why? I made a list of possible answers—some worthy, some not so worthy, to-wit:

- It's more fun to go to a classroom and show off than it is to sit in an office and bill hours.
- It's a long-range plan to recruit new associates.
- It's a way to prove to your mother that her investment in your education was worthwhile.

On the more serious side:

- You are proud of being a lawyer and should be willing to talk about it in public.
- You believe (as most of us do) that the practice of law and our system of justice is consistently misrepresented in the media and the movies, and want to set the record straight.
- You believe that our system of justice and dispute resolution—for all its flaws—is still better than the alternatives, especially lawlessness and violence, and want to educate others about how the system works vis-a-vis the alternatives.
- You believe that an informed citizenry is essential to participatory democracy. (NB: this is the zenith of my list, folks.)



Dennis P. Harwick

- You believe that an understanding of our legal system will modify both people's demands and expectations of the system.
- You were appalled at the recent poll showing the depth of ignorance about the U.S. Bill of Rights.
- You believe that understanding the law and law-related concepts will help keep kids out of trouble. (Note: Many LRE programs receive funding for this very reason.)

And finally, my favorite reason:

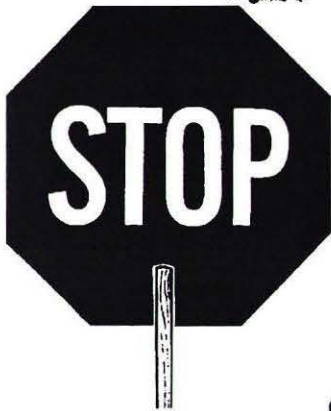
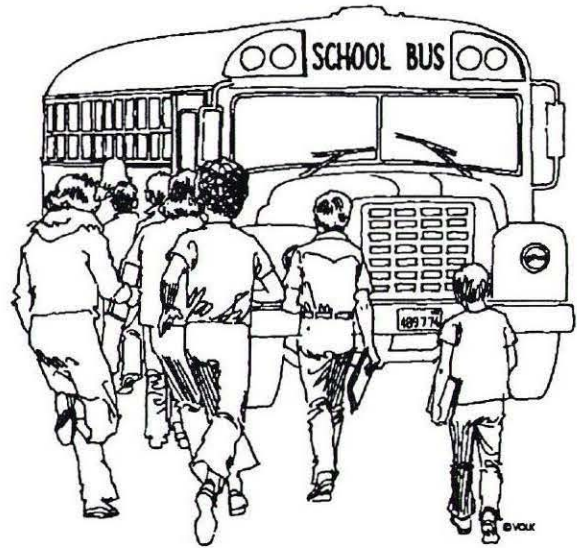
- It's easy to lose (or even give away) what you don't understand or appreciate.

Let me give two examples:

- The Executive Order issued 50 years ago imprisoning Japanese American citizens.
- Waiving protections of the Bill of Rights to fight the war on drugs.

I don't mean to imply that these are simple issues. They aren't. But that's why LRE is important. People should understand the significance of their actions and those of their elected leaders. We, the lawyers, can fight the good fight alone for a while, but without a public that understands why, we can't fight it forever.

That's why you and the organized bar should bother with LRE.



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# Reflections on Law

by Judith A. Billings

**L**aw-related education (LRE), of which I have been an advocate and find myself becoming even more supportive, integrates the study of law into all appropriate areas. It should begin early in the primary grades with concepts young students can understand. As they progress through the system, students' understanding of the law and its interrelatedness with history, economics, civics, social relationships and other subjects should become more complex and more sophisticated. At each grade level, sufficient time should be devoted to LRE to ensure that the students acquire a knowledge of law that will contribute to the foundation upon which they will anchor personal, civic and professional activities. It is imperative that we make a commitment at this time to citizenship education that ensures the opportunity to build a solid civic foundation.

The popular media frequently remind us that Americans' knowledge about civics is at an all-time low. Studies reveal that Americans have difficulty expressing civic values. Participation in "things civic," especially among young people, has declined steadily. Certain types of crime, such as hate crimes, are on the increase among young people. There was an era when a major disciplinary problem for Washington middle school principals was students with water pistols and shaving cream aerosol cans. Now, the problems include students in possession of loaded firearms and other weapons.

The imperatives of teaching civic responsibility will become more intense. The student population is no longer homogeneous; the state is experiencing dramatic demographic changes. Between 1985 and 1995, Hispanics are projected to increase by 95 percent, Asian Pacific Americans by 58 percent, African Americans by 29 percent, Native Americans by 35 percent and Caucasians by 17 percent. It is anticipated that 85 percent of the entrants into the workforce in the next 15 years will be people of color, women and immigrants.

Increasing numbers of children are homeless, living in poverty, living with only one parent (usually female) or in an abusive or dysfunctional family—one often alienated by and from "the system." This makes the task of providing civic education complex and massive.



Some educators have compared the current challenge to that faced by the nation at the turn of the century with the arrival of waves of immigrants from East and Central Europe, made even more complex by the "global community" in which we now live.

Claims of marvelous cure-alls are viewed with deep suspicion, and I do not claim that law-related education is the panacea for the ills of civic education. I sincerely believe, however, that in concert with the teaching of other subjects, and the cooperation of the family and community, LRE can become a powerful ingredient.

LRE helps students function in a diverse society which they often perceive as chaotic. LRE emphasizes our heritage as a democratic society based on the rule of law, where reason and justice are expected to prevail. It teaches students how the system operates. It helps explain the impact of law

# -related Education



upon history and the cause and effect relationship of historical events upon the law. But it goes beyond purely intellectual exercises by its power to personalize for each student his or her individual situation within the law. Because the effects of the law on daily lives of students can be demonstrated so powerfully and convincingly, LRE is highly motivational and often acts as an agent to release latent academic and civic skills.

Much of LRE's power as a motivator stems from its concentration upon real issues—ones that literally surround the students. More and more, expert civic educators believe that civic interest and skills are learned when students actively engage in solving real problems.

When I was teaching social studies, I decided to let the daily newspapers, Section A, "select" problems for me.

The list of problems that were law-related and offered the potential for personal student involvement was lengthy: school bond and levy elections, illegal tire dumps, the robbery and murder of a convenience store clerk and off-shore oil exploration are examples. A number of national issues were also presented that may ultimately generate local laws, such as the discovery of severe ozone depletion in the Northern Hemisphere.

LRE requires a shift in the students' perception of themselves as learners. It is difficult for them to be passive in LRE because they are cast in the roles of citizens who wrestle with real issues. The teaching strategies are characterized by the word "active": role plays, case studies, mock trials, and moot constitutional hearings, for example.

Students also hone their critical-thinking skills. They learn to appreciate the facts of a case. They come to an understanding that individuals have points of view that shape and color perceptions of reality. They practice weighing evidence and arriving at their own conclusions—and they learn to defend those conclusions. Encounters with stereotyping and other tools of persuasion stress the need for them to be careful and critical evaluators of information. I believe that the logical thinking LRE promotes is one of its most important contributions. Another feature of LRE that I support and promote is its ability to bring school and community together. LRE has been enhanced by the willingness of members of the legal profession to share their expertise with students and teachers.

Washington state is fortunate to have several LRE projects that are models of school-community interaction. Just four months ago, Justice Barbara Durham of the Washington State Supreme Court, her staff, University of Puget Sound School of Law and I launched a program called "Judges in the Classroom." The response from judges and educators was overwhelming—three times what we had hoped for.

The WSBA sponsors MENTOR, which builds teacher-attorney teams. Together they plan relevant lessons that include visits by classes to attorney firms and to courts to observe the law in action.

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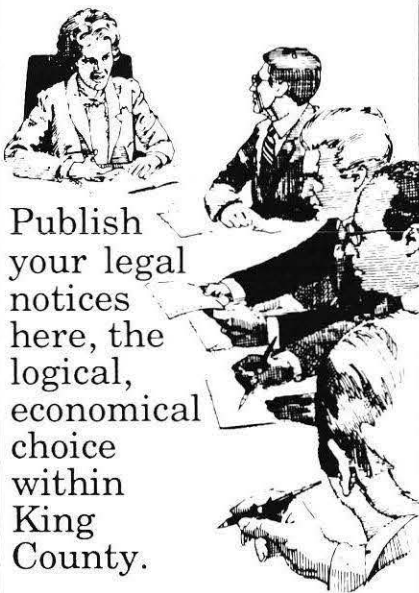
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UPSICEL, located at the University of Puget Sound School of Law. UPSICEL has provided considerable assistance to social studies teachers. Their work with the curriculum, titled "Street Law: A Course in Practical Law," is another project that highlights the effectiveness of school-community collaboration.

The excitement and drama of the mock trial competition is hard to duplicate in any other academic activity. This annual competition, sponsored by the YMCA, the WSBA and the OAC, involves students from across the state—large and small schools alike. It, too, is a unique blend of community and school. Attorneys volunteer their services as coaches to school mock trial teams. The presiding judges for the competition are, as the students say, "real live judges" who donate their time. The competition is scored by attorneys and educators.

The projects I have briefly described are most likely to be used by social studies, history and civics teachers. It is reasonable to surmise that the scene of most law-related education will be in the classes just mentioned in secondary schools and in that portion of the school day allocated for social studies in the elementary school. However, as educators move to establish models of integrated curricula, law-related studies and legal topics appear in other subjects, too. Mandatory testing for substance abuse and HIV/AIDS are routinely studied in health classes. Legal issues are unavoidable in traffic safety classes. In humanities classes, students wrestle with the great ethical and moral issues that have persisted over time as cultures have made law. A curriculum labeled STS, Science, Technology and Society, examines perplexing problems from the viewpoints of physical and social scientists. The problems invariably lead directly to the study of the laws which intensify or are meant to control the problems.

The recent mandate by the state legislature to teach environmental education in the K-12 system in science, social studies and humanities will certainly address legal issues and cause students to study environmental law. Many of the environmental issues are international in scope; therefore, I

predict that environmental education will provide an impetus to the study of international law. International education already includes the study of legal systems; however, I think the environmental issues will trigger significant new interest.

Because the law is so pervasive in our lives, it is a topic that truly does lend itself to integration in a wide variety of subjects. The list I have shared with you contains only a few of those contact points. It is exciting to watch interaction between the law and "new" educational activities. Community service is not new; however, interest has grown considerably in the last two years as schools and school districts begin to add community service to their list of graduation requirements. UPSICEL staff and others have found ways to combine law-related education and community service, bringing together two proven student motivators and activities that change students' lives in a positive way.

LRE can be described as student-centered, highly motivational and relevant. It's not just "fun and games." It requires serious critical thinking and the command of intellectually challenging material.

LRE deserves the respect it has gained. Students need what it can provide. I tried to imagine the consequence for a football team that would outfit itself with the latest and best equipment, provide an excellent coach, train hard, eat the right foods, get plenty of rest, design clever plays and recruit great players, then charge out on to the field without knowing the rules of the game. Such an oversight would probably not get the team to the Rose Bowl, much less a high national ranking. But we do a similar disservice to our students if we do not structure their education to include the "rules of the game" they will need as citizens in a democracy.

*WSBA member and Puyallup resident Judith A. Billings was elected to serve as the thirteenth State Superintendent of Public Instruction on November 8, 1988. She brings 26 years of educational experience from the local, state and federal levels, including 13 years as a teacher.*

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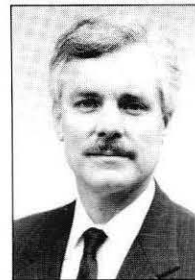
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# LRE—A Concurring Opinion

by the Hon. James M. Dolliver

## Law-related education: An idea whose time has come?

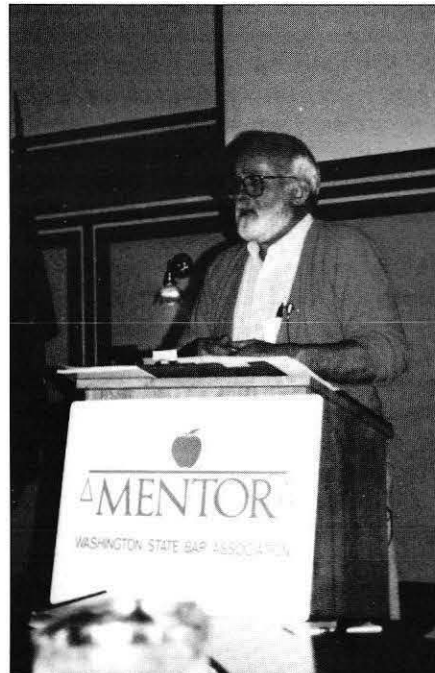
**W**ell, yes—but how? It seems to me the need for law-related education at the elementary, and particularly secondary, school level has become a given. It is not now seriously doubted that for citizens to contribute fully to their society—much less survive—an understanding of the law is important. While the view that some courses in law ought to be mandated in high school has abated—and I think properly so—the belief that an awareness of the law needs to be “infused” into primary and secondary-school curricula continue to get stronger. Law-related education is the attempt to persuade students—and adults—that “the law” permeates nearly every aspect of their lives.

Law-related education can be accomplished in a wide variety of ways, such as street law classes in high school; community forums about the laws and courts; mock trials; judges and lawyers speaking to school classes; lawyers participating in mentoring programs. “How to” information is important. It helps people to understand

the law and the system in an instrumental sense: How can I protect myself; how can the law work for me not against me? What are the requirements of the law, and what are its consequences? Knowledge of the operation of the law and its complexities is necessary for good citizenship.

Law, however, is more than a set of rules. It is more than a collection of “how tos.” While they are essential, this is not the full story. If law-related education is nothing more than knowing the rules, it becomes a failure.

Those of us who believe in law-related education—and that should be every lawyer and judge in the state—have an obligation to teach the *why* of the legal system as well as the *how*. While we cannot control attacks on lawyers and the legal system, we can educate all citizens as to what the legal system is and why. The underlying values and principles of our system of law are equal in importance to learning the techniques of the law. Becoming involved in law-related education allows



Hon. James M. Dolliver speaks to MENTOR attorneys and teachers at a Bill of Rights workshop.

all lawyers and judges to help educate citizens as to the meaning of living in a nation of laws and why it is important to maintain a public who understands the need to keep the values of the law.

