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SCBA NEWS

The Official Publication of the Snohomish County Bar Association - **November 2001**



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Trustee Positions

SCBA NEWS

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**Snohomish County
Bar Association**
P.O. Box 5429
Everett, WA 98206

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Send changes of address to:
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Advertising and Submissions

Display: Contact Halley Hupp at (425) 388-3056.

Announcements: *SCBA members only.* Contact Joyce Wood at (425) 388-3056 or joycew@snoabar.org.

Classifieds: Please contact Joyce Wood for rates and submission guidelines at (425) 388-3056 or joycew@snoabar.org.

Submissions: Contact Joyce Wood or Halley Hupp at (425) 388-3056 or joycew@snoabar.org.

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Advertising and Submissions

SCBA Office: (425) 388-3056 / e-mail: joycew@snoabar.org.

SCBA FAX: (425) 388-3978.

Web site: www.snoabar.org.

Lawyer Referral Service: (425) 388-3018.

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SCBA Members Calendar of Events

November 2001

8th Fall Swearing In Ceremony
15th Deadline SCBA Newsletter
15th SCBA Board of Trustees Meeting
19th Family Law Section Meeting
27th SCBA Auction Meeting
30th **CLE Bankruptcy & Collection Law**

December 2001

14th CLE Ethics 2 credits
14th Deadline SCBA Newsletter
17th Family Law Section Meeting
18th SCBA Auction Meeting
20th SCBA Board of Trustees Meeting

January 2002

15th Deadline SCBA Newsletter
17th SCBA Board of Trustees Meeting
21st Family Law Section Meeting
25th General Membership Meeting
29th SCBA Auction Meeting

February 2002

15th Deadline SCBA Newsletter
18th Family Law Section Meeting
21st SCBA Board of Trustees Meeting
26th SCBA Auction Meeting

You can download the SCBA Auction Donation Form
 at
www.snoabar.org
 or retrieve one from the SCBA Office.

Superior Court Assignments: November 2001

Presiding Judge: Judge Linda C. Krese

Trial Calendar Call: Judge Krese, Dept. 11

Juvenile Court: Judges Wynne and Fair; Commissioner Stewart¹

Civil Motions: Judge Farris: November 1 – November 2
 Judge French: November 5 – November 9
 Judge Bowden: November 12 – November 16
 Judge Allendoerfer: November 19— November 30

Criminal Hearings: Judge Castleberry: November 1 – November 2
 Judge Bowden: November 5— November 9
 Judge French: November 12 – November 16
 Judge Thibodeau: November 19 – November 23
 Judge French: November 26 – November 30

Criminal Dept. Judges:² Judges Knight, Thorpe, Allendoerfer, McKeeman, Castleberry, Hulbert, and Farris

Civil Dept. Judges:² Judges Thibodeau,, Krese, French, Bowden and Cowsert

Ex Parte/Commissioner Civil Motions:¹ Commissioner Brudvik

Family Law Calendars:¹ Commissioners Bedle and Waggoner

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

- 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,
FRED GILLINGS**

**Board Terminates
Insurance Sponsorship**

On NOVEMBER 11, 2001 a letter terminating SCBA sponsorship of insurance was delivered to Nancy Baker and C. Don Filer Agency. The Board determined this action was necessary after Ms. Baker failed to respond to repeated requests for information. Please note that this action does not in any way affect the insurance coverage already in existence for individual members.

As you may recall, the SCBA had been promoting this program with the goal of achieving group coverage including self-insurance. However, at this time it does not appear to be feasible to pursue this option.

The Board is contacting established insurance agencies in the area for proposals.

We hope to be able to provide positive news to our members in November or December on insurance programs for our member attorneys.

If you have questions, please call myself at (425) 259-1611 or Joyce Wood, Executive Director, at (425) 388-3056.

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 8th at 4 p.m. (still in Room 201 – Presiding). The Board of Trustees will be present, and we encourage participation from all our members. As in tradition, a reception hosted by the SCBA will follow the Swearing-in ceremony. Come on by and check it out!

Why Not Try Mediation?

Thirty years of trying cases have convinced me that there must be a better, less expensive way than a formal trial for you and your clients to resolve their legal disputes.

As a semiretired attorney with low overhead I can offer an inexpensive alternative to trial through mediation and structured settlement conferences.

I also welcome your choice of me by stipulation or strike list as an arbitrator under the Mandatory Arbitration Rules.

David Patterson

3721 Colby
Everett, Washington
(425) 258-4451



**A WORD FROM THE
SCBA EXECUTIVE
DIRECTOR,
JOYCE WOOD**

We Want You!

In the month of NOVEMBER we put out the call to serve the SCBA as a Trustee on the Board of Directors.

If you are interested please contact the SCBA office.

I know that there are some of you that see things you would like to have changed or made better.

Now is your chance.

Check Out the SCBA Web Site:

www.snoabar.org

Members, put your web site link on our page for only \$35.00 per year.

Or, purchase a one month ad in the SCBA News and only \$10.00 for your one year link.

(a year is calculated as January 1 through December 31)

Call Joyce Wood at (425) 388-3056, if you wish to add your site to ours.

BREWE LAYMAN

Attorneys at Law
A Professional Services Corporation

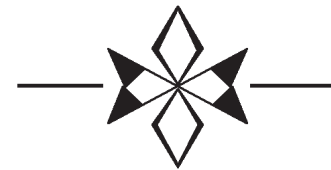
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Please contact former Snohomish County Prosecutors
Aaron L. Shields or Karen D. Moore
for more information.

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FROM THE BENCH OF JUDGE FRENCH

See Dick Run

As you may have noticed, the Superior Court has a new Court Administrator, Dick Carlson. Actually, he is only half new. Dick has been the Court Administrator at Snohomish County Juvenile Court since 1995. This change came about when Bob Carlberg took an administrative position with the federal bankruptcy court in May. When the judges went looking far and wide for Bob's replacement, we quickly found we needed to look no further than north Everett.

When Dick came to us from King County Juvenile Court in 1995, we were just embarking on construction of what is now the Denney Juvenile Justice Center. Upon arrival, Dick received some direction from the judges:

1. Don't unpack just yet.
2. That hole in your office wall is temporary. Come to think about it, so is the wall.
3. We're pretty sure wearing a hardhat is in the job description somewhere.

Having emerged from the building project with his hardhat intact shows that Dick is up to challenges. Successfully transitioning juvenile court operations from one building to the next and meeting the demands of juvenile offender and dependency caseloads shows that he is a capable administrator. Never once uttering the phrase "But this is the way we do it in King County" shows he is astute.

Dick received a degree in education from Western Washington University. He did his masters studies in social work at the University of Washington. From 1968-1995, he worked in various capacities at King County Juvenile Court. He has been recognized twice

as the Juvenile Court Administrator of the Year by his peers: 1998 and 2000.

Those who have had the pleasure of working at Juvenile Court can attest to Dick's management and administrative skills and knowledge of court operations. You will find that he is accessible, easy to work with and able to get things done. Dick has the new challenge of administering both the Superior Court and Juvenile Court operations. The judges are confident he is up to this challenge. The immediate question is whether his car is up to the challenge, as Dick is wearing a path down Broadway as he races from one office to the other.

Dave's a Boss Boss

The Snohomish County chapter of NALS held its annual Boss's Night on NOVEMBER 11, 2001. Patty Young from Pattersons & Micheli put this party together. And legal secretaries do know how to party. This year's function had a 60's theme, complete with Pete Patterson and Lisa Micheli doing a John and Jackie Kennedy impersonation (John Kennedy is shorter in person). Tie-dye, beads, head bands, and formerly long hair were much the rage that night. Those who grew up in the 60's, or thereabouts, will recall that that "boss," for a while, was both an adjective and a noun -- and a complimentary one at that. The esteemed boss this year is Dave Patterson. This is a fitting tribute to a fine lawyer and a fine boss, who has gotten better with age.

Of course all the bosses that were present that night know their success is directly linked to the skills and professionalism of their legal staff. The honored Legal Support Professional of the year, as introduced by last year's winner Jeanne Opgenorth, PLS, is Cora Palmer of the City of Everett Attorney's Office. Congratulations to Cora and Dave for their well-earned recognition.

New-Fangled Slang

In an ongoing effort to stay abreast of word usage, I bring to you two new words of art, "tight" and "phat." At drug court recently a young man stated his time at a treatment facility was "tight." This was initially alarming to me. I am from a generation where "tight" re-

ferred to the physical condition treated at such facilities. "Tight" now has evolved into a term denoting great, grand, cool or boss, depending on the generation you're in.

Fortunately, this young man did not tell me I was phat. My generation, or maybe it's just me, translates "phat" as "fat." And we're a little sensitive about that descriptor. This sensitivity comes with being subject to the "equator effect." This phenomena with which I am intimately familiar occurs when the forces of gravitational pull apply only above the waist. Everything tends to migrate to the middle, but I digress. "Phat" is a complimentary term indicating the speaker holds you in high esteem. Either that, or I'm extremely gullible. You may have noticed by now that distinguishing between "phat" and "fat" requires a discerning ear. A fair amount of naiveté also helps. What this new terminology means for such time-worn phrases as "chewing the phat" or "phat chance," I have no idea. But, I am going to remain optimistic. Not to mention gullible and naive.

- ★ Tired of having to be in two places at once?
- ★ Got some nagging research to do, but not the time to do it?

Then Call
Greg Iverson
Attorney at Law

He is available for:

Research, Investigation, Brief Drafting,
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Resumé and References available
upon request.

(206) 789-5610

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For scheduling, contact Helga Watson at (425) 742-4545 or at helgaw@millcreeklaw.com.

Marsh Mundorf Pratt Sullivan & Mckenzie

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16000 Bothell Everett Highway, Suite 160
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Effective December 15, 2001

16504 9th Avenue S.E., Suite 203
Mill Creek, WA 98012
425-742-4545

Snohomish County Law Library

By Carol Best

Adieu, Kind Friends, Adieu

I began working at the law library in April 1983 as a part time assistant librarian; in April 1991 I became the director. I brought to this position twelve years of library experience from the Everett Public Library and seven years from the University of California at Davis at their main library. As many of you already know, I am planning to retire at the end of this year.

When it comes to change I am not particularly different from any of you. Hence, a great deal has happened to me over the last eighteen-plus years. For example, I graduated summa cum laude in philosophy from Seattle University; I purchased a condominium; I got a divorce (I mean, I had my marriage dissolved....) and remarried four years later (no, not to the same person); I enjoyed three trips to England; I gained weight; I turned forty AND fifty; my parents both passed away; my husband suffered through a terrible and fatal illness to be miraculously made whole again as the result of a liver transplant.

During the same time period the law library has also seen major change. Here's a little 'true/false' quiz for you:

Smoking was allowed in the library.

Anyone could remain in the library after hours and on weekends.

There were no computers in the library.

There was only one photocopier.

Our book storage amounted to two broom closets down the hall.

We subscribed to ALL the digests.

If you answered 'true' to all of the above, you are indeed correct. We have, however, leaped into the electronic age by converting thousands of regional reporters to CD-ROM now available free to the public on two computers. The librarians have Internet access that aids in helping with many legal questions and we give out significant web addresses every day. There is still a typewriter for public use, but now there is also a word processor available. The library maintains a web site with links to other legal resources along with di-

rect e-mail access; we average ten hits per day on our site. We see over one hundred people per day and field approximately forty reference questions per day.

As you can well imagine, working in such a public environment has allowed me a front row seat in witnessing the best and worst of our human condition. With all that I have seen and heard over the years, I have chosen only the lighter moments to share with you. I don't think I am abusing the 'librarian-attorney privilege' by so doing.

Attorney's comments to me:

"There is no family in family law."

"They just brought in an expert witness that said my client was crazy; I couldn't argue with him....."

"It just occurred to me that outside our secretaries, you probably know better than anyone else how little attorneys know."

"The new mandatory pattern forms are like flying an airplane on instruments only and I just crashed into the face of a mountain."

"I've practiced for thirty-one years. That's a lot of arguing. It's like being in a big dysfunctional family."

Miscellaneous comments:

Attorney #1: "I think we can assume that what's happened has happened."

Attorney #2: "I think that's true."

Stranger #1 at photocopier: "Basically I gave her the vacuum cleaner and Nintendo and I got the TV and the VCR."

Stranger #2 at photocopier: "Neat. You got all the good stuff."

Couple at photocopier: "You mean you're gonna make me pay for my own wedding ring?! Gimme a break!"

And the questions I'll never forget:

"Is it legal to handcuff a one-armed person?"

"Neither my wife or I showed up for our divorce yesterday. How do I get rid of her?"

"Do you have a form for a hideous corpus?"

"Do you know what a guardian deligtem is?"

"Do you have the forms for a decree of delusion?"
"How about a degree of desolation?"
"If there's no one around do I have to stop at a stop sign?"
"Can I homestead in a trailer park?"
"Where do they hold Moral Court?"
"They're holding my boat at the border. How can I get it back?"
"Is it against the law to murder a Sasquatch?"

Many thanks to all of you for your trust, respect and friendship. You have shared a lot with me over the years: the births of your children (and now even your grandchildren), your personal battles with illness and loss, your own family law issues, and much, much more.

Librarians are addicted to locating the material that will help to answer the question. You have often challenged this librarian's need to 'find stuff' and I hope I have succeeded more times than I failed. And finally, I have learned a great deal from you. Through your words and works I will leave this position with the greatest admiration for what you do every day and the vital role you play in maintaining the integrity of our legal system. I am indeed very grateful.

So, wish me well as I wish the best to all of you. Before I "take a face from the ancient gallery and walk on down the hall," allow me to leave you with a favorite poem by Rainer Maria Rilke:

I live my life in growing orbits,
Which move out over the things of the world.
Perhaps I can never achieve the last,
But that will be my attempt.
I am circling around God, around the ancient tower,
And I have been circling for a thousand years.
And I still don't know if I am a falcon,
Or a storm, or a great song.

(Get ready for the new law librarian. You'll meet her in this column next month.)

Implementing GR 22 in Snohomish County

County Clerk Pam Daniels, reports the Clerk's Office has received numerous phone calls regarding GR 22. The following information is provided to assist in the implementation of GR22 in Snohomish County. This information provides clarification to the most common inquiries received by Clerk staff.

- A) ALL Petitions filed under 26.09, 26.10, 26.12, 26.18, 26.21, 26.23, 26.26, 26.27, 26.50 and 26.52 must be accompanied by a Confidential Information Form or they will be rejected by the Clerk.
- B) The Sealed Financial Source Document Cover Sheet should only be used for Financial Documents —**do not** attach non-financial information (e.g. notice of appearance, declaration in support of parenting plan etc).
- C) Financial Declarations on the mandatory form are not sealed and should not be attached to a Financial Source Document Cover Sheet
- D) If you are using old forms please feel free to redact or simply leave blank those areas that are contain personal identifiers.
- E) If you choose to use old forms and do not redact or leave blank the above-mentioned personal identifiers the document will not be sealed.

All forms can be downloaded for free at www.courts.wa.gov/forms.

If you have any questions please feel free to call Mark W. Allen at (425) 388-3620 or Anne M. Trice at (425) 388-3396.



Courtrooms to Classrooms (C2C)

As a result of a Juvenile Accountability Incentive Block Grant, the Snohomish County Prosecutor, James H. Krider, can begin the third year of his favorite program: Courtrooms to Classrooms.

Courtrooms to Classrooms, a fifth-grade curriculum, has been designed to support current research related to reducing destructive behaviors such as substance abuse, dropping out of school, truancy, and violence. In 1999 the Snohomish County Prosecutor's Office acquired an existing curriculum and adapted it to the needs of fifth graders in Snohomish County. This past summer, the curriculum was again revised based on evaluations from students, administrator, teachers, parents, and deputy prosecuting attorneys. Gratitude for this hard work needs to be extended to Kerri Oseguera, Charles Blackman, Halley R. Hupp, and Dave Wold.

During the 2000-2001 school year deputy prosecutors and support staff volunteered over 1,000 hours of service for this award-winning program. C2C was honored by the United States Congress, the House of Representatives, Washington State Bar Association, Washington Association of Prosecuting Attorneys; and endorsed by the Everett Herald, Bob Drewel-Snohomish County Executive, Snohomish County Sheriff Rick Bart and six Snohomish county school districts. The momentum continues for the new 2001-2002 school year as there are now 70 volunteers and a waiting list of thirty-five classrooms.

Research suggests that individuals who grow up in environments that promote protective factors are less likely to engage in destructive behaviors. C2C supports the research in promoting protective factors by:

- Encouraging youth to lead healthy, productive and legal lifestyles
- Emphasizing civics and the many roles in the justice system

- Highlighting accomplice liability, problem-solving and decision-making
- Providing opportunities for positive risk-taking
- Placing a high value on education
- Reinforcing strong attachments to school and community
- Bonding to positive role models

C2C emphasizes a five-lesson plan that includes: Who's Who in the Justice System, Groups, Individuals & Consequences, The Justice System at Work, Mock Trial Preparation, and the "Trial of Goldilocks." Deputy Prosecutors and Support Staff are assigned one fifth-grade classroom for the entire school year and begin teaching Lesson One in NOVEMBER. The program culminates in a student led mock trial in an actual courtroom during a field trip during the spring.

If you are interested in learning more about this program or wish to endorse it's efforts, please call: Lynn Eul, Youth Violence & Drug Prevention Coordinator, Snohomish County Prosecutor's Office (425) 388-3361.



The Attorney General's Office in Everett has moved.

The New Address, Telephone, and Fax Numbers are:

Grenwich Building
3501 Colby Avenue
Suite 200
Everett, WA 98201

Tel. # (425) 257-2170
Fax # (425) 257-2197

Criminal Defense

**We invite, appreciate, and thank you
for your referrals
in all criminal matters.**

Sharing offices at:

