

November  
2007

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Number 10

The official publication of the  
Snohomish County Bar Association

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CLE

COMMENCING UNLAWFUL  
DETAINERS:  
A YOUNG LAWYER'S PRIMER  
December 11

## SCBA NEWS

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# SCBA CALENDAR OF EVENTS

## November 2007

- 2<sup>nd</sup> Donut Friday!!!
- 12<sup>th</sup> Young Lawyers Section Meeting
- 15<sup>th</sup> Deadline SCBA Newsletter
- 15<sup>th</sup> Guardianship Section Meeting
- 15<sup>th</sup> SCBA Board of Trustees Meeting
- 19<sup>th</sup> Family Law Section Meeting

## December 2007

- 6<sup>th</sup> CLE
- 7<sup>th</sup> Donut Friday!!!
- 10<sup>th</sup> Young Lawyers Section Meeting
- 15<sup>th</sup> SCBA Board of Trustees Meeting
- 15<sup>th</sup> Deadline SCBA Newsletter
- 17<sup>th</sup> Family Law Section Meeting
- 20<sup>th</sup> SCBA Board of Trustees Meeting
- 20<sup>th</sup> Guardianship Section Meeting

## January 2008

- 4<sup>th</sup> Donut Friday!!!
- 14<sup>th</sup> Young Lawyers Section Meeting
- 15<sup>th</sup> Deadline SCBA Newsletter
- 17<sup>th</sup> SCBA Board of Trustees Meeting
- 17<sup>th</sup> Guardianship Section Meeting
- 25<sup>th</sup> **Annual General Membership Meeting**
- 28<sup>th</sup> Family Law Section Meeting

## February 2008

- 1<sup>st</sup> Donut Friday!!!
- 11<sup>th</sup> Young Lawyers Section Meeting
- 14<sup>th</sup> SCBA Board of Trustees Meeting
- 14<sup>th</sup> Guardianship Section Meeting
- 15<sup>th</sup> Deadline SCBA Newsletter
- 25<sup>th</sup> Family Law Section Meeting

## March 2008

- 7<sup>th</sup> Donut Friday!!!
- 8<sup>th</sup> **SLCS AUCTION**
- 10<sup>th</sup> Young Lawyers Section Meeting
- 15<sup>th</sup> Deadline SCBA Newsletter
- 17<sup>th</sup> Family Law Section Meeting
- 20<sup>th</sup> Guardianship Section Meeting
- 20<sup>th</sup> SCBA Board of Trustees Meeting

## April 2008

- 4<sup>th</sup> Donut Friday!!!
- 14<sup>th</sup> Young Lawyers Section Meeting
- 15<sup>th</sup> Deadline SCBA Newsletter
- 17<sup>th</sup> SCBA Board of Trustees Meeting
- 17<sup>th</sup> Guardianship Section Meeting
- 21<sup>st</sup> Family Law Section Meeting

# SUPERIOR COURT ASSIGNMENTS

**The Courthouse will be closed on Monday, November 12 for Veterans' Day and Thursday, November 22 and Friday, November 23 in observance of Thanksgiving.**

**Presiding Judge:** ..... Judge Thomas J. Wynne

**Trial Calendar Call and Motions to Continue Trial:** ..... Judge Wynne, Dept. 7

**Juvenile Court:** ..... Judges Lucas and Kurtz  
 ..... Commissioner Waggoner<sup>1</sup>

**Civil Motions:** ..... Judge Allendoerfer: Nov 1 – Nov 2  
 ..... Judge Fair: Nov 5 – Nov 16  
 ..... Judge McKeeman: Nov 19 – Nov 21  
 ..... Judge Thorpe: Nov 26 – Nov 30

**Criminal Hearings:** ..... Judge Knight: Nov 1 – Nov 2  
 ..... Judge Krese: Nov 5 – Nov 9  
 ..... Judge Downes: Nov 13 – Nov 16  
 ..... Judge Fair: Nov 19 – Nov 30

**Rotating Sentencings:** ..... Judge Downes: Oct 29 – Nov 9  
 ..... Judge Krese: Nov 13 – Nov 21  
 ..... Judge Thorpe: Nov 26 – Nov 30

**Criminal Dept. Judges:**<sup>2</sup> Judges Knight, Thorpe, Allendoerfer, McKeeman, Wynne, Krese, Bowden, and Cowser

**Civil Dept. Judges:**<sup>2</sup> ..... Judges Castleberry, Farris, Fair, and Downes

**Ex Parte/Commissioner Civil Motions:**<sup>1</sup> ..... Commissioner Bedle

**Family Law Calendars:**<sup>1</sup> ..... Commissioners Weiss, Brudvik, and Stewart

**Please note:** ..... All assignments are subject to change without notice and assignments may not change on the first day of the month.

**(Footnotes)**

1 Court Commissioner assignments are for six months duration and change in early January and July.

2 At the discretion of the Presiding Judge, criminal cases may be assigned to Civil Department Judges and civil cases may be assigned to Criminal Department Judges.



FROM THE DESK OF THE  
PRESIDENT,  
JENNIFER GOGERT

As I sit down to my computer today, settling in with a hot cup of coffee and wondering what the day holds, I find myself pondering our profession and the upcoming Thanksgiving holiday. With that in mind; let's take a moment to recognize a few of our members and give thanks for their hard work, good deeds, professionalism, and commitment to our community.

First and foremost, I thank Honorable Judge William Baker of our Court of Appeals for his years of service, both as an attorney in private practice and a member of the bench. Judge Baker joined the bar in 1965 and has shown in big and small ways, year in and year out, his commitment to our profession and our local community. Thank you, Judge Baker, for your contribution to the practice of law in Snohomish County.

Kari Petrasek of Bell & Ingram and Michael Kvistad of Anderson Hunter both have done great work this past year with our Young Lawyer's Division and due to their efforts, YLD is sponsoring their first CLE ever in Snohomish County. Thanks to Kari and Michael our young lawyers are getting more and more involved! Kari has also been instrumental with GAAP and getting this access to justice program for people of modest means off to a good start here.

I have also heard a couple of heart warming stories from Threesa Milligan of Snohomish County Legal Services about a couple of volunteer lawyers really stepping up to the plate and providing some hands on access to justice.

With one day's notice, William (Bill) Zingarelli of Stanwood represented a mom with 5 children and helped save her share of property. Bill was able to stop an escrow from closing during a pro se divorce that would have resulted in

the loss of her share of equity in their family home of 9 years. Within a couple of weeks he obtained her due payout.

Bill also gave substantial legal counsel to an elderly client who was the victim of a consumer protection scam involving Lease Com, a corporation fighting class actions throughout the US based on the same type of scam.

Another local lawyer, Larry Blue of Edmonds, volunteered to conduct the Bankruptcy Clinic in August. Larry provided counseling prior to the clinic, went through the bankruptcy petitions in the clinic, and then graciously offered to represent and file the petitions for two SCLS clients. Both clients were surprised and greatly relieved. Larry's service was genuinely appreciated, particularly considering the plight of the women: a single mom with 2 children who was living at Pathways for Women and attending community college, and an uninsured wife of a disabled husband.

Best wishes and happy Thanksgiving!

*"Let us remember that, as much has been given us, much will be expected from us, and that true homage comes from the heart as well as from the lips, and shows itself in deeds."*

~Theodore Roosevelt

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The Snohomish County Young Lawyers Division  
is pleased to sponsor:

**A NETWORKING & SOCIAL EVENT AT  
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**FRIDAY, November 30, 2007 AT 7:35 P.M.**  
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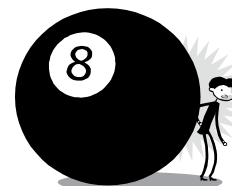
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*Need help with*

### **SUMMARY JUDGMENT MOTIONS?**

### **Call Me!**

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toddn@cnrlaw.com



## THE LAWYER'S ROAD REVIEW BY PETE PATTERSON

### A Hunting We Shall Go

I had a great childhood. I grew up in North Everett, went to Everett schools, had an intact family, and every year about this time my grandfather got out the shotguns and we got ready to go bird hunting.

Well before the SUV, we would load the guns, shells, boots and field coats into the back of his 1965 Chrysler New Yorker and head for the family duck shack in Eastern Washington, just south of Sprague about 15 miles. The New Yorker drove like a couch, and handled the dirt roads just fine. We arrived at the shack, perched near a non-descript lake, with plenty of energy.

The shack was an all male event. I know the women in the family were there once, I have seen pictures of them there. It must not have worked out as no one ever spoke of that effort at cross gender activity. The in town professions represented there included a priest, a doctor, several plumbers and my grandfather, who could fix anything and knew the ways of ducks and many other features of nature. He grew up with the Nisqually Indians as neighbors in the valley north of Olympia.

In many ways I sensed a comradeship with Indian boys of

the past. Here at the shack the rites of passage that only men can give to boys transpired. I was taken away from my mother and the other women and taught to hunt. We celebrated

Mass in the shack and often invoked the memory of our dead ancestors praying for flights of ducks while huddled in the cold blinds. I learned the ways of men; that brushing teeth is not something that your mother makes you do, it is instead what men do. Eating too many sweets is off limits, men don't do that, even though the women had baked and cooked and there was more than enough. The women were not there to set limits or discipline. I learned we had our own discipline.

On other hand I learned about the rewards of manhood as well. My nickname comes from the youngest uncle of this French Catholic clan. One day I was asked "How old are you little Petie?" "Fourteen" I answered. "Well then have a beer!" I did. A Budweiser. I believe it took me about an hour and a half to drink it.

At 5 a.m. the alarm would go off and my great uncle Jim would stumble from his bunk, strike a match and ignite a kerosene lantern that seemed to be mostly on fire before he got it under control. Then he would light the day's first cigarette and the rest of the men would get up. I would dress quickly and head out the door. Nothing stunned me as

much as the stars far out in the fields of Eastern Washington.

We would arrive at the blinds at first light. These were ditches hand dug into the hard earth slope, then fortified with lumber the men had hauled in to make a roof and a fence to hide behind near the lake. They often mentioned how silly it was, grown men hiding in the weeds, watching the rubber or Styrofoam decoys bob about in the water in the wind as they were anchored to the bottom. But we loved it, and I learned much about the ways of men there. During the evening hunt the coyotes would howl, and we knew it was time to head for the shack.

Now I have my own son and have bought some gear from the Cabela's outdoor gear company using the internet. We have a modest amount of fishing gear, and John doesn't have much interest in hunting although he is a good shot. As a result of my purchases I have now a glimpse into the world hunting has become in the past 30 years by paging through the Cabela's catalogs that come to my house.

When I left hunting it was a simple event, packed with meaning for those involved. We were able to attract game and bring home supper based on family knowledge passed from generation to generation. It is no longer so.

Here are a few examples of what substitutes for what boys learn from men these days, taken from the pages of this months Cabela's catalog:

Road Review Continued from page 7

The Confidence Cow. This is a rubber cow placed out in the field to trick the ducks and geese into believing all is safe. It is not.

Plastic Corn. These are ears of corn which when distributed in the field look like bird food. It is not.

RoboDuck. I am not making this up, this is the name the new age decoys are sold under. RoboDuck and RoboGoose are artificial birds that flap like a duck preparing to light on a body of water, and do so when an electronic signal is received from the controller in the blind. There is also a clothes hanger type structure that features birds flying around in a circle on signal. I don't think that would fool the average duck. But who knows? No longer does the "hunter" have to wait for the wind to create life like activity for the decoy, now one can with the press of a button cause the floating duck to dive, paddle, shake and bob in the water.

Zepplin Duck. For \$60 each, one can create a flock in flight, tethered to the earth of course for that price. I just wonder if one of my smoking relatives might have set off

a Hindenberg type crash had we had these in the 60's.

Fortress Blinds. Not only in bird hunting but for larger game the industry has produced the sort of observation towers and bunkers that resemble what my grandfather's generation might have seen storming the German fortifications in Normandy, France.

E-Hunters For the deer hunter the market has produced a camera which snaps a photo of the game as they pass by, recording the date, time, moon phase and barometric pressure of the event. The photos are digital of course, and the battery lasts 150 days. I guess you come back after a few weeks and examine what the habits of the local Bambi must be so you don't waste anytime "hunting" for her.

If that were not enough, one can buy feeders to attract the game to your observation tower where you can get a clean shot right with or without the photography. The feeders can be remotely controlled, of course.

The Rackulator This product is for the hunter fortunate enough to have bagged a buck. This is an

electronic measuring device to record the points on the horns of the trophy, translating them to industry standard scoring so you know where your game falls in hunter's parlance.

Dummy Deer. Much like the roboduck, the dummy deer can be directed to act like a live deer. Most are static however, but the catalog promises ease of assembly and stability.

Doesn't all of this seem to violate the laws of nature? Just imagine my horror as this cherished boy into man memory was cast aside by the Mircosoft of hunting gear in favor of material and weaponry the Pentagon might have approved of for our men and women in the field. Where is the tradition? Where is the sense of individual skill and family knowledge which is passed from generation to generation? I hope it is not gone, gone like the carburetor, the 1965 Chrysler New Yorker or like the departure Greatest Generation to the happy hunting grounds. Let us hope there are yet means to turn boys into men that do so from character and not by methods which teach results are borne by use of credit cards, the internet and pushing a button. ☺

## 15TH JUDICIAL 2007 SCBA BAR POLL RESULTS

	RANKING	TOTAL PTS	EXCELLENT	GOOD	AVERAGE	POOR	UNKNOWN
APPEL	3	204	71	48	37	43	33
CAMP	8	69	19	36	38	26	113
GAER	2	236	73	54	34	13	58
HARRIS	9	45	9	32	10	9	172
KROM	5	140	31	83	52	25	41
MOORE	4	174	57	60	46	11	58
TURNER	6	111	37	46	51	35	63
WEISS	1	301	97	75	38	5	17
WILSON	7	110	33	55	73	39	32

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## **NATIONAL ADOPTION DAY**

Friday, November 16, 2007 is National Adoption Day! COURT ADMINISTRATOR  
SUPERIOR AND JUVENILE COURT  
BOB TERWILLIGER

Snohomish County Superior Court and other Courts around the state and nation will join in finalizing thousands of adoptions and celebrating all families that adopt. Celebrations will also be occurring in King, Pierce, Thurston, Clark, Spokane, Chelan and other Superior Courts as part of this national effort. We hope by this effort to encourage more families to step forward to adopt, particularly those children languishing in our foster-care system.

The public is invited to observe adoption ceremonies beginning at 10 a.m. in C-201 and Department 4. These presentations are perhaps the most uplifting and inspiring of all court proceedings. Please come help us share the joy!

Following the ceremonies, there will be a small reception and celebration in the jury assembly room for families, their attorneys, judges, social workers and others. Rumor has it that the Ivar's Clam or Lincoln the Silvertip may put in an appearance!

## **Swearing in Ceremony**

Remember when you were sworn in as a new attorney?

Did the Presiding Courtroom appear huge when you walked in?

How about the mixture of excitement and anxiety

when your name was announced and you stood in front of the assembled Superior Court bench? Have you forgotten your oath to "abstain from offensive personalities?"

Well it's time again to welcome the

rookies. The Fall Swearing-in is set for

**Thursday, November 15, 2007 at 4 p.m.**

**in Courtroom C-201.** The Board of Trustees will be present, and we encourage participation from all our members. As in tradition, a reception hosted by the SCBA and the Snohomish County Law Library will follow the Swearing-In Ceremony.



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# POINT/ COUNTERPOINT

by William Sullivan

## THE RIDE BEGINS


For those of you who read last month's installment in this newsletter, you remember that all therein was prelude, a mere foretaste of the doom that was to come. I had actually left all of you with a general explanation of the RSVP and my intent to finally finish the second day of the RSVP. Accordingly, although this chapter begins under the heading "THE RIDE BEGINS", in fact, I begin with the second day of the ride, having spent the evening of the first day of the ride back in my own bed, resting comfortably, in preparation for the second day to come. I woke early, filled with great hope and anticipation, to limber up, a process which seems to take much, much longer than it used to. Sometime later, after finally achieving a state of relative mobility, I was still in good spirits, as I was off to an early start, which would keep me in a pack of riders and provide me with plenty of company and roadside assistance should I need it. It was a sunny day and so my ride would not again be thwarted by torrential rains. I would be riding a new portion of the ride that I had never seen before. My bike was ready and so was I. My enthusiasm was dampened only slightly as I tried to wake my youngest daughter, Caitlin, to drive me

up to Bellingham (those of you with teenagers will understand). Caitlin is not a morning person. By the time I got her up, down to breakfast and on the road, we were running slightly late, but nothing to be alarmed about. My few attempts at conversation had been met with responsive grunts, so it wasn't until we were well on our way north and Caitlin was actually awake that I was able to hold a conversation with her. We made plans for the day about her dropping me off and then meeting me at the hotel in Vancouver. We reviewed the hotel's location. I pointed out the map I had made, and went over her route to get there. I reminded her that if there were any problems at all, she could call me on my oldest daughter's, Brianna's, cell phone. In short, I was being your ordinary, run-of-the-mill obsessive father – properly so, as it turned out, because it was then that the first problem surfaced. In a rather small voice, Caitlin said, "Dad, I don't have Brianna's cell". By this time, of course, we were well on our way north to Bellingham, but I knew if the day could begin with a problem, it could also certainly end with a bigger problem, particularly given my history with the second day of the RSVP. In order to guard against that, I thought, I turned the car around and we headed back home, where we retrieved Briana's cell and resumed our trip north. It seemed an inconsequential problem at the time, but the significance was that by the

time we got up to Bellingham, it was after 10:00 am. That might not seem very late on a Saturday morning to those of us who enjoy the weekend by sleeping in. For those of us who are also bikers, however, one doesn't sleep in the morning of the second day of the RSVP. Rather, one hops on one's bike at some time between 6:00 am and 8:00 am and peddles merrily away, or at least as merrily as one can having spent the previous day and 100 miles on that same bike. By the time I started my second day of the ride, the pack was an hour or two ahead of me, and I was riding alone. I was not daunted however, because I had both the map which I had downloaded and the markings on the roadway, which in Washington, were well done. I said good bye to Caitlin, hopped on my bike, and sped away – well, for me, I sped away.

My speeding did not last all that terribly long, unfortunately. After about ten miles, I noticed a drag from my rear tire, and saw that it was rubbing against the frame. I thought it odd that happened, but I stopped, got off the bike,

*Story continued on page 12*



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Closing Date: 11/15/07

*Continued from page 11*

adjusted the wheel so it was clear of the frame, and hopped back on. I rode another mile or so when the drag was renewed and I looked down to find that the wheel had worked itself up against the frame again. I stopped, hopped off, adjusted the wheel, and started riding again. I had gone less than a mile before the drag resumed, so again I stopped, etc. After a few more stops, it got so I was making it only 100 yards before I'd have to hop off the bike again. This was suddenly shaping up to be a very long ride up to Vancouver. Unfortunately, I have no mechanical aptitude whatsoever and my skill at bike repair pretty much stops at repairing/replacing a flat tire. My feeble attempts at wheel adjustment clearly weren't working, and, needless to say, there wasn't a bike shop in sight, nor had I passed any on my ride out of Bellingham. Fortunately, a Guardian Angel came to my rescue. Unfortunately, although he was driving a pickup truck with a canopy and lots of room to transport both me and my bike, he was also carrying a very large, very hungry, and very un-biker-friendly dog in the back. Now, let it be known that I am a dog-lover, but it seemed the only thing that dog loved about me was the prospect of a meal. And that is where we will leave the tale today, with me standing beside the road just outside Bellingham, contemplating my imminent ascension to being puppy chow. 🐾

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From our tee box a four iron should get you onto Tom's putting green.

### **Attention Snohomish County Young Lawyers:**

We will be having our next monthly meeting at the Flying Pig in Downtown Everett on Monday, November 12, 2007 at 5:30 p.m. All members are invited to attend.

Any active member in the *Snohomish County Bar Association* is a young lawyer until the person is 36 years of age or until the fifth year in which any member has been admitted to practice, whichever is later. If you are interested in becoming involved with the SCYLD, please attend our next meeting (second Monday of every month at the Flying Pig - 5:30 p.m.) or email Kari Petrasek at [kpetrasek@bellinham.com](mailto:kpetrasek@bellinham.com). We look forward to seeing everyone on November 12, 2007 at 5:30 p.m.

# 2007 SCBA Bar Poll

## WHO CAN VOTE

All regular voting members and honorary members (judges and retired members) who are licensed to practice law in Washington and are members in good standing (i.e., pay their dues) with SCBA and Washington State Bar, and who reside in Snohomish County or maintain an office therein.

## HOW TO VOTE

If there are three or more candidates listed on the ballot, the member must vote for three candidates and rank each candidate in order of preference. If there are two candidates, the member must include a vote for each candidate and rank them in order of preference. In addition, regardless of the number of candidates, each member must rate each candidate in one of the following categories: Excellent, Good, Average, Poor, or Unknown. Any ballot, which fails to follow the outlined procedure, will not be counted as to the race for which the procedure was not followed.

## ENVELOPE PROCESS

The ballot shall be filled out by the member but there shall not be any identification of the voting member on the ballot itself; the ballot shall then be placed in a sealed envelope marked "Ballot" that contains no identification from the voting member; the "Ballot" envelope shall be placed in another envelope on which the voting member must identify himself or herself by their printed name and their personal signature. The completed ballots shall be returned as specified in the ballot notice. The "Ballot" envelopes shall be removed from the outer envelopes by an impartial person selected by the Bar Association officers. Such person shall not forward or include any ballot for counting which has not been submitted in the prescribed manner.

The identifying envelope containing the ballot envelope shall be sent to the Snohomish County Bar Association, PO Box 5429, Everett, WA 98206. It can also be dropped off at the SCBA office located on the 2nd floor of the courthouse, Room #C203.

All ballots, whether mailed or delivered, **must be received by the SCBA before 4:00 p.m. on Wednesday, November 14, 2007.**

## Ballot

<b>Appellate Court Division 1</b>		
<b>Candidates</b>	<b>Rating: Must Rate Everyone</b>	<b>Rank: Rank all 3 Candidates</b>
Leonard J. Feldman	<input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Average <input type="checkbox"/> Poor <input type="checkbox"/> Unknown	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>
Seth Fine	<input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Average <input type="checkbox"/> Poor <input type="checkbox"/> Unknown	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>
J. Robert Leach	<input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Average <input type="checkbox"/> Poor <input type="checkbox"/> Unknown	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>



**Leonard J.  
Feldman**

For over fifteen years now, I have devoted the majority of my career to appellate matters. As head of the appellate practice group for Heller Ehrman LLP's Northwest offices, I have handled appeals on a wide variety of topics, from freedom of speech, to racial profiling, to matters of concern to businesses in our community.

In addition to this experience, I was a judicial law clerk for Judge Jerome Farris on the Ninth Circuit Court of Appeals from 1991-92 and have served as a District Coordinator for the Ninth Circuit Court of Appeals Pro Bono Program since 1995. I now serve Division One of the Washington Court of Appeals in a similar capacity. Since 1996, I have also taught a course regarding appellate practice at the University of Washington School of Law.

In recognition of my strong commitment to public service, the Washington State Bar Association awarded me its "Pro Bono Award" in 2006 for outstanding efforts in providing legal services to the poor. Before responding to the Bar Poll, I hope you will take a moment to review the WSBA's press release, which can be found at <http://wsba.org/media/releases/2006+pro+bono.htm>.

I will bring this broad appellate experience, commitment to excellence, and dedication to public service to the Court of Appeals. Win or lose, parties in an appeal want to know that the court carefully considered their arguments and they want to understand the court's analysis. I will treat litigants with respect, and I will write opinions that make sense, are grounded in precedent, and make the citizens of Snohomish County proud of their judiciary.

I am grateful for this opportunity to be considered for a position on the Court of Appeals, and I hope you will support my application when you respond to the Bar Poll.



**Seth  
Fine**

Seth Fine is the most experienced appellate lawyer in Snohomish County. He has been an appellate advocate for over 23 years. He has personally briefed or argued 80 cases in the Washington Supreme Court and over 600 in the Court of Appeals. As head of the Snohomish County Prosecutor's criminal appellate unit, he has been directly involved in almost 1000 appellate cases.

For the past 1½ years, Seth has been a member of the WSBA Disciplinary Board. This Board acts as the "Court of Appeals" for lawyer discipline. In his service on the Board, Seth has gained a reputation for fairness.

Criminal cases make up almost half of the workload of the Court of Appeals. Seth's knowledge of criminal law is almost unmatched. In addition to his 23 years as a prosecutor, he is the leading author of the only comprehensive treatise on Washington criminal law and sentencing.

The SCBA named Seth Attorney of the Year for 2003. He has been named a "Super Lawyer" for eight consecutive years (2000 through 2007). Throughout his career, he has been an advocate for victims' rights. Seth is committed to treating everyone courteously, keeping an open mind, and deciding every case in accordance with established legal principles.

"Seth is always extremely fair to the lawyers involved in the disciplinary process. Sometimes I wondered if he was even a prosecutor."

Gail McMonagle, Disciplinary Board Chair 2007

"Seth is a thoughtful advocate with an encyclopedic knowledge of the law. He is always a top professional."

Eric Broman, Nielsen, Broman & Koch (frequent opposing counsel)

"Seth is not just an expert on criminal law. He is a dedicated legal scholar whose analytical skills and knowledge of the law go far beyond a mere job description."

Richard Okrent, SCBA President 2006



## **J. Robert Leach**

I have been in private practice in Snohomish County for over thirty years, the last seventeen with the Anderson Hunter Law Firm. During that time I have had the pleasure of representing individuals, businesses and government agencies in nearly every type of litigation encountered in our county, from a court appointment in a criminal matter in district court to the defense of class action shareholder litigation. I have tried hundreds of cases including ones involving family, real property, construction, contract, insurance, personal injury, probate, corporate, administrative and criminal law. I have handled over 50 appeals in state and federal court. These appeals have addressed a wide variety of issues, including civil and criminal procedure, insurance policy interpretation, statutory construction, application of the UCC, tort law, contract law, employment law and municipal law. I have also appeared in contested matters before many different administrative agencies, both state and federal.

I have acted as both an arbitrator and a mediator on many occasions in cases involving many different areas of the law. I have served as both a commissioner pro tem and a judge pro tem in superior court.

My wife, Vickie Norris, and I are long time residents of Snohomish County, where we have been active in community affairs for many years. I have been a volunteer at Snohomish County Legal Services, handling arbitrations, trials and an appeal pro bono. I have served or currently serve on the boards of Deaconess Childrens Services, the Arts Council of Snohomish County and the Providence Foundation as well as the Steering Committee of Dawson Place.

I have the breadth and depth of experience, knowledge and work ethic to be an effective appellate judge and would be grateful for the opportunity to be one. Please support me in the Bar Poll. Thank you.

Left Blank

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*congratulates*

***Mark M. Demaray***

*for his recognition as a*

***2007 Congressional Angel in Adoption***

The *Angels in Adoption*<sup>™</sup> Program, CCAI's signature public awareness program, provides an opportunity to all members of the U.S. Congress to honor the good work of their constituents who have enriched the lives of foster children and orphans. Last year, more than 190 Members of Congress participated, making it the year's single most significant Congressional event pertaining to child welfare in the United States. [www.ccaainstitute.org/angels](http://www.ccaainstitute.org/angels)

**Mark Demaray** is *Of Counsel* with **BERESFORD BOOTH PLLC** and has a long standing relationship with our firm. Mark is also the principal of the **LAW OFFICES OF MARK M. DEMARAY, INC., P.S.**, that focuses exclusively in adoption law. Himself an adoptive parent, Mark has helped families and children unite in the adoption field for nearly 25 years. He represents adoptive parents, birth parents and adoption agencies and has assisted families in thousands of adoptions. Mark helped form the Washington State Adoption Council in 1986; he was a member of the Washington State Senate's Interim Adoption Study in 1989; and, he was appointed to the Washington State Legislature's Adoption Study Panel in 2004. Mark is a credit to the legal profession, particularly his service in the adoption field.

l m

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NEWS FROM THE  
SCBA EXECUTIVE  
DIRECTOR,  
JOYCE M. WOOD

The Snohomish County Bar Association Golf Tournament was held on September 14, 2007 at Legion Memorial Golf Course and was a great success. Everyone had a great time and the competition was close. This year was the first year for all members of the first, second and third place teams to receive trophies. We need to thank the Law Firm of Tom Cox and George Feldmann for underwriting the trophies. The winners this year were 1<sup>st</sup> place team of Jim Johanson, Scott Bender, Joe Bell and Deens Tsutakawa, the 2<sup>nd</sup> place team of Peter Bennett, Leigh Bennett, Scott Salsbury and John Rettenmier and the 3<sup>rd</sup> place team of Tom Cox, Bill Meeks, Roger Fisher and George Freeman. Fewest putts were from the team of John Juhl, Dave Wold, Craig Bray and Randy Yates. ♪

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Growing Mill Creek law firm seeks associate attorney to support a busy estate planning and transactional practice. Excellent opportunity for a motivated individual who desires to build a practice and seeks long term commitment. A minimum of two years experience is preferred. Candidate must be current WSBA member and possess basic computer literacy. Competitive salary and benefits offered. Work environment is friendly and supportive. Please send resume and cover letter to: Jeffrey E. Pratt, Marsh Mundorf Pratt Sullivan + McKenzie, P.S.C., 16504 9<sup>th</sup> Avenue SE, Suite 203, Mill Creek, WA 98012, e-mail: [jeffp@millcreeklaw.com](mailto:jeffp@millcreeklaw.com).

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Tuesday, December 11, 2007

Cost: Free  
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RSVP: SCBA Office (425) 388-3056

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Deane W. Minor  
Renee M. DeFreece

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Facsimile: 425-259-6240

October 15, 2007

**NATIONAL ADOPTION DAY**  
**FRIDAY, NOVEMBER 16th, 2007**  
**10 AM TO NOON FOLLOWED BY PARTY**

AS PART OF A **NATIONWIDE ADOPTION CELEBRATION**, the Snohomish County Superior Court is sponsoring a special adoption celebration on November 16. There will be spaces for up to 30 adoptions in up to 3 courtrooms.

You can schedule adoption hearings by contacting Judge Fair's law clerk, Sarah Lunn, at 388 3014, or [sarah.lunn@co.snohomish.wa.us](mailto:sarah.lunn@co.snohomish.wa.us). Most of the adoptions will occur at 11 a.m..

**Please note** that the adoption hearings are done differently on National Adoption Day: families will be in groups of perhaps 10 families, with everyone cheering on the other families in the group. If your family wants a private, low-key celebration, then National Adoption Day would not be appropriate.

After the adoption hearings are completed, there will be a gathering of all the celebrants followed by a reception with cookies and milk; cake and coffee.

Once again, Ivar's will supply some great clam chowder.

We hope to have some **SPECIAL GUESTS** – you may want to keep their identity a surprise (especially since we have not asked them to come yet), but we are hoping for **LINCOLN** (although he has never accepted an invitation yet), **WEBBLEY**, and perhaps **THE CLAM** (from Ivar's) or **FRANK** (the frankfurter).

Please spread the word amongst all other adoption practitioners to let them know that they too are invited to participate in this wonderful event.

Thank you.

Yours very truly,

**TUOHY & MINOR**

Deane W. Minor  
DWM:mj

# **Snohomish County Bar Association**

## **CLE**

**December 6, 2007**

### **Ethics in Daily Practice**

**Avoid or prevent common – and not so common – ethical quandaries.**

- Discuss realistic fact patterns with colleagues in an interactive roundtable format
- Get practical advice to address many of the dilemmas you face everyday in your practice
- Prevent a decision you make today from causing predicaments down the road
- Explore the diligence, common sense, and attention to professional expectations that will help the general practitioner avoid disciplinary proceedings, while enhancing relationships with clients.

**1:00 pm to 4:00 pm**

**Snohomish County Campus Administration East Building Meeting Room #1**

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## **The Future of Hope**

SCBA & SCLS  
Dinner and Auction

**March 8, 2007**

By Halley R. Hupp,  
SCBA Treasurer & Auction Liason

Its time for change, but one thing that does not change is the communities' dire need for Snohomish County Legal Services.

Change began last year. You may have noticed at the 2007 Auction that there were new spiffy brochures, silent auction bidding sheets, and signs on the auction items. Those changes were the visible signs that SCLS had taken over the responsibilities of planning the Auction itself.

The Snohomish County Bar Association has continued and will continue to plan the pre-dinner and dinner portion of the night's activities including financing the venue and dinner, as well as, handling ticket sales. However, even in that area we are changing things for 2008.

Rather than use one of the standard venues, which are sometimes crowded, we are having the event at the new Future of Flight Aviation Center in Everett, Washington. In addition rather than gaming tables we are planning on having a cocktail and hors d'oeuvre hour for people to chat and view silent auction items before dinner.

As always SCLS needs your support, please contact:

Threesa Milligan  
SCLS  
2731 Wetmore Ave., Suite 410  
(425) 258-9283, ext. 11  
threesam@snocolegal.org

as soon as possible and commit to helping with the auction and donating items. It is your donations of time and goods that makes the auction a success.

**Simply put, You are the Future of Hope.**

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Snohomish County Superior Court  
Superior Court Pro Tempore  
Superior and Juvenile Court

**Applications are due January 18, 2008**

The Snohomish County Superior Court will be adopting a new Pro Tempore List for 2008. At this time applications are being accepted for the following four separate Pro Tempore lists:

1. Superior Court Commissioners' calendars;
2. Juvenile Court Judges' and Juvenile Court Commissioners' calendars;
3. Civil Commitment calendars; and
4. Superior Court Judges' calendars and trials.

All applications shall consist of:

1. A resume, which outlines professional knowledge, skills, years of experience, training/certifications, professional affiliations, and professional references.
2. A cover letter, which specifies which of the four lists he or she is applying for. The letter must indicate the number of years of experience in that area of the law. It must also indicate the applicant's ability to accept assignments from the court on short notice.
3. A copy of the applicant's bar card.

Mail applications to:

Superior Court of Snohomish County  
Attn: Pro Tempore Positions  
3000 Rockefeller Ave., MS 502  
Everett, WA 98201-4060

The names of the applicants and the application documents **will not be confidential**. Input from the Snohomish County Bar Association, specialty bar groups and the general public will be sought regarding the applicants.

If you have any questions, please contact Superior Court Administration at (425) 388-3421, ext. 2050.

## CHERYL DUFFY

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**Snohomish County Bar Association**

**CLE**

**December 6, 2007**

**Ethics in Daily Practice**

**Avoid or prevent common – and not so common – ethical quandaries.**

- Discuss realistic fact patterns with colleagues in an interactive roundtable format
- Get practical advice to address many of the dilemmas you face everyday in your practice
- Prevent a decision you make today from causing predicaments down the road
- Explore the diligence, common sense, and attention to professional expectations that will help the general practitioner avoid disciplinary proceedings, while enhancing relationships with clients.

**1:00 pm to 4:00 pm**

**Snohomish County Campus Administration East Building Meeting Room #1**

**Three Ethics Credits Pending**

Please R.S.V.P. with the SCBA Office (425) 388-3056

Snohomish County Bar Association

P.O. Box 5429

Everett, WA 98206