I have been involved both as a board member of the Washington Center for Law-related Education and as its former president. I have spoken to hundreds of students both in the courtroom of the Supreme Court and in the classroom. Some of my most rewarding moments as a judge have been spent presiding over mock trials. The students take the trial seriously and begin to acquire what will be a lifelong understanding and appreciation of the rule of law in a free, self-governing society.

For any who want to know what resources are available for law-related education, this information can be obtained from the Washington Center for Law-related Education through the WSBA office.

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# "In Your Face" Meets "Mediation"

by Kathi Lehr

**I**t is 12:30 at Rainier Beach High School; the second bell for class is just ringing. I'm standing at the classroom door, greeting students as they file in laughing and playing after lunch. Suddenly I hear girls' raised voices in the hallway, and a loud he said/she said outburst. Five of our civic leadership class students are involved, "getting up in each other's faces" about gossip, hurt feelings, and standing up for themselves or friends. This is often the stuff of teenage life during the high school day.

My teaching partner and I know that if the girls bring this dispute into our classroom of 40 students, we will have a hard time settling everybody down and getting into the learning activity...but then several of the girls call out, "Let's take it to the conflict managers!" I agree and say, "Come to class when things are worked out." And off they go to Rick Harwood's office, the coordinator of the Conflict Management Program, who will locate the two conflict managers "on call" that period to deal with the situation.

By the next period, at 1:30 p.m., the five girls are back to class and ready to work. They have talked through their differences with the conflict managers and agreed on a mutual resolution. The energy all were putting into the dispute can now be channeled into learning. I have to smile and breathe a sigh of relief that our school has this constructive communication program for students.

Rainier Beach is one of Seattle's ten public high schools, located in the south end, near Seward Park. As with most urban high schools, we have a student body of different cultural and socioeconomic backgrounds; we draw from West Seattle, Mt. Baker, Beacon Hill and the central area. We view this as a plus factor, but we must also spend considerable effort building a "learning community" and teaching students respect and responsibility.

The Conflict Management Program was inspired by our participation in the WSBA MENTOR Program, and this is



L to r: Rainier Beach High's trained conflict managers **Brian Todd, Vikki Polk, Cheree Alliqua, Martha Dolph** and program advisor **Rick Harwood** (at desk).

the fourth year of our partnership with the Schwabe Williamson & Wyatt law firm. The firm's lawyers have presented mock trials, taught the citizenship test, arranged for courtroom observations and meetings with judges and introduced mediation as an alternative dispute resolution. Students were especially interested in mediation. Teachers felt that mediation would be a proactive way to reduce conflicts and produce a positive learning environment at school.

Last year, we received a mini-grant (from Private Initiatives in Public Education) to send some of our staff to the nationally known San Francisco Community Boards Conflict Management Training. Returning staff put on a weekend workshop last spring to train Rainier Beach High School students who had been recommended as natural leaders among their peers. With full support of the school administration, the program became a reality last fall.

The conflict management team does

demonstrations in classes to familiarize other students with this alternative to suspension. Teachers' appreciation of the program has grown rapidly, and younger students aspire to become conflict managers. Rick Harwood and the conflict managers are planning another weekend workshop this spring to teach additional students conflict management skills and expand the program. They would be happy to share what we do with other schools or to do demonstrations for interested WSBA members. It's part of what we're teaching at RBHS—to contribute your talents to the common good and become participating members of the community.

---

*Dr. Kathi Lehr is a teacher/counselor at Rainier Beach High School. Her civic leadership class has been a MENTOR partner with Schwabe Williamson & Wyatt for four years.*

photo by **Maggie Crain**, Seattle Education Association

# Courting Kids



*A courthouse tour in action.*

by **Allan A. Overland**

**W**ander into a Pierce County Superior courtroom one morning and you might be surprised to see that the defense lawyer, prosecutor and even the defendant are taking a back seat to the most unlikely of court observers—a

visiting class of 11-year-olds.

The sentencing hearing has been temporarily halted while the judge explains the proceedings to the students and answers their questions. These fifth-graders have been studying the legal system in preparation for their tour of the courthouse, and their questions are remarkably concise and thoughtful.

Last year, 4,000 students just like these took a similar tour, all conducted by the Pierce County Law League. Despite the students' relative youth, the program organizers, judges and teachers say they are impressed by how much the children comprehended.

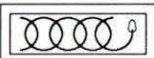
"It was a real eye-opening experience for the children, especially to see the

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prisoners standing in front of them," said Nancy Kiehl, a Vaughn Elementary School teacher. "They see it on TV, but it is too removed. In the courtroom they get a real picture of the seriousness of the crime and its punishment."

When the tours first began 13 years ago, hundreds of fifth-graders converged on the Pierce County Courthouse, wandering through the halls and overwhelming the court staff. Despite a bumpy start, the program was an instant hit with the teachers, and the schools urged that it be expanded to be more than just a Law Day activity.

Since then, the tours have developed into highly organized, concentrated learning experiences that frequently run in conjunction with the students' social studies curriculum throughout the school year. The tours are so popular that they have attracted other groups, such as the Boy Scouts, hearing-impaired students, college classes and foreign dignitaries.

Instructors today are given guidance on teaching law-related education courses before their students even see the inside of a courtroom. Many teachers use the New York State Bar Association's elementary school guide, *Living Together Under the Law*, which the Pierce County Law League provides at no charge.

On the day of the tour, the law guides first confer with the superior court judicial assistants to determine which cases on the calendar are appropriate to view. After the students receive a basic introduction to the case and who the players will be, they spend up to half an hour watching an arraignment or an actual trial. Normally, groups observe both a criminal and a civil proceeding, so they can compare the two. Once everyone is out in the halls, the guides discuss the proceedings with the students and help them make sense out of what they have just seen.

"Most definitely we try to counter the 'L.A. Law'-'Perry Mason' perceptions," said Marsha Abel, a court guide and one of the program founders. "Students come away from this experience with a greater understanding of how the system works, the understanding that lawyers are there to protect people's rights and that the Constitution lives in all of this."

The success of this Tacoma law-related education program is predicated upon the work of the Pierce County Law League, formerly the Women's Auxiliary Bar. The name change was part of a concerted effort to be seen as more than a social club if the group was to have a serious role forging links between the public and the legal community—their primary goal.

Today, the League maintains a high profile in the courthouse, operating two to three tours a week, often twice a day. The program is run solely with a volunteer staff and a \$500 annual grant from the Pierce County Bar Association, which pays for some of the teachers' educational material. The tours are so popular that the group stopped advertising years ago. But despite the program's acclaim, it is the only one of its kind in the state of Washington.

Most of the judges are strong proponents of the school visits. Because of the careful instruction students receive before they arrive, judges report very few disruptions from their young audience.

"They sit in rapt attention and take in the proceedings with a great deal of concentration," said superior court judge E. Albert Morrison, whose wife, Virginia Morrison, started the program. "It gives insight to the students on judicial procedure and gives judges a few moments to impress upon them the consequences of the use of narcotics and what kind of trouble they can get into. It's an invaluable educational tool."

The program is not designed to shock the children, but their thank-you letters to the judges show they are dramatically influenced by their uncensored view of the courthouse. Nearly all the students talk about seeing handcuffed prisoners and write in their own way how they better understand the consequences of their behavior. A few even are now reformed drivers at the age of 11. One Tacoma elementary student, in a letter to municipal court judge Gary Sullivan, wrote: "P.S. I will say, 'Thank-you, Officer,' if I ever get caught speeding."

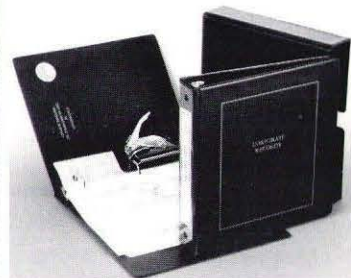
*Allan A. Overland is a Tacoma practitioner.*

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# Law, Literally

by Mark B. Packer

**I**n that delightful movie "Miracle on 34th Street," the lawyer/suitor is shown in one brief scene in his office dictating into his stenograph machine, "whereas the party of the first part and the party of the second part, in consideration of the premises and the covenants herein contained and mutual benefits to be obtained. . .," until he is mercifully interrupted by a phone call and the plot of the movie can continue. Happily, he goes on to take up the cause of Kris Kringle, a.k.a. Santa Claus, who is the victim of a malicious mental commitment proceeding. Two points emerge: the legal system is popularly portrayed as enveloped with unfathomable gobbledygook; and notwithstanding the same, the quest for justice and vindication, with assistance from good humor and common sense, is an inextricable component of our popular culture.

One important role of law-related education is to dispel the popular notion that the legal system is unfathomable and/or unfair.

As "Miracle on 34th Street" exemplifies, movies, novels, plays and other forms of literature can be employed as vehicles to prompt discussion of the legal system and its fairness in the classroom. Creating such a discussion

does not require a special text or materials that are not already part of a standard curriculum. Rather, what is required is simply a teacher's awareness of, and willingness to explore, an alternate focus for his or her remarks.

As lawyers, we can assist educators in feeling comfortable with and capable of handling these discussions. We can seize the opportunity and demystify the law. We can provide information about how and why the rules of our legal system were established, and how those rules are designed to strive for just results. With a basic understanding of those rules in place, we can facilitate discussions of whether some other rules or system might yield results that are more "just."

Movies, novels, plays and the like which raise these issues are numerous. They are taught every day in our schools. For example, Harper Lee's *To Kill a Mockingbird*, a book turned into an award-winning movie, is the story of a small-town lawyer of integrity who defends an unjustly accused individual. Both the book and the movie are strong vehicles for discussions of the law.

The number of plays with justice, or the perversion of justice, as their theme is unlimited. Routinely used in the classroom are the trial scene and its background in William Shakespeare's *The Merchant of Venice*. In terms of sexual harassment, male/female power relations, and government regulation of sexual activity, consider the contemporary relevance of Shakespeare's *Measure for Measure*.

The Bible, often studied as literature, introduces the quest for justice, tempered by the need for mercy: Abraham's argument with God to spare Sodom and Gomorrah from their punishment of fire and brimstone, if only there were five righteous souls to be found therein (no such luck); God's injunction to Moses to establish inferior tribunals to adjudicate disputes in the Book of Exodus, a mandate given even prior to the delivery of the Ten Commandments on Mt. Sinai; and of course, the judgment of Solomon. These stories make a powerful impact upon students as to the pervasiveness and timelessness of these social values and concerns.

Another approach to instilling an appreciation of law-based values is looking through the opposite end of the telescope at what a lawless society looks like. William Golding's *The Lord of the Flies* is excellent in this role. Golding himself describes the work as "an attempt to trace the defects of human nature."

Other classic American works which have strong law-and-justice themes include *Billy Budd* by Herman Melville, "The Devil and Daniel Webster" by Stephen Vincent Benet, "Colonel Starbottle for the Plaintiff" by Bret Harte, William Faulkner's short story "Barn Burning," and the films "Inherit the Wind" and "Witness for the Prosecution."

The foregoing merely hint of the many works of literature, popular films and other art forms depicting everyday experiences which can infuse law-related issues into the classroom. With a minimal amount of planning and preparation, study of such works need not be limited to the intrinsic value of the art form. That study can also provide opportunities to debate what is just and to learn how our legal system works.

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**C**urrent school budgets being what they are (and what they always were and always will be), teaching "street law" is an opportunity to contribute to your community. I taught it for several years, and my school could furnish students only a classroom and an attendance/grade book! Anything else I wanted or needed was up to me to provide.

In my experience, open enrollment, while "democratic," tends to produce students who are either looking for an easy grade or who want only to explore the law as it relates to their current situations. In such classes you may find yourself fielding questions like:

"My legal-aid lawyer wants to plead me to a gross misdemeanor, what do you think?"

"Isn't it entrapment if the undercover officer gives me the money before he asks for the drugs?"

"What are the chances that the search of my locker for marijuana was illegal?"

"They are going to expel me for hitting him with a pipe on school grounds; can they really do this?"

"Sorry I was gone last week, but it took me longer than usual to get back from Mexico. ...By the way, do you do immigration law?"

Then there are the easier questions:

"You don't mind me bringing my baby to class, do you?"

Which you can count on leading to:

"How do I go about getting support from the father?"

"Is it true that they can cut off my public assistance if I don't tell them who the father is?"

Or, now that the subject is open:

"If my girlfriend gets pregnant, can she force me to marry her?"

"What do you mean, I'll have to pay support for at least 18 years!"

*Ralph Nickerson (J.D., Georgetown University Law Center, 1969), is a sole practitioner in the Columbia Gorge area who does not windsurf.*

*Mark B. Packer (LL.B. Harvard Law School) is a sole practitioner in Bellingham.*

# Out of the Mouths of Babes

by Ralph Nickerson

You may well be tempted to try to promote the class among the brighter students, or limit enrollment to them. Don't. Suffice it to say that I had my easiest, most boring class when enrollment was limited to students whose GPA was in the upper quartile. None of these students had ever been in any real trouble with the law. Nor had they acted up in class; attendance was marvelous. It was often difficult to determine whether they were attentive or comatose; classroom discussion was almost nonexistent.

On the other hand, my most gratifying class was full of the "other kind" of students, who had all sorts of legal problems, criminal and civil. They certainly provoked the most enlightening discussions. The principal apologized for not screening the students. We never got through the

book, and the average grade in the class on tests was a low "C." But, the discussion was lively and challenging, and the results were unusual. The only "A" earned that term was by a young man who was emotionally and behaviorally disturbed, was otherwise in "special ed," and who was almost daily monitored in the class by both a psychologist and a state juvenile probation officer. The longest period in his life without an arrest or suspension from school was the term he took street law. (It must be conceded, in all modesty, that this may have been attributable to the presence of the monitors rather than the inspirational brilliance of the teacher.)

If you teach, you will be surprised at the acute, penetrating, and almost inexhaustible interest exhibited by students when the subject matter is relevant to their lives. While law-related education should be a K-12 effort, on the secondary level it is obvious that young people on the verge of their adult lives both want and need basic "survival" information regarding consumer law, credit, tenant's rights, torts, crimes and offenses, insurance, banking and employment. Beyond their initial self-serving questions about their momentary concerns, and regardless of their social, economic, racial, cultural or

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George Nazarian, Assistant Training Coordinator

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academic status, they thirst for basic information on the "rules" of this society—most of them well aware that they will soon have to cope with things on their own.

It was my experience that in virtually every class discussion the concept of basic "justice" was a visible thread throughout the students' reactions. Those I taught had a gut instinct for

justice, and they wanted the rationale for the "rules." To an individual they could perceive the desirability of due process. To an individual they could recognize the rationales for the occasional escape from accountability for criminal acts due to constitutional procedural or substantive requirements. Indeed, some of them were still at large due to these technicalities. Yet they consistently

deplored the difference between law and justice in this world and actively debated if and how, in a perfect world, law could always equal justice. I could always count on provoking a discussion on social justice with the quote from Anatole France, "The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread."

Street law will not unflinchingly succeed in molding students into model citizens. In the years after my class, many of my students have been (or have continued to be) in trouble, either criminally or civilly. The most personally disappointing was the student who used the end-of-term barbecue at my home to "case the joint." Later, the student burglarized my home with three accomplices. It was small consolation to me as his teacher that when confronted with the act the student very adroitly argued *pro se* that he was not guilty because "all the elements of burglary" were not present.

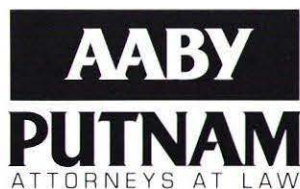
The most rewarding students are not the few who found their interest piqued to the point that they have gone into law or law enforcement as a career. Instead, the most rewarding students are the great majority who have simply become responsible and involved citizens, in many cases against all the odds, all the categorizations and expectations of school and civil authorities.

Teaching law-related subjects is challenging and disturbing. If you do it and do it right, it not only proves enormously enlightening as to the real character and capacities of students, but requires you to personally revisit both the law and its foundation in philosophy, ethics, morality and social contract.

From the "mouths of babes" will come challenges to what you have accepted as unchallengeable. You will hem, and haw, and squirm. You will work harder than you thought you would have to preparing to face their questions. You will have to think as much or more than you will try to make them think. But your contribution to law-related education and your students' lives will be an experience that you will relish. You'll wonder why you didn't do it years ago.

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# Justices Lead the Way Back to the Classroom

by Robert M. Henderson

**E**arly on in his appellate court career, Justice Vernon Pearson decided he wouldn't just tell kids about his court, he would let them feel it, experience it, *be part* of it. So, when he was called down from chambers one day to address a group of fifth-graders who were sitting fidgety-bored in the front-row seats of his courtroom, he asked if anyone wanted to be a member of the Supreme Court. "Who," he asked, waving his arm at the long, nine-seat bench, "wants to sit up there and decide a case?"

Hands were launched into the air like rockets and Pearson began selecting justices.

"You wearing the jumper, you with the hat—better take that off before you go to the bench; you in the jeans. . ."

He also selected a bailiff, a preferred job because the bailiff gets to bang the big gavel and shout, "All rise!"

With the bailiff in place, Pearson took his fifth-grade jurists to a place in Olympia's Temple of Justice few ever get to see—a small hallway located

behind the door immediately in back of the bench. There, he lined up his charges and showed them how to make their grand entrance to the courtroom when cued by the bailiff's "All rise!"

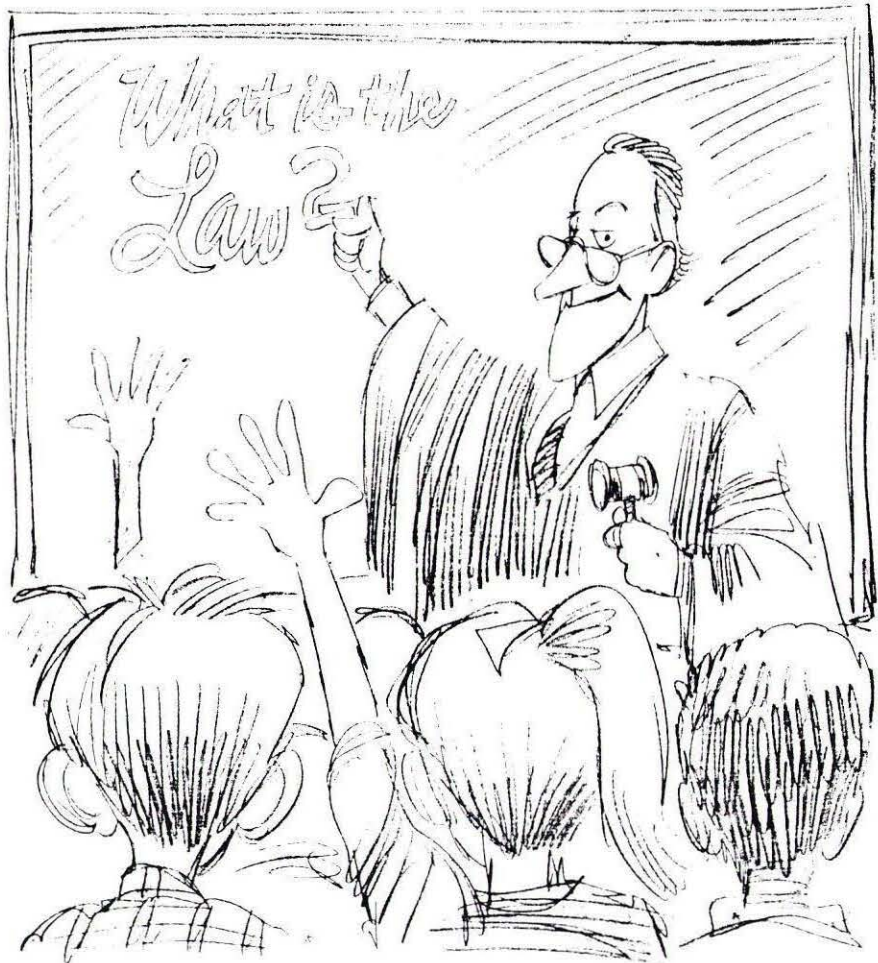
At the Justice's signal, the gavel came down and the bailiff gave his ancient, traditional call. With only a few shoves and whispered threats ("That's my place!"), the nine newly minted justices found seats in the high-backed, leather chairs that line the inside curve of the bench of the Washington State Supreme Court. The high court was in session.

Pearson took the roles of both appellant and appellee, arguing both sides of a case drawn from actual experience. It was the custody case of a little boy (a fifth-grader, as a matter of fact) who had survived a car crash that killed both of his parents. Severely traumatized, he was assigned to elderly foster parents. After more than a year, he seemed to be coming around. His foster parents wanted to adopt him. He wanted them to adopt him.

But the law got in the way. The state said the boy had overstayed his time with the foster parents because, under law, foster parents were limited to keeping a child only one year. Besides that, the officials pointed out, the law did not permit "old folks"—those over 50—to adopt.

The foster parents took the state to court. The trial court decided in favor of the state. Now the case was in front of the nine youngest jurists ever appointed to a high bench. How would they decide?

Young though they were, the students had no trouble getting into their roles. Some slouched back into their chairs with the familiar, almost bored, casualness of someone who's done this many times before. Others assumed typical judicial poses—a chin propped between thumb and forefinger, a pair of eyes gazing intently at "counsel" through steepled fingers. One, eyes closed, appeared to be catching a few winks.



sketch courtesy of David Horsey

Pearson's teaching technique is also used by Justice James Dolliver. When Dolliver works with students, he shows them the conference room to which Supreme Court members retire following oral arguments to debate the merits of the instant case.

In that inner sanctum, Dolliver guides students through the court's conference protocol, seating the "Chief Justice" at

the head of the table and the others to his or her right in the "order of seniority." Students are shown how the discussion takes place, the role of the justice—selected by lot—and who will write the opinion.

Justice Robert Utter, the court's most-senior jurist, also is no stranger to classrooms. He has lectured on all rungs of the educational ladder. In

observance of the federal Constitution's bicentennial, he took his own small airplane and made a flying tour of small rural towns, carrying messages about the Constitution.

Justice Charles Smith has also taken a turn at the law-related education wheel, presiding, for the last two years, over the final championship round of the state YMCA Mock Trial Competition.

Last August Justice Barbara Durham and state superintendent of public instruction Judith Billings unveiled their "Judges in the Classroom" program at the annual meeting of the Washington Judicial Conference. Its curriculum-based technique pairs individual judges and teachers, focusing the efforts of both on specific lessons directed at students in a single classroom.

Durham launched the program, aimed at junior high and middle school students, herself, using the time-honored Socratic approach to get the students to see the legal light:

"Let's say I was feeling hungry because I missed breakfast, so I reached into a locker and made off with somebody's lunch.

Another student, Ben, might commit the same offense with the intention of selling it. How many think Ben and I should receive the same sentence?"

Another favored approach has been the use of mock trials, such as that of Herschel C. Lyon, charged with murder in the death and disappearance of Sammy Steelhead.

In the fall, 1991, only 20 judges participated in Durham's program, although more than 85 had indicated a desire to do so. As time and resources allow, more matches between teachers and judges will be made. The justices of the Washington Supreme Court not only believe in the value and necessity of law-related education, they act on it by going (back) to the classroom whenever they can.

*Robert M. Henderson has been the public information officer for Washington's Office of the Administrator for the Courts since 1981.*

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"The Board's Work" will be published in the May 1992 *Bar News*. The Governors are meeting as this issue is being printed.



*Notices of Interest to WSBA Members*

**WSBA Disciplinary Notice:**

**Reprimanded:** Vancouver attorney Edward Kelly (WSBA #1062; admitted 1970) has been ordered, pursuant to a Stipulation for Discipline, to receive two reprimands for neglect of a child support modification proceeding, and for his failure to keep the client accurately advised of the status of her proceeding. Additionally, Kelly will be subject to various terms of probation for two years.

**Commission on Judicial Conduct Decision:**

**Reprimanded:** By decision filed February 7, 1992, the Commission on Judicial Conduct of the State of Washington has reprimanded Hon. Gary W. Velie, Judge of the Clallam County Superior Court, for violations of Canons 1, 2(A), 3(A)(3) of the Canons of Judicial Conduct. The Commission found that, between 1988 and 1991,

Judge Velie was involved with multiple incidents and comments which evidenced a pattern of inappropriate behavior which detracted from the dignity and honor of the judicial office he holds. Judge Velie frequently used coarse language which, when viewed in isolation, are [is] relatively minor in nature, however, do [does] contribute to the pattern of inappropriate behavior. Judge Velie's conduct and remarks occurred both in and outside the courtroom while in the course of his official duties, and continued in his private life.

The Commission ordered him to take corrective action by ceasing and desisting from making disparaging or embarrassing comments while in the performance of his official duties and

while in and about the courthouse, whether or not such comments are made in jest; refrain from ex parte contact or communications which may give the

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appearance of ex parte contact with persons involved in the proceedings; take no retaliation, directly or indirectly, against witnesses or other persons who cooperated with the Commission in its investigation and proceeding; attend, participate and complete a course or courses selected by Judge Velie and approved by the Commission concerning judicial conduct at the National

Judicial College within one year of the Commission's decision; and cooperate with Commission monitoring of compliance with the Commission's order. Six members of the Commission signed the Decision; four filed additional opinions concurring and dissenting with various of the Decision's findings and conclusions.



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### **Public Notices:**

#### **In re RCW 19.52.120(1): Legal Interest Rate ("Usury Rate")**

The average coupon equivalent yield from the first auction of 26-week treasury bills in March 1992 is 4.28%. The maximum allowable interest permissible for April 1992 is therefore 12%. Compilations of the average coupon equivalent yields from auctions of 26-week treasury bills appear in the *Bar News* on page 39 in October 1987 for 1982-1984; on page 37 in June 1989 for 1984-1985; on page 51 in June 1990 for 1985-1990 and on page 55 in June 1991 for 1985-1991.

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#### **State Law Library Books Recently Cataloged**

Listed below are some of the new titles recently acquired by the State Law

Library, and available for loan by phone from (206) 357-2136, or by mail from Washington State Law Library, Temple of Justice, P. O. Box 40751, Olympia, WA 98504-0751. A quarterly *Books Recently Cataloged* list, generally containing 100-175 new titles, is also available. Copies may be obtained by mail from the above address.

On January 7, 1991, the State Law Library began circulating the video collection of the Office of the Administrator for the Courts (OAC), which has more than 150 titles and over 175 videos. A catalog of titles is available from OAC; call Judicial Education at (206) 753-3365, ext. 3248, for a copy.

When requesting materials, please include the author, title, and call number.

#### BANKRUPTCY

Buchbinder, David L. *Fundamentals of bankruptcy: a lawyer's guide*. Boston, MA: Little, Brown, c1991. Pp. 654. **KF1524.3.B76 1991**

#### BUSINESS RECORDS

Skupsky, Donald S. *Records retention procedures: your guide to determine how long to keep your records and how to safely destroy them!* Denver, CO: Information Requirements Clearing House, c1990. Pp. 190. **KF1357.5.S6 1990**

#### CONSTITUTIONAL LAW

Bohaczyk, Pete. *The student, news watcher, and couch potato guide to the U.S. Constitution*. Lanham, MD: University Press of America, c1991. Pp. 161. **KF4550.Z9B64 1991**

#### EVIDENCE (LAW)

Olson, K. Richard, Elizabeth A. Feil and Jeffrey R. Johnson. *Washington evidence workshop handbook*. Eau-Claire, WI: Professional Education Systems, c1991. Pp. 80. **KF8935.A206 1991**

#### HANDICAPPED--EMPLOYMENT

Perritt, Henry H., Jr. *Americans with Disabilities Act handbook*. 2d ed. New York: Wiley Law Publications, c1991. 1 vol. V.p. **KF3469.P47 1991**

#### RIGHT TO DIE

Colen, B. D. *The essential guide to a living will: how to protect your right to refuse medical treatment*. 1st ed. New York: Prentice Hall Press, 1991. Pp. 158. **KF3827.E87Z953 1991**

#### TRIALS (EUTHANASIA)

*Guidelines for state court decision-*

*making in authorizing or withholding life-sustaining medical treatment*. Coordinating Council on Life-sustaining Medical Treatment Decision-making by the Courts. Williamsburg, VA: National Center for State Courts, c1991. Pp. 177. **KF3827.E87G8 1991**



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3 Washington Growth Management Act, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

3-4 Ownership and Distribution of Benefits in Community Property States,

Seattle. *Sponsored by:* WSBA CLE/Family Law Section in cooperation with the Family Law Council of Community Property States. *For information:* (206) 727-8202.

10 Perspectives on Indian Law—Understanding Its Impact on Your Practice, Seattle. *Sponsored by:* WSBA Indian Law Section/CLE. *For information:* (206) 727-8202.

11 Misdemeanor Practice in Washington, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

14 The Civil Rights Act of 1991, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

15 Bar News deadline, June 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.

16 Video Replay: Essentials of Evidence, Port Townsend. *Sponsored by:* WSBA CLE/YLD. *For information:* (206) 727-8202.

16 DNA Fingerprinting Conference, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

20 Sixth Annual Family Law Institute, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

24-26 WYLD Midyear Meeting—Working for a Living; Employment Law in the Law Firm and Beyond, Lake Chelan. *For information:* (206) 727-8202.

24-25 Sixteenth Annual Trial Practice Seminar, Seattle. *Sponsored by:* SKCBA. *For information:* (206) 624-9365.

24-26 WSBA Real Property, Probate & Trust Section 1992 Midyear, Pasco. *For information:* (206) 727-8202.

25 Getting to the Courtroom: Preparing for Trial, Seattle. *Sponsored by:* WSBA CLE. *For information:* (206) 727-8202.

28 Video Replay: Essentials of Evidence, Wenatchee. *Sponsored by:* WSBA CLE/YLD. *For information:* (206) 727-8202.

28 Washington Construction Law, Seattle. *Sponsored by:* Federal Publications, Inc. *For information:* J.K. Van Wycks, (202) 337-7000, fax (202) 775-9304.

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- Criminal Justice
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- Human Rights
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- 1** Promoting World Peace Through Law, Seattle. *Sponsored by:* WSBA World Peace Through Law Section/CLE. *For information:* (206) 727-8202.
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- 5-6** Environmental Law & Management Seminar, Seattle. *Sponsored by:* Lewis & Clark Law School CLE. *For information:* (503) 768-6642.
- 6** Public Contracting in Washington, Seattle. *Sponsored by:* Federal Publications, Inc. *For information:* J.K. Van Wycks, (202) 337-7000, fax (202) 775-9304.
- 7** Federal Tax Controversies, Seattle. *Sponsored by:* WSBA Tax Section/CLE. *For information:* (206) 727-8202.
- 7-8** Environmental Law & Management Seminar, Portland. *Sponsored by:* Lewis & Clark Law School CLE. *For information:* (503) 768-6642.
- 8** WSBA Public Procurement & Private Construction Law Section 1992 Midyear, Seattle. *For information:* (206) 727-8202.
- 8-9** WSBA Board of Governors meeting, Spokane. *For information:* (206) 727-8200 or contact your local governor.
- 12** Video Replay: Essentials of Evidence, Aberdeen. *Sponsored by:* WSBA CLE/YLD. *For information:* (206) 727-8202.
- 13** Administration of the Estate in Washington, Seattle. Also presented in Spokane May 14. *Sponsored by:* National Business Institute. *For information:* (715) 835-7909.
- 15** Bar News deadline, July 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.
- 15-17** WSBA Business Law 1992 Section Midyear—Liquidity Issues for Closely Held Corporations, Welches, OR. *For information:* (206) 727-8202.
- 20** Successful Solo and Small-firm Practice, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

**20-21** Claims and Disputes in Federal Contracts, Seattle. *Sponsored by:* Educational Services Institute and George Washington University School of Business and Public Management. *For information:* Linda McFarlin, (703) 578-8800.

**21** Advanced Real Estate in Washington, Seattle. Also presented April 22 in Spokane. *Sponsored by:* National Business Institute. *For information:* (715) 835-7909.

**28-30** WSBA Environmental & Land Use Law Section Midyear, Vancouver, B.C. *For information:* (206) 727-8202.

**29** Estate Planning in the 1990s, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

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**5** Sexual Harassment in the Workplace, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

**5-6** Ninth Annual Pacific Rim Computer Law Institute, Vancouver, B.C. *Sponsored by:* WSBA CLE/OSB

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**15** Bar News deadline, August 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.

**19** The New Americans with Disabilities Act, Seattle. *Sponsored by:* WSBA CLE. *For information:* (206) 727-8202.

**19** Insurance Agents' and Brokers' Duties and Liabilities, Seattle. *Sponsored by:* UW CLE. *For information:* (206) 543-0059.

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**19-20** WYLD Trustees, Bellingham. *For information:* Sheri Borgford, (206) 727-8239.

**23-27** XVIIIth International Congress, International Academy of Law and Mental Health, Vancouver, British Columbia. *For information:* Simon Verdun-Jones, (604) 291-3032 or 291-3213; fax (604) 291-4140.

**26-27** WSBA Litigation Section 1992 Midyear: Voir Dire, Chelan. *For information:* (206) 727-8202.

## July 1992

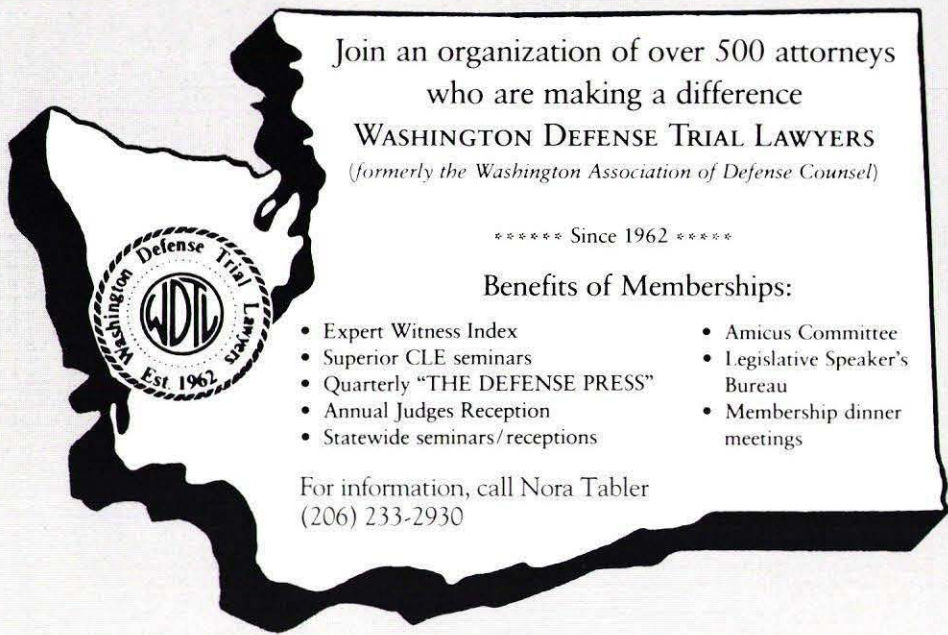
**13-17** Court Records Management, Seattle. *Sponsored by:* Institute for Court Management, National Center for State Courts. *For information:* (303) 293-3063, fax (303) 296-9007.

**15** *Bar News* deadline, September 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.

**18** WYLD Trustees, Everett. *For information:* Sheri Borgford (206) 727-8239.

**31-Aug 1** WSBA Board of Governors meeting, Oak Harbor. *For information:* (206) 727-8200 or contact your local governor.

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## August 1992

**15** *Bar News* deadline, October 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.

**23-27** Appellate Judges' Seminar, Vancouver, B.C. *Sponsored by:* National Center for State Courts. *For information:* Marie Owens or Sandra Roos, (312) 988-5696.

**29** WYLD Board Meeting, Sun Mountain Lodge, Winthrop. *For information:* Sheri Borgford, (206) 727-8239.

## September 1992

**15** *Bar News* deadline, November 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.

**16** WSBA Board of Governors meeting at Annual Meeting and Convention. *For information:* (206) 727-8200 or contact your local governor.

**16-19** Washington State Bar Convention and Annual Meeting, Vancouver, B.C. *For information:* (206) 727-8200.

## October 1992

**15** *Bar News* deadline, December 1992 issue. *For information:* Lindsay Thompson, editor, (206) 577-3080.

# MENTOR: Two Kid's-Eye Views

**A**s a senior in high school, I elected to take the business law course offered by my school. My father is an attorney, and from a very young age, I have been extremely interested in his career. This course offered me a perfect opportunity to study and learn more about our laws and how they affect us.

The MENTOR lawyers who have been partnered with the classes at our school helped the students become familiar with how cases are constructed, brought before the court, argued and brought to a close. They came to talk with our class about the kind of law that interests high school students—cars, contracts, consumerism—stuff that will help us survive after graduation.

Ms. Scott, our business law teacher, helped the lawyers plan two field trips for us. One was to a law firm, where we saw a mock deposition and learned how a court reporter translates those hieroglyphics that come out of the machine into English. We also visited King County Superior Court to observe a trial and meet with the judge, who helped us understand what we saw.

A few weeks after the class ended, I learned that a few classmates and I had been chosen to perform a mock trial for the NAPE (National Association of Partners in Education) meeting in Seattle. Preparing for the trial gave me further insight into the legal process and gave me a chance to work on and display (for 125 people!) the skills that I had acquired.

The case was about a high school annual that had been published before the principal had had a chance to review its contents. He was upset by some of the articles and wanted to censor the books before they were distributed to the students. This raised First Amendment free-speech problems. It was my job to



At the NAPE Mock Trial: student Sims Weymuller, teacher Nancy Scott, Justice James Dolliver and student Justin Massoni.

act as one of the attorneys defending the principal's decision. In my real-life role of high school student, I didn't agree with his position, so I learned that a lawyer must see *both* sides of the case very clearly in order to be effective.

These experiences have given me a working knowledge of the legal system as well as a feeling for the important role that law plays in our everyday lives. Even though there's a lawyer in my family, the MENTOR attorneys were able to get through to me where relatives sometimes can't!

I encourage students who want to enter the legal profession, as well as those who just have an interest in learning about the rules that govern our society, to use programs like MENTOR if they are offered. My initial interest has ignited into one that could very easily send me into a career in the field of law.

Justin Massoni  
Roosevelt High School, Seattle  
Class of '92

**H**i, my name is is Lloyd Spear. I'm a MENTOR (Mentor) class survivor. Before I say anything about the MENTOR class, let me briefly introduce myself. When I was 16 and a junior in high school, I came to school one, maybe two, days a week, if any. I flirted with the law, yet never actually confronted it. I surely didn't care about school or a decent education because I knew everything, or so I thought.

On one of my rare appearances at school, I was drafted into the Mentor class, simply because I tended to score high on my tests. After due course of thought, I consented to participate. Why not? I could legitimately skip school to go on field trips and get a free lunch from the Mentor firm (what a bargain!). Sometime during the first visit I made a realization— "Boy, these guys know something I don't." Sometime after that I realized these guys make good money.

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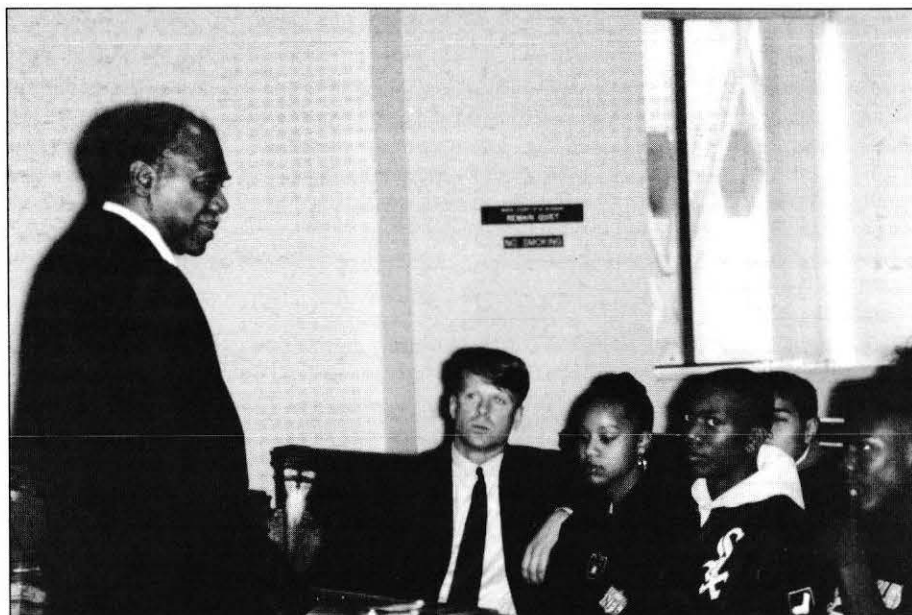
Money! I had money, but I also knew parents didn't last forever. So, after realizing some knew something I didn't, and with that knowledge money could be made, I decided to listen. After all, didn't "L.A. Law" look cool?

Of course, there was always the fact that I could lift my nose above the other students because I was chosen over them; I was smarter. But what if I hadn't made these realizations? Then I would be just like most of the rest of the class. I would have a reason to dress up and outshine the rest (one big fashion show without an audience). I could tell my shop teacher or English teacher or whomever to kiss off—I had better things to do today. Of course, not in so many words.

After the class ended—I missed the last meeting because I wasn't in school enough to find out all the dates—I put the idea in the back of my head. Slowly I started coming to school more often. Thanks largely to having good attorneys in the program, I learned something and held on to that knowledge. Soon after, I ended up in school almost every day and pulled my grades out of the toilet. I made up three missing credits in limited time; I was starting to move forward instead of standing still. I was learning, something I hadn't done in a few years. Just when everything was going well, I was thrown out of school on a technicality. Of course, this made me furious, and I realized I didn't have enough knowledge and may never. Consequently, I ended up hating schools in general, but I was going to learn more and more until I couldn't know anything more.

Now, this may not be what you lawyers want to happen with the Mentor class. I would assume that it is. Kick start the kids who are much less than interested in school; give them a good reason to try to achieve. I'll tell you, though, as it stands, my story is a rare one, at least the way I've seen it here.

This last year I witnessed the Mentor class from the other side. Yes, I now work for Paine, Hamblen, Coffin, Brooke and Miller, my Mentor firm, as



*King County Superior Court Judge Charles V. Johnson speaks to Schwabe Williams attorney James P. Murphy and students from Rainier Beach High School.*

an errand staffer trying to learn and understand more, and make some money at it. Viewing Mentor from the outside, this past year I noticed the students were much, much less than interested. I personally would blame this on the fact that here the students are chosen without much thought. I know the kids with the interest and/or the need for this knowledge are out there, if they would be sought out. Give the students a questionnaire or something like it to sift through the uninterested and unneedy. Make the program accomplish something besides giving these kids free time from school.

The goal of the Mentor class is sound, but the methods of achieving it are sometimes sloppy and uninteresting to high school students. I mean, who cares how a bill is made, when Jenny over there is wearing a really short skirt. Students need to be shown that the law does apply to them, why it applies to them and how it applies to them.

Let me give an example. In my Mentor class, we did a mock trial, a very good idea. Our mock trial was about a 70-year-old man who killed his terminally ill wife. What does that have to do with a 16-year-old kid? Sure, it

may pertain to a few, but I doubt they're even in the class. Something that was done this last year in our firm's class I thought was an excellent idea: they used actual cases pertaining to high school and college students. Kids will relate better to a presentation if they understand the link to it. Give them not so much a mock trial but a seemingly real one. Use a dispute between two students, real or imaginary, and make the students work out the dispute through a jury trial. It's no guarantee, but I think they'll catch on a little quicker.

To be successful, Mentor needs to think of and refine a good way to find the interested and needy students and give them something that relates to them, once you have them. Even an uninterested crowd will listen if it pertains to itself. Believe me, the only thing high school students think about more than the opposite sex is themselves.

One good idea that was brought off fairly well this past year was a discussion on the Bill of Rights. Our attorney who led the discussion was articulate and quite dramatic, something the students just couldn't ignore. When

## "Street Law"

The National Institute for Citizen Education in the Law ("NICEL") is an outgrowth of a Georgetown University Law Center program, started in 1971, in which law students teach law courses in the D.C. schools, correctional institutions, and other community forums. Now expanded and separate from the D.C. Street Law Institute, and funded by grants, NICEL promotes citizen education in the law and teacher training, and it provides technical assistance and curriculum materials to public and private organizations to establish and operate law education programs. A widely used text and manual, *Street Law—A Course in Practical Law* is available. So are other LRE materials, including a new human rights program. Requests for information and materials should be directed to: NICEL, 711 "G" Street, S.E. Washington, D.C. 20003; by telephone at (202) 546-6644; or by fax at (202) 546-6649.

The NICEL program in Washington state is conducted through the auspices of the University of Puget Sound Institute for Citizen Education in the Law ("UPSICEL"), under the direction of Margaret Armancas-Fisher and Julia Gold. UPS law students are teaching in Tacoma area schools and seeking to expand the program. A summer institute is conducted to train teachers in the street law program, with grants providing for costs and a stipend. Armancas-Fisher and Gold have produced a Washington state supplement text and teacher's manual to the national text and manual; they are available for purchase through the UPS bookstore. For further information contact: UPSICEL, 950 Broadway Plaza, Tacoma, WA 98402-4470; by telephone at (206) 591-2215; or by fax at (206) 591-6313.

an imposing figure is standing right in front of you demanding an answer, you either buckle and cry or you answer. It may seem drastic, but it's hard to have a discussion with only one person speaking. Sure, not every answer will be right and students may feel foolish if theirs is not, but how else are they going to learn? Many of these students have preconceived notions of their rights in the law and many, many of them are wrong.

What I want to say is that I am grateful for my Mentor experience, but I'm not the normal person, although there are others out there like me. Find them, interest them and maybe save someone's future.

Lloyd J. Spear  
Errand Staff, Paine Hamblen  
Coffin Brooke & Miller  
John R. Rogers High  
MENTOR Class of '89



*L to r: Shumway Middle School teacher Phil Harding, attorney Marla Ludolph-Heikkala, Columbia River High School teacher Don Carlson, attorneys Steve Kinman and Jeff Meehan and Evergreen High School teacher Lisa Fix.*

Landerholm, Memovich, Lansverk and Whitesides, Inc., P.S. has a long history of participating in local educational programs and other school activities. The firm encourages its members to donate time to aid students in learning about the legal process and occupations within the legal community.

The MENTOR program is an in-depth way for individual attorneys to focus their strengths in the middle school and high school classroom. Activities for our member attorneys have included participation in mock trial events, classroom lectures and discussions, field trips to the courthouse, juvenile hall, and on-site visits to the law firm. A mock arrest of a teacher was part of the educational program for a middle school unit. Staff members of the firm are also involved in these events. Their activities vary from preparation of materials to playing the parts of witness and litigant.

"I remember the impact of attorney speakers when I was in school. They were a valuable part of my educational experiences and helped in decision-making for my career," says Jeff Meehan. Attorneys Meehan, Steve Kinman, and Marla Ludolph-Heikkala hope that they may have the same impact on students today.

# On Educating the Public

by Jeff Tolman

## The Problem

I had never met a lawyer until I went to law school. My dad is a millright in a paper mill. My mom worked in the only bank in Asotin. I worked every school break and summer in a sawmill. It is fair to say I know more about not being a lawyer than about being one.

As I "grew up" in the sawmill and got closer to my profession, several oddities struck me. First, if ignorance of the law is no excuse, how can people gain needed information to help them in their daily lives? Certainly, when that maxim was established, you could put all of the law books a decent lawyer needed in a pair of saddlebags. Not so today. There are presently 117 volumes of the Washington Supreme Court Reporter and 62 volumes of Washington Appellate Reports—and the tally is growing weekly. How were nonlawyers supposed to gain the legal information they need to live their lives lawfully?

Second, how were people to find a lawyer they felt comfortable with, without paying \$35 a consultation? I continually heard my sawmill compadres complain that they didn't know any good lawyers and couldn't afford to pay to meet them.

Finally, there is certainly some basic legal information that lawyers should provide to society as a public service. What happens to your estate if you don't have a will? Is there common-law marriage in Washington? When is child support modifiable? What is an earnest money agreement? Why weren't there low-cost courses to explain these basic legal facts?

## My Answer: A Law for Nonlawyers Class

I moved to Poulsbo and opened my office on March 15, 1978. Almost immediately, I began planning my Law for Nonlawyers class. Anecdotal research told me that January and February would be the best months—after the holidays, before spring, during the beginning of TV re-runs. Tuesday nights from 6:30 to 9:00 would be just right. Class members could have dinner with their families before class and see them before they went to bed. Two-and-a-half hours was plenty of time to discuss general concepts. A registration fee of \$20 was always charged. People's attendance is better if they pay for something. The registration fee also allowed me to pay for copying the written materials and taking the speakers out for dinner after class.

The class had a lecture period during which the presenters would take 25 to 30 minutes to discuss their topic. After the presentations of a topic, we answered questions for the time remaining. We usually tried to have a judge at every session. The judges gave a different perspective on the issues—particularly what is and isn't important to judges looking at particular kinds of cases (e.g., "Marital fault in a dissolution is not a concern of the judge unless custody is an issue, no matter how bad you want to tell me about your spouse's infidelities.").

We never (despite some extraordinary efforts to the contrary) answered specific legal questions. We tried to be as open and specific as possible, though, about what lawyers and judges do and what legal services cost. The class members really seemed to appreciate these discussions. Every lawyer who does many wills has had a client come in and say "It is not that I don't like you. I

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just want my kids to get my estate, not you." Even clients who have not said it have thought it. Discussing and explaining fees gave the class members comfort. They initially presumed that lawyers' fees were exorbitant—until I correlated the costs to that of governmental work. I pointed out that a rigger at Puget Sound Naval Shipyard (our county's biggest employer) is bid out at about \$98 per hour on vessel overhauls. The class members all understood that the rigger herself did not receive \$98 per hour. Rather it went for overhead, benefits and other costs. I then pointed out why I thought, after seven years of post-high school education and a bar exam, it was reasonable for me to bid my work out at \$2 an hour more than a rigger. Looking at it in that light made sense to the class members and, after the discussion, they seemed less distressed about fees lawyers charge.

I always tried to encourage them to ask me their hard questions about our profession. Yes, I had gotten criminal defendants who were guilty acquitted. Yes, it is uncomfortable to see people you are suing at local get-togethers. Yes, I do believe that, more often than not, the current legal system works. No, I don't think lawyers can change the facts in a lawsuit. No, there aren't many situations in which it *really* is "the principle of the thing."

I tried to bring in diverse and interesting speakers. Two of my main objectives were to (1) bring the group in contact with several local lawyers—one of whom they would feel comfortable going to if they had a future legal problem—and (2) show them that lawyers, like all people, have differing views of life and their jobs. For the domestic relations class, for example, I always had two lawyers speak. One had a philosophy, "Every time a divorce is granted, a lawyer has failed." The other's philosophy was, "If you come to me and say you want a divorce, my job is to get you as big a piece of the community assets as I can." The class members came away understanding clearly that there are some lawyers that would be more compatible with them than others.

Over the ten years I did the class our speakers included the State Attorney

General, Secretary of State, all the local judges, and four members of the Washington State Supreme Court. The class members enjoyed meeting and having a dialogue with these persons of note, and it enlivened the debate to discuss state issues as well as local concerns.

Two different years we held actual misdemeanor trials and passed out jury instructions to the class. After testimony was taken, the judge would excuse the parties and we would discuss the trial. Later I would act as jury foreman, and we would try and reach a verdict. Common questions included, "Judge, why was that question objected to?" "Why didn't the prosecutor call the defendant to testify?" "Why shouldn't the jury consider what punishment a guilty finding is likely to bring on?" The discussion and deliberation by the "jury" was insightful to them, and to me.

As I look back on the class, several thoughts appear. Why isn't there a community law class in every town in Washington? The Washington State Trial Lawyers Association has made effort in this direction, but the classes can be offered independently, too. The classes cost nothing but a little time. Any individual attorney can do it. Lawyers and judges participating in the class meet members of the community in an everybody-wins forum. It is *excellent* public relations for our profession. And, perhaps most important, if ignorance of the law continues to be no excuse in the courts, we lawyers and judges have an obligation to distribute basic information to the public.

I will be happy to talk to anyone about the details of the class or answer any questions about how to put one on. Everyone wins in the class. I know as a young lawyer meeting local lawyers and judges and members of the public, and talking about this great profession to interested class members, I did. As did people like my mom and dad and sawmill friends, who now, I hope, can't say, "I don't know any good lawyers."

---

*Jeff Tolman, a former WSBA governor, practices in Poulsbo and is a frequent contributor to the Bar News.*



## Happiness is Practicing Law— Well, Maybe Some Days, Some Ways

Lawyering is a logical career choice for a child of alcoholic parents. The eldest of three, I became the "parent" in a family impoverished by alcoholism. We regularly had bill collectors calling, garnishing my parents' wages and repossessing the car. We moved regularly. I attended six different schools in the first six grades. I was typical of the child of alcoholic parents: I set goals for myself that would overcome and compensate for all of these "liabilities." By the age of twelve, I decided I wanted to be a lawyer.

Children of alcoholic parents tend to be either super responsible or super irresponsible. They often assume more responsibility than they can handle, and often they frequently find themselves assuming responsibilities for others; it is sometimes easier to care for others than for themselves. Adult children of alcoholics tend toward "overs," over-achieving, overworking and over-indulging. Lawyers can do just that.

From the very beginning of my practice, I was successful. I never lacked for clients and the kind of work that I enjoyed doing. I never had significant problems collecting on my accounts. I started out with a small firm which grew and expanded, merged and tripled in size, hired more people and expanded further. Before age 40, I was a senior principal in a 30-person law firm, but I was also working a least 180 billable hours per month. While substance abuse, a common problem with adult children of alcoholics, was not a problem for me, there were others. My family had taken second place to my job, and my marriage was hanging together by a thread. My children were growing up in a home with almost every material possession they could want, but their father worked virtually every weekend and most evenings.

Without even looking at the studies, every lawyer knows the pressure of practicing law. We know that meeting those deadlines, getting those billable hours in and dealing with adversarial attorneys, judgmental clients, and difficult judges all add to the pressures.

Throw in a dozen partners, in the same situation, trying to balance their interests, fighting for their economic, professional and personal benefits. The total personal stress is enormous.

About this time, I took a long, hard look at my personal situation. I discovered a little book entitled, *If You Don't Know Where You're Going, You'll Probably End Up Someplace Else*, by David Campbell. It didn't offer anything particularly startling in that book, but for me, it said it all. I realized where I was going was not where I really wanted to be.

I needed to reorder my priorities and get more satisfaction out of my practice. I had become truly unhappy in what I was doing. Not that I did not like practicing law; I simply did not like what I was doing or the way I was doing it.

So I took the title and information of that little book to heart. It has worked for me. It has enabled me to sustain myself in practice in a manner that both is satisfying and has achieved all of the things I need from my practice. I sorted out the things that gave me professional satisfaction and discovered that the economic aspects were not high on my list. I set goals based on this personal appraisal. I left the large firm where the highly competitive production required me to be a workaholic. The atmosphere did not allow me to do anything other than be an overachiever.

By joining a smaller firm and choosing the legal matters that give me the most enjoyment, I have been able to attain satisfaction in my practice. In addition, I set goals outside of the actual production and practice arena, not only financial ones, but also those of family and community involvement.

I have found that prioritizing pulls it all together. It is particularly important at times when I am overwhelmed. Reviewing all those current pending files allows me to make certain that nothing is falling through the cracks. The simple one-file-at-a-time review takes away the enormity of the workload and breaks it into workable segments. I continue to set priorities,

not only inside, but also outside, the office.

Sustaining one's self in the practice of law also requires getting away from it occasionally, whether this involves working out on a regular basis or taking regular get-away excursions--periodically for two weeks or more. When I read for pleasure, advance sheets and professional matters are put aside. I must do something totally different and unrelated to my practice.

If you are having trouble sustaining yourself in the practice of law, consider changing direction. It was easier for me than expected. Regardless how you do it, practicing law is not without problems. But I am aware of dozens of lawyers who have reordered their goals, changed directions and done so with great satisfaction, allowing themselves to continue happy and successful careers. Most of them will likely end up where they want to.

### Nota Bene

**Tuesdays, 12 noon.** A weekly Job Hunters' support group for WSBA members who are actively involved in the search for a new position meets in the President's Room, WSBA, 4th floor. This is a drop-in group focusing on the exchange of ideas and job-finding discussions. It is open to all WSBA members at no charge.

**Wednesdays, April 8, April 22, May 6 and May 20.** "Lawyers in Transition Support Group." The focus of the group is to provide support for attorneys who are dissatisfied with their careers and are seeking creative alternatives. It is sponsored by the WSBA LAP Career Services and is open to all members at no charge. The group meets at the Queen Anne Public Library, 400 West Garfield Street, Seattle.

**Thursdays.** The Tacoma Unbar meeting. The group has changed its time and location. It will meet at 4 pm; the new location is 1919 Pearl Street, Ste. 2, Tacoma.



Edited by Professor William B. Stoebuck  
University of Washington School of Law

**Civil procedure.** In product liability action against California manufacturer of ladder, plaintiff served California secretary of state and daughter of defendant's owner. Daughter was employed in office of company that had purchased defendant's company and was served at office. *Held*, neither method of service conferred jurisdiction. Service on California secretary of state was insufficient because California law did not authorize service on secretary of state. Service on daughter was insufficient because daughter was clerical employee and not authorized to accept service on behalf of defendant. Court rejected plaintiff's argument that service on daughter was valid substitute service, saying daughter was not served at defendant's place of abode as required by statute. *Fox v. Sunmaster Products, Inc.*, \_\_\_ Wn.App. \_\_\_, 821 P.2d 502 (Div. 1, 12/20/91).

—K. B. Tegland

**Evidence.** In product liability action in which plaintiffs claimed their

son had been seriously injured by defendant's prescription drug, plaintiffs should have been allowed to introduce testimony given by one of defendant's witnesses in an earlier, but almost identical, case involving a different child. Testimony was admissible under hearsay exception for former testimony (ER 804). This rule's requirement of unavailability was satisfied by fact that witness resided in Florida and refused to testify in present case. Rule's requirement of reliability was satisfied, court said, by assumption that defendant would have adequately developed witness's testimony in earlier trial by direct and redirect examination and by impeachment if necessary. *Young v. Key Pharmaceuticals, Inc.*, 63 Wn.App. 427, 819 P.2d 814 (Div. 1, 11/25/91).

—K. B. Tegland

**Planning and zoning.** Owner of land wished to develop it as recreational-vehicle park, but zoning did not allow that use. So owner petitioned city

council to amend text of zoning ordinance to allow RV parks as conditional use. At hearing on proposed amendment, city council member who had indirect interest in that land refused to excuse himself from consideration and voted in favor of amendment, which passed. *Issue*: Did council member's participation violate Washington's appearance of fairness doctrine? *Held*: No, because text amendment to zoning ordinance, though upon petition of interested landowner, is "legislative action" under Appearance of Fairness Act, RCW 42.36.010. Court says that Legislature's adoption of statute limited judicial appearance-of-fairness doctrine and had effect of partially superseding (court says "overruled") *Fleming v. City of Tacoma*, 81 Wn.2d 292, 502 P.2d 327 (1972). Supreme court shows disposition, evident in recent decisions to limit appearance-of-fairness doctrine. *Raynes v. City of Leavenworth*, 118 Wn.2d 237, 821 P.2d 1204 (En Banc 1/9/92).

—W.B. Stoebuck



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## NEWS FROM HOME

Thurston County Young Lawyers (established in 1991) recently elected new officers for the 1992 year: **Lisa Ellen Seifert**, president; **Forrest Wagner**, vice president; **David Palmer**, secretary; **Nancy Kellogg**, treasurer, and **Lori Lamb**, **Stacia Reynolds** and **Randi Jones**, members of the board.

In the past year, the Thurston County Young Lawyers have sponsored a half-day employment discrimination seminar, a post-swearing-in breakfast for new WSBA admittees and several social events. This year they look forward to providing more programs and services for our members.

The Asian Bar Association of Washington, in conjunction with North Seattle Community College is sponsoring its fourth annual Community Law Program at the college. The nine-week course is designed to help individuals learn basic information about the legal system and will be taught by ABAW attorneys and judges: **Tina Kondo**, consumer rights (April 1); Judge **Ron Mamiya**, **Russell Aoki** and **Dean Lum**, criminal mock trial (April 8); **Michael Leong**, landlord/tenant issues (April 15); **Eileen Kato**, business and bankruptcy (April 22); **Benson Wong**, real estate (April 29); **Alma Misako Kimura**, personal injury, wills and estate planning; **Gary Maehara** and **Peggy Nagae Lum**, mediation (May 13); **David Hoekendorf** and **Jimmy Wu**, divorce and immigration (May 20); and state representatives **Gary Locke** and **Art Wang**, how laws are made (May 27). For more information, call the North Seattle Community College Continuing Education Department at (206) 327-3705.

February 27, Morrison & Foerster announced the opening of a new office in downtown Seattle. Initial areas of concentration will include environmental and land use law and regulation, intellectual property-related work and complex litigation. **Portia R. Moore** will return to Seattle from San Francisco to be managing partner.

Seattle environmental practitioners **Bradley M. Marten** and **Rodney L. Brown, Jr.** will join as partners. Patent law authority **Donald Chisum**, UW professor of law and currently of counsel to Morrison & Foerster, will also be a member of the

Seattle group.

The firm, which has more than 650 lawyers in offices in the U.S. and abroad, opened March 2 in temporary offices in the Washington Mutual Tower.



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**CLARK COUNTY REPORT**  
by JOHN F. NICHOLS

For those two or three who noticed the absence of last month's report, an explanation is in order. Effective January 15, 1992, the county report section of the *Bar News* passed an act known as the "County Reporters' Uniform Form Act," commonly known as CRUFA. This is apparently only the most recent offspring of the domestic relations form act. Due to the late arrival of the forms and my inability to follow same, my submittal was duly rejected. The following is the same material in revised form in hopes that new forms for the remedial reporter will be forthcoming.

CRUFA —fm 01.0100—  
Around the State Report for the County of Clark

I. OPENING

1.1 Hello from Clark County.

1.2 Last month was:

- very exciting
- kinda exciting
- the same as last month
- about as exciting as a Bill Bixby film festival
- other:

II. NEWS

2.1 In Clark County the following events occurred:

- Judge \_\_\_\_\_ was (convicted) (acquitted) of the charge of \_\_\_\_\_.
- \_\_\_\_\_ was a special guest on Oprah's show, in which \_\_\_\_\_ and \_\_\_\_\_, who live with \_\_\_\_\_ and \_\_\_\_\_, but dressed as \_\_\_\_\_ and \_\_\_\_\_ were featured.
- Young associate Alison Greene left the offices of Johnson & Vomacka for the offices of \_\_\_\_\_ & \_\_\_\_\_ because of undisclosed reasons.  
[please be specific]
- Other: Carin Schienberg was named volunteer attorney of the year for her pro bono work in 1991.  
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III. MERGERS

3.1 The following mergers took place in Clark County:

- No mergers took place in this one-attorney town.

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- All the attorneys in the \_\_\_\_\_ floor(s) of the building merged with the firm of \_\_\_\_\_ & \_\_\_\_\_ of Washington, D.C.
- Wolfe, Mullins & Hannan merged with the old established firm of Blair, Schaefer, Hutchison, Wynne, Potter & Horton under the new name of The Unified Firm. The purpose of said merger was to combine use of joint parking space.
- The law offices of **Joel Hyatt** announced [opening] [closure] of an office in this county.
- Other:

#### IV. CRITICAL COMMENTS

- 4.1 Doctors are the real problem with the legal system because:
- They charge too much for depositions.
- They charge too much for reports.
- They charge too much for \_\_\_\_\_.
- They make more money than I do.
- 4.2 The insurance adjusters are the real problem with the legal system because:
- They never settle for enough.
- They take too many depositions.
- They make more money than I do.
- 4.3 My fellow attorneys are the real problem with the legal system because:
- They charge too much for too many depositions.
- They file too many frivolous law suits.
- They make more money than I do.
- 4.4 Other: \_\_\_\_\_
- [be specific]

#### V. CLOSING

- 5.1 Next month we will:
- announce those participating in pro bono activities.
- talk about participating in pro bono activities.
- resent partners' participation in pro bono activities.
- get a haircut.
- 5.2 Good-bye from Clark County.

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**EAST KING COUNTY REPORT**  
by RANDOLPH I. GORDON

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In his *The Canterbury Tales*, Geoffrey Chaucer puts these words in the mouth of the Pardoner in "The Pardoner's Prologue":

My theme is alwey oon [one], and evere was—Radix malorum est Cupitas. [The root of evil is avarice.]

Having completed my first three-year term on the Board of Trustees of the East King County Bar Association and

commenced a second, it is now time for me to leave the writing of this report to another. But, like the Pardoner's sermons, have the past 30-plus reports had common threads running throughout if not a single theme? As I see it, yes. For those who have found this report obscure or irrelevant, I now present my themes:

1. I believe in the law as an honorable profession and, with few exceptions, my colleagues to be decent and honorable people.
2. I believe that love of knowledge is the parent of perspective, and perspective of humor, and that both perspective and humor are the keys to the resolution of human and societal conflict.
3. I believe that, at its best, the legal profession, operating in a democratic and pluralistic society, can assist in the mediation of interpersonal and societal conflict, the protection of constitutional principles, and the empowering and liberation of individuals to achieve their full human potential.
4. I believe that the legal system is in crisis: it is inaccessible to the vast majority of the citizenry; it is increasingly remote from the understanding of the average citizen.

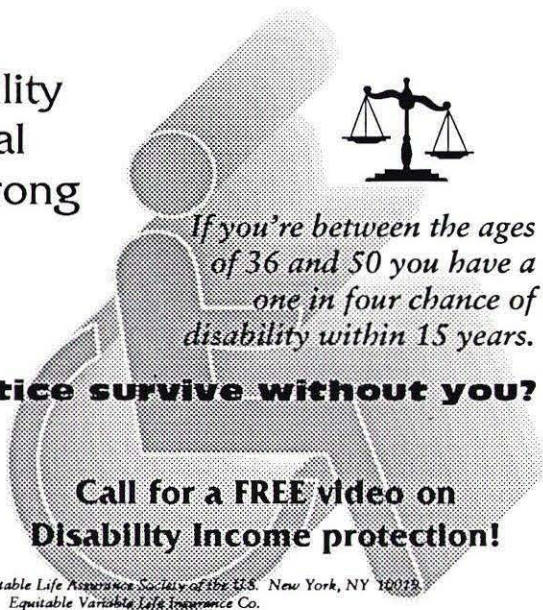
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H.L. Mencken described lawyers "in this cash register society" as dedicated to enabling scoundrels to achieve their swindles "without too much risk." I abhor that perception of our profession and the remarks of those who find attorneys easy marks for one-liners. At the same time, we cannot pretend that such a perception is groundless. Our profession has fallen farther than many. More perhaps than any nation on earth, America was founded and molded by lawyers and students of the law: John Adams, Thomas Jefferson, John Jay, Alexander Hamilton, James Monroe, Daniel Webster, Henry Clay and John C. Calhoun, Abraham Lincoln (and Stephen Douglas), Oliver Wendell Holmes, Franklin D. Roosevelt. Against such a backdrop of achieve-

ment, I regard the current public distrust of lawyers and the legal system as one of the great failings of public education and the bar. The absence of lawyers from the legislature is ominous. Yet have we been vigilant enough of late in our pursuit of public service or increased public awareness?

It has been my privilege to participate as a trustee and volunteer in the East King County Bar Association's efforts to increase accessibility to the legal system through its creation of the Eastside Legal Assistance Program (ELAP) and its advocacy of an Eastside Satellite and Eastside Justice Center. Many others, however, have been far more instrumental. Past EKCBA president **Ken Davidson's** foresight and energy made the ELAP program a reality. **Darcia Tudor's** service during her tenure as ELAP's first executive director was a credit to her. Others, too numerous to mention, have served on ELAP's 15-member board or as volunteer lawyers. **Diane vanDerbeek's** energy went to establish the Eastside Satellite Superior Court. **Val Hoff** was recently honored as "Trustee of the Year" for her unceasing efforts respecting establishing an Eastside Justice Center. I will leave it to my successor to honor the rest.

One of the unexpected pleasures of serving on EKCBA's board was the delegation to me of responsibility for submitting this monthly report. The dearth of newsworthy material and the encouragement of the *Bar News* editors **Lindsay Thompson** and **Jennifer Klamm** gave rise, if not wings, to my reports and their philosophical and historical musings. Perhaps my reports have advanced my themes or merely given rise to an errant thought or smile. If so, that is enough because, to paraphrase **Mark Twain** reflecting on his days as a riverboat pilot on the Mississippi, I can think of no work I have loved so well.

The writing of this report in the months ahead will be assumed by **Mary Jean Moschetto**, EKCBA trustee, past EKCBA liaison to the ELAP board, and recently appointed ELAP board member. She is a respected colleague and friend, graceful, witty, and blessed with a sure touch. I aspire to her readership.

## KITSAP COUNTY REPORT

by KATHLEEN M.S. WRIGHT

*Law-related Education.* When I received the letter of **Joseph Lyman**, member of the Law-related Education Committee, requesting a column on our county's activities, I got that "good news/bad news" feeling. Good news

because I had a TOPIC, a THEME, for the next month. I have great empathy for **Dave Barry** who, when at a loss for a weekly column theme, has taken to writing about dogs chasing trees and Beano, the wonder condiment that mitigates the effects of bean ingestion. Bad news because I was concerned I might have nothing to say. What if

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Kitsap County lawyers did no education outside of their practices? Would I be violating the Rules of Professional Conduct if I invented impressive examples of lawyer participation in the community?

Happily, testing the RPC never became an issue as an appearance at only one Bar luncheon yielded enough material for three or four columns. Perhaps I will make this the theme of the year!

*Mentor Program.* One of the structured activities in the county is the MENTOR Program, chaired by **Anthony Otto**. The Port Orchard firm of Shiers, Chrey, Hauge, Cox & Caulkins is the sponsor firm for South Kitsap High School. Soriano, Soriano & Lowans of Bremerton is mentor for Bremerton High School. The program involves squiring a group of junior and senior students to the sheriff's office, county jail, a criminal trial and, finally, lunch with a judge. Attorneys also teach a class primarily on domestic law and criminal issues (seems to be what the kids are really interested in: "I have this friend ....")

*YMCA Mock Trial.* Bar associations on the Olympic Peninsula are actively involved in organizing the annual YMCA Mock Trial, which took place this year in Port Townsend. Former Bremerton municipal judge, now private practitioner, **Roy Rainey**, was actively involved in organizing the event, which was held on February 29. Both Bremerton and Central Kitsap High Schools sported a team.

*Judges in the Classroom.* Even the judiciary gets in on the act. Superior court judge **James Maddock** presided over the criminal trial of *State v. Heschel C. Lion*. Students from Marcus Whitman Junior High School in South Kitsap stepped in as prosecutors, defense attorneys, witnesses and jurors. The prosecutor attempted to prove first degree murder of the victim, **Sammy Steelhead**, but the defense attorneys deftly raised the affirmative defense of necessity and **C. Lion** was acquitted.

Judge **Leonard Kruse** heard the trial of a Silverwood School (Silverdale) student accused of unlawfully assisting

another student with test questions. **William Broughton** of Broughton & Gianneschi, Silverdale, successfully defended his sixth-grade daughter, **Darcy Broughton**, of the charge. The jury of Darcy's peers was most sympathetic to testimony that Darcy had attempted to get the teacher's attention by raising her hand before answering her friend's question (which was, like, not about the test at all!) but the teacher just ignored her. **Bruce Buskirk** of the Bremerton firm of Buskirk & Lind assisted with the prosecution.

Bainbridge Island Municipal Court Judge **Steve Holman** spoke at Bainbridge's Commodore Middle School eighth-grade civics class. Again, the kids were most interested in student rights, search and seizure, drug penalties and the pending team uniform legislation. Steve just could not understand why interest dropped off in his discussion of Medicare and admiralty law. In a classic example of someone who just does not "get it," one student did not even bother creating a friend with a problem. He raised his hand and informed Holman (who signs all the search warrants for the Island) "Well, you know, I do drugs, nothing really heavy, and I keep them in my locker, and I just think that my locker is my own business. Don't I have some kind of constitutional right?" Apparently the young man had not heard of the admission against interest hearsay exception.

*Adult activities.* While most education efforts seem directed at students, there are also programs for the older folk. Each fall semester, Olympic College and the Kitsap County Bar Association jointly sponsor the "People's Law School," which is an eight-week course on law issues of general interest. Local judges and attorneys teach the weekly class on a particular topic, the list for which includes landlord/tenant, wills, domestic law, consumer protection and criminal law. It is very popular and usually pulls an enrollment in excess of 100 students.

*Law Day.* In ongoing and selfless dedication, **Ron Anderson** and **Anna**

**Laurie** again take on organization of the Law Day (and week) festivities for Kitsap County. This year's featured speaker is Supreme Court Acting Chief Justice **James A. Andersen**. In addition to the May 1 courthouse ceremony, there is a student mock trial competition, an essay contest and the Liberty Bell Award.

*Legal twists and turns.* **William Broughton** and **Mark Gianneschi** are now in practice together in Silverdale. **Roy Rainey** and **Steve Bennett** also opened a practice in Silverdale. Maybe it's the water. **Ann Cook** was recently named a partner at the Bremerton firm of what is now known as Tracy, McDaniel, Buchholz & Cook. **Thomas Alpaugh** opened his own practice on Bainbridge, sharing space with **Robert Conoley** and **Rhonda Rudman**.

*Beano revisited.* The aforementioned Beano column does have a legal angle. In a follow-up column, **Barry** reported receiving a letter from U. S. Supreme Court Justice **John Paul Stevens**. (I AM NOT MAKING THIS UP.) Justice Stevens was exploring the possibility of suggesting Beano use in a recent case on which he and his fellow justices heard argument, the case of the exploding cows. Apparently, methane gas builds up inside the cows as they digest whatever it is they eat. If the cows are otherwise unable to delicately rid themselves of the gas, they simply blow up. I believe the underlying legal theory of the action was nuisance, but I possess no independent factual or legal knowledge of this. Perhaps Stevens was engaging in an exercise of udder nonsense.

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## PIERCE COUNTY REPORT

by **GEORGE S. KELLEY**

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We have the results of the bar association's annual election of officers. Former vice president **Mike Smith**, and Fircrest's answer to **Dan Quayle**, succeeded to **Dan Hannula's** job as president. **Mike McKasy** was picked to be the new vice president, and new members of the board of trustees are **Ed**

**Winskill, Elaine Houghton and Susan Keers.** This year's voter turnout may have been light due to the electorate's suspicion that the Governor would ignore the election results and appoint the most qualified members of his staff to the various bar positions.

When there's an election, there has to be a Lincoln's Day Banquet at which to announce the winners and to hear a speech about old Abe. This year's speaker was **John P. Frank**, attorney and nationally recognized Lincoln scholar, who spoke on Lincoln's life and times as a practicing attorney. He reported that according to docket records, Lincoln sometimes handled five to ten major pieces of litigation a day when the Springfield, Illinois court was in session—and all without the assistance of word processors, fax machines and malpractice insurance. He must have had low overhead.

Attorneys practicing law in Pierce County for more than 50 years were honored at the banquet. They include **Dean Mullin, Carl Skoog, Creighton Flynn, Joe Gordon, Lester Sienfeld, Earl Mann, Leo McGavik, Gersh Rowlands, Louis Burkey, John O'Connell and Bertel Johnson**, who was the most-senior, having started practice in 1925. Those passing the bar this year will have to wait until the year 2042 to be similarly honored. Think about it.

Gordon, Thomas et al. announced the acquisition of two new partners, **Eileen S. Peterson and F. Mike Shaffer. William Wood and Brian Meikle** have formed a new firm where **James R. Cushing** will be of counsel.

### SOUTH KING COUNTY REPORT

by **ROY E. MATTERN, JR.**

On Thursday night, February 20, Judge **Robert E. McBeth** spoke to the members attending the monthly dinner meeting about legislative bills of concern to judges and lawyers, being considered in Olympia.

On Thursday, March 19, members went to Olympia to have dinner with justices of the Washington Supreme Court. State attorney general **Kenneth O. Eikenberry** will speak at the April dinner meeting. The annual



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meeting in May will be held at Longacres. The annual (**Phil Biege**) golf tournament will be played Friday, July 31.

### SPOKANE COUNTY REPORT

BY **DON CURRAN**

**Energetic Alan L. McNeil** organizes a May Day "Struggle for Justice" celebration emphasizing the Bill of Rights. Informing immigrants of citizenship responsibilities and reminding the rest of us of the importance of our freedoms was eloquently discussed by **Steve Cribari**, who was recently employed as the federal public defender. . . . Defense attorney **Curtis L. Shoemaker** is quoted in a local newspaper as saying that any product has the potential for causing some sort of loss, and it's difficult for a manufacturer to make it absolutely harmless. . . . **Jerome J. Leveque**, an obsessed fisherman if ever there was one, approaches the sport with an intensity that would make a pitbull on crack seem timid by comparison. His philosophy: Fishing is not a hobby; it's a way of life, a reason for living! . . . Popular Judge **John A. Schultheis** entertains WSTLA with priceless jests such as: I instinctively admire any person who has no talent and is modest about it. . . . **Eugene I. Annis** gets *Wall Street Journal* ink for

proving that irresistible impulse overcomes a suicide exclusion in a life insurance policy. . . . **David P. Roberts** organizes a lawyers/judges group for a 15-day tour of China in the fall of '92, exhorting: The world is a book, and those who do not travel read only a page. . . . **Russell Van Camp**, yielding to peer pressure, changes from hot pink to gun metal gray the exterior color of his office building. . . . Compassionate attorney **Larry M. Davidson** accepts three pro bono bankruptcy cases last Christmas Eve morning. . . . **Robert E. Beach, III** shares his expertise in DWI defenses at a seminar for paralegals and legal assistants. Questions were encouraged and students urged to learn from others' mistakes. They could not live long enough to make them all themselves. . . . Recently admitted lawyer **Christopher B. Gray** practices in Indian, environmental, and natural resource law. . . . **John C. Cooney**, following the family tradition, provides savvy political advice to elected officials. . . . The Brothers **Connelly, Michael F. and Patrick E.**, third generation lawyers who learned their litigating skills at the knee of father **James P.**, form their own firm. They are so busy they even have appointments during breaks! . . . **Kathy Paukert and Ellen Kalama Clark** commit their valuable time and obvious talent to local bar and pro bono

activities, setting enviable examples of professionalism. . . . **Ronald T. Douglas**, aware that irritations of professional life subject the mind, nerves and muscles to repeated stress, works out the tensions in yoga stretching exercises. . . . The **George Family** distinguishes itself with patriarch **Clarence M.** in transportation law and son **Richard M.** focusing on bankruptcy matters. . . . Golfer **James J. Workland** describes his game: If it goes right, it's a slice; if it goes left, it's a hook; if it goes straight, it's a miracle. . . . Positive thinker **Pamela J. DeRusha's** credo: Each day is a chance to start anew, so seize it, shake it, and make the most of it. Carpe diem! . . . **Nancy A. Pohlman**, an Idaho-Washington licensee, has a diversified practice in business-related areas. . . . **Thomas A. Wolf** is on the WSBA Litigation Section Executive Committee. . . . Bodacious **Richard C. Dullanty, Jr.** leads a mentor program to develop expertise in pro bono family law matters. . . . Veteran **Richard D. McWilliams** to a new lawyer: Son, you have to guard against speaking more clearly than you think. . . . Returning from a Hawaiian vacation, **George A. Kain** admonishes to lay out all your clothes and all your money. Then take half the clothes and twice the money. . . . There is a sacred rule of journalism noted for its violation in this

column: The writer must not invent.

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## WASHINGTON STATE TRIAL LAWYERS ASSOCIATION

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by **PAMELA PAKKER-KOZICKI**

### *WSTLA Volunteers Bring the Law to the People.*

One of greatest challenges facing our court system today is equal access. The Constitution guarantees every citizen the right to his or her day in court, and yet many people are intimidated from exercising this right by the mystifying processes involved in our civil justice system. Corporations and people of means, because of their affluence and standing in the community, frequently have easier access to the courts than do the working class or senior citizens. For them the legal system raises a barrier between them and their constitutional rights. The Washington State Trial Lawyers Association, recognizing this problem, has undertaken various programs to educate the citizenry in order to ensure them equal access to the civil justice system.

Over the last few years, WSTLA has created ongoing programs of law-related education. Every year, thousands of people participate. WSTLA reaches out to citizens across the state through projects staffed by volunteer attorneys from our membership: the People's Law

School, the Bill of Rights school project and the Speakers' Bureau. WSTLA has been able to provide information about our legal system to everyone from professionals and schoolchildren to just plain citizens.

The People's Law School is the most effective tool designed by WSTLA's lawyer-educators for acquainting people with the legal system. WSTLA has produced about 150 sessions at 24 locations statewide since the program began in 1986. We have singularly sponsored the most People's Law Schools in the country, with a total attendance estimated at 10,000. In 1992, WSTLA anticipates sponsoring approximately 20 schools with a total of 1,500 students.

WSTLA has also struck out into new territory to provide the same quality of law-related education to specific groups with unique legal questions. WSTLA has put on a "special" school for horse owners and breeders held at Longacres; a school in the International District with an all-Asian faculty that included a section on immigration law; and a Hispanic People's Law School in the Yakima Valley. This spring there will be People's Law Schools catering to the legal concerns of seniors (in March) and nurses (in May). There are plans this year for another Hispanic law school; law schools geared toward the deaf and hard-of-hearing and the gay and lesbian communities; and ones tailored to various professional groups.

The youth in the state have also shown great interest in expanding their knowledge of our legal system. In conjunction with the WSBA, WSTLA has taken the Bill of Rights into the classrooms. Over 250 WSTLA volunteers have stepped forward to offer their time speaking to students of all levels about how the Bill of Rights affects them in their daily lives.

"The fifth-grade students I spoke with at the Maywood Hills School were very enthusiastic about discussing the implications of the Bill of Rights to them and their classmates," says **Scott Reiman**, a WSTLA volunteer attorney from Bothell. "One lively discussion centered on the fictional appearance of a newspaper article accusing one of their classmates of stealing a bike! The students handled the subject very well. At the end of our talk, I felt they were as knowledgeable as many adult jurors

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would be about the Bill of Rights."

While the Bill of Rights school project is directed toward younger citizens, WSTLA's Speakers' Bureau has been able to educate many adults through the organizations in which they are involved. WSTLA speakers present information and engage in discussions related to current events as well as fundamental legal questions, bringing their interests together with the concerns of community groups, public-interest organizations and service clubs.

"The mission of all of these programs is to bring the law to consumers," says **Steve Krafchick**, a WSTLA attorney and chair of the Public Affairs Committee. "The law is frequently perceived as a mysterious curtain by those not involved in it. We need to dissolve the curtain and educate the public so they can decide for themselves when they do and don't need a lawyer."

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## WHATCOM COUNTY REPORT

by **MICK MOYNIHAN**

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If the third annual Law Day observances are as successful in 1992 as they have been in the past, this will be a banner year. For the past two years, the volunteer lawyer program has been actively involved in advice and consultation outreach and also in law-related education in the schools.

Last year, the VLP, through its director, **Cheryl Boal**, organized sites for free advice and consultation throughout the county. These included four senior centers, the vo-tec, the community college and an all-day event at Western Washington University. Twenty-seven lawyers took part in that.

In addition, the VLP sponsored and organized a rather ambitious program for law-related education in the schools. Because this involved nine high schools and eight middle schools, the program was expanded to include the entire month of May. The emphasis was on the Bill of Rights, and 32 lawyers took part in that.

Furthermore, a dozen attorneys provided help and assistance, and Bob Hughes directed a moot court at Mt. Baker High School, putting on a multi-issue case that involved participation from many of the students.

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## WHITMAN COUNTY REPORT

by **JEAN M. CAMPBELL**

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**Douglas B. Robinson**, Whitman County Superior Court Public Defender, made presentations to second- and third-grade students on the role of lawyers and judges in the courtroom. He scripted a skit with two students accused of stealing a package of baseball cards (planted on one of them), with another

student's name on them. The boys were charged with possession of stolen property and put on trial. This resulted in quite a lively interchange between the students and Doug, who acted as judge. He plans to lead discussions in living groups on the WSU campus on the consequences of involvement in criminal activity. He has found that many people blunder into criminal activity simply because they do not consider the consequences of "pranks."

**Dorothy Rubottom** has directed

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Her practice will focus on product liability, medical negligence and general tort litigation.

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the Alternatives to Violence of the Palouse's training biannually for advocates, instructing them in domestic violence and sexual assault in Whitman County, Washington and Latah County, Idaho. Alternatives to Violence is a volunteer group helping victims of domestic violence. Dorothy explains protection orders, property rights, parenting plans, etc., to advocates.

**Colleen Harrington, Carol Laverne, Tim Esser** and, formerly, **John Snyder** (who has moved to Sandpoint, Idaho), are involved with the ABA-AMA partnership which provides an educational team to speak to students and various groups regarding alcohol and drugs from a medical- and criminal-law standpoint. The doctor-lawyer team answers questions in a nonjudgmental atmosphere.

Colleen gave presentations on dissolution and family law matters at Pullman High School. At the Community Action Center, she instructs people on how to complete the new dissolution forms, child support worksheet forms and the like.

**Jean H. Campbell** is the WSBA MENTOR lawyer working with a class at Pullman High School. She is also involved in a local MENTOR program at Lincoln Middle School, where she is paired with one student.

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#### YAKIMA COUNTY REPORT

by **CARTER L. FJELD**

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The Yakima County Bar has a long-standing history of commitment to law-related education. This writer has been advised that we have regularly observed Law Week since the mid-1970s, with various activities that include public-speaking engagements, public-education tables in the Yakima malls and, since 1986, a "Dial-A-Lawyer" program has been conducted annually on May 1 or the first business day thereafter, as a joint effort by the Yakima Bar Association, Legal Secretaries Association and KIMA TV. Free legal advice is given over the phone to callers to the KIMA TV station during that day.

Moreover, our premier law education program is our "People's Law School." The People's Law School concept was initiated in 1984, as a law school for nonlawyers, by **Richard Wilson**, now of the Thurston County Bar Asso-

ciation. The program is presently a project of the Washington State Trial Lawyers Association and has been chaired by **Terry Abeyta** for the last three years.

The purpose of the People's Law School is not to give individual legal advice, but rather to help members of our community understand how the legal process works and how the courts attempt to resolve disputes justly and fairly. Our speakers include judges and attorneys concentrating on each of the areas of the law covered. Our program

here in Yakima has consistently been one of the largest in the state. Over the last three years, we have had approximately 350 students go through the program. Last year, it was co-sponsored by the city of Yakima, Department of Parks and Recreation, KAPP TV, KIMA TV, and KNDO TV. All participants received a coursebook with outlines on each area of law covered by the course. A certificate was awarded at the completion of the program. The cost of the program this year is only \$15 per person.

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### WILL SEARCH

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**Robert Becker Hammond** (DOD 8/24/91),

**Ollie Horace Harter** (DOD 10/29/91). Anyone with information regarding wills or heirs of either, contact John Keckemet, attorney, 2200 6th Ave., Suite 1122, Seattle 98121; (206) 728-5858.

**John Otis Roberts:** Anyone having copy or knowledge of will or codicil of John Otis Roberts contact Bruce Hand, (206) 747-0968.

**Donald Carl Anderson:** Anyone having copy or knowledge of will of Donald Carl Anderson, resident of Edmonds, Washington, deceased 11/30/91, please call Robin Thompson, attorney, at (206) 365-4300.

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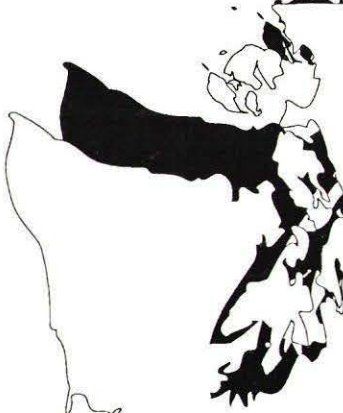
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### MONTHLY RATES

Issue Age	\$100,000		\$250,000		\$500,000		\$1,000,000	
	Male	Female	Male	Female	Male	Female	Male	Female
20	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
21	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
22	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
23	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
24	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
25	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
26	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
27	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
28	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
29	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
30	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
31	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
32	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
33	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
34	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
35	11.50	11.40	18.75	18.54	35.42	35.00	68.75	67.92
36	11.80	11.60	19.38	18.96	36.67	35.83	71.25	69.58
37	10.25	11.80	20.42	19.58	38.75	37.08	75.42	72.08
38	10.67	10.08	21.46	20.21	40.83	38.33	79.58	74.58
39	11.17	10.58	22.71	21.46	43.33	40.83	84.58	79.58
40	11.67	11.33	23.96	23.13	45.83	44.17	89.58	86.25
41	12.25	11.67	25.21	23.96	48.33	45.83	94.58	89.58
42	12.83	12.25	26.25	25.21	50.42	48.33	98.75	94.58
43	13.58	12.67	27.71	26.25	53.33	50.42	104.58	98.75
44	14.25	13.00	29.38	27.29	56.67	52.50	111.25	102.92
45	15.33	13.33	31.04	28.13	60.00	54.17	117.92	106.25
46	16.50	14.00	33.13	28.96	64.17	55.83	126.25	109.58
47	17.83	14.67	35.00	30.00	67.92	57.92	133.75	113.75

### MONTHLY RATES

Issue Age	\$100,000		\$250,000		\$500,000		\$1,000,000	
	Male	Female	Male	Female	Male	Female	Male	Female
48	19.25	15.67	37.50	31.04	72.92	60.00	143.75	117.92
49	20.83	16.92	40.00	32.71	77.92	63.33	153.75	124.58
50	22.75	18.33	42.92	33.96	83.75	65.83	165.42	129.58
51	24.67	19.67	45.83	36.46	89.58	70.83	177.08	139.58
52	26.92	21.00	49.17	39.38	96.25	76.67	190.42	151.25
53	29.33	22.67	52.50	42.29	102.92	82.50	203.75	162.92
54	31.83	24.33	56.67	45.42	111.25	88.75	220.42	175.42
55	34.92	26.25	61.88	48.75	121.67	95.42	241.25	188.75
56	38.33	28.25	67.29	52.29	132.50	102.50	262.92	202.92
57	41.67	30.33	73.54	56.46	145.00	110.83	287.92	219.58
58	45.50	32.75	80.21	61.46	158.33	120.83	314.58	239.58
59	50.08	35.33	88.33	67.29	174.58	132.50	347.08	262.92
60	55.67	37.83	97.71	73.54	193.33	145.00	384.58	287.92
61	62.50	40.33	88.33	80.42	174.58	158.75	347.08	315.42
62	70.33	43.33	121.46	88.75	240.83	175.42	479.58	348.75
63	78.75	46.92	135.42	98.54	268.75	195.00	535.42	387.92
64	87.75	51.33	150.83	109.79	299.58	217.50	597.08	432.92
65	96.83	56.17	168.13	121.88	334.17	241.67	666.25	481.25
66	106.17	60.83	187.29	131.46	372.50	260.83	742.92	519.58
67	115.17	65.50	207.29	141.46	412.50	280.83	822.92	559.58
68	125.17	69.67	229.58	152.08	457.08	302.08	912.08	602.08
69	137.17	72.92	257.29	161.67	512.50	321.25	1,022.92	640.42
70	152.92	75.42	292.50	170.42	582.92	338.75	1,163.75	675.42
71	171.33	82.42	332.92	187.29	663.75	372.50	1,325.42	742.92
72	192.08	91.00	378.75	207.92	755.42	413.75	1,508.75	825.42
73	215.50	102.08	430.21	234.38	858.33	466.67	1,714.58	931.25
74	241.42	115.75	486.88	266.46	971.67	530.83	1,941.25	1,059.58
75	269.92	131.42	549.17	302.92	1,096.25	603.75	2,190.42	1,205.42

Other amounts available upon request. Premiums are standard rates based on applicant's age at issuance of policy. Premiums may be paid annually, semi-annually, and monthly bank draft only. (A No-cost Medical Exam may be required depending on age, health, or amount of coverage desired). Policies 100,000 and above, C.E.-82 Plus, Policy Form No. 80-RCT-79D, Graded Premium, Level Death Benefit to age 95. Premiums increase annually. (Brochure revised 10/90). Rates subject to change without notice. MPS Proposal Required.

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	Male	Female	Male	Female	Male	Female	Male	Female
20	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
21	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
22	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
23	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
24	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
25	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
26	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
27	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
28	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
29	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
30	16.58	16.08	34.38	31.25	66.67	60.42	131.25	118.75
31	16.83	16.08	35.00	31.25	67.92	60.42	133.75	118.75
32	17.08	16.08	35.63	31.25	69.17	60.42	136.25	118.75
33	17.42	16.08	36.25	31.25	70.42	60.42	138.75	118.75
34	17.67	16.08	36.88	31.25	71.67	60.42	141.25	118.75
35	17.92	16.08	37.29	31.25	72.50	60.42	142.92	118.75
36	18.58	16.42	38.96	32.29	75.83	62.50	149.58	122.92
37	19.58	16.83	41.25	33.33	80.42	64.58	158.75	127.08
38	20.58	17.17	43.75	34.38	85.42	66.67	168.75	131.25
39	21.92	18.17	46.88	36.67	91.67	71.25	181.25	140.42
40	23.17	19.50	50.00	39.79	97.92	77.50	193.75	152.92
41	24.83	20.33	53.96	41.67	105.83	81.25	209.58	160.42
42	26.42	21.42	57.71	44.17	113.33	86.25	224.58	170.42
43	28.33	22.42	61.67	46.46	121.25	90.83	240.42	179.58
44	30.50	23.25	66.67	48.75	131.25	95.42	260.42	188.75
45	33.25	24.00	72.08	50.63	142.08	99.17	282.08	196.25
46	35.42	25.00	76.04	51.88	150.00	101.67	297.92	201.25
47	37.83	26.00	80.00	53.54	157.92	105.00	313.75	207.92

**MONTHLY RATES**

Issue Age	\$100,000		\$250,000		\$500,000		\$1,000,000	
	Male	Female	Male	Female	Male	Female	Male	Female
48	40.42	27.50	84.79	55.42	167.50	108.75	332.92	215.42
49	43.17	29.42	89.58	57.92	177.08	113.75	352.08	225.42
50	46.50	31.67	95.00	60.42	187.92	118.75	373.75	235.42
51	49.33	34.00	101.04	64.58	200.00	127.08	397.92	252.08
52	52.25	36.33	107.08	69.17	212.08	136.25	422.08	270.42
53	55.42	39.33	113.75	74.17	225.42	146.25	448.75	290.42
54	58.50	42.33	121.88	79.38	241.67	156.67	481.25	311.25
55	62.25	45.67	131.67	84.58	261.25	167.08	520.42	332.08
56	68.33	49.50	140.21	90.42	278.33	178.75	554.58	355.42
57	74.33	53.50	149.38	97.71	296.67	193.33	591.25	384.58
58	81.33	58.33	158.96	106.25	315.83	210.42	629.58	418.75
59	89.58	63.33	170.42	116.25	338.75	230.42	675.42	458.75
60	99.50	68.33	183.54	127.29	365.00	252.50	727.92	502.92
61	111.83	73.00	204.17	139.17	406.25	276.25	810.42	550.42
62	125.92	78.42	226.67	153.75	451.25	305.42	900.42	608.75
63	141.17	84.92	251.88	170.63	501.67	339.17	1,001.25	676.25
64	157.33	93.00	280.00	190.21	557.92	378.33	1,113.75	754.58
65	173.67	102.00	310.83	211.46	619.58	420.83	1,237.08	839.58
66	190.50	110.92	344.38	228.54	686.67	455.00	1,371.25	907.92
67	206.67	119.83	378.54	247.08	755.00	492.08	1,507.92	982.08
68	224.67	128.00	417.08	266.67	832.08	531.25	1,662.08	1,060.42
69	246.33	134.58	464.38	284.79	926.67	567.50	1,851.25	1,132.92
70	274.75	139.67	525.00	301.46	1,047.92	600.83	2,093.75	1,199.58
71	307.75	151.33	597.71	332.29	1,193.33	662.50	2,384.58	1,322.92
72	345.08	164.58	680.21	370.00	1,358.33	737.92	2,714.58	1,473.75
73	387.25	183.92	772.92	418.13	1,543.75	834.17	3,085.42	1,666.25
74	433.83	206.67	875.21	477.08	1,748.33	952.08	3,494.58	1,902.08
75	485.17	232.50	987.08	543.96	1,972.08	1,085.83	3,942.08	2,169.58

Other amounts available upon request. Premiums are standard rates based on applicant's age at issuance of policy. Premiums may be paid annually, semi-annually, and monthly bank draft only. (A No-cost Medical Exam may be required depending on age, health, or amount of coverage desired). Policies 100,000 and above, C.E.-82 Plus, Policy Form No. 80-RCT-79D, Graded Premium, Level Death Benefit to age 95. Premiums increase annually. (Brochure revised 10/90). Rates subject to change without notice. MPS Proposal Required.

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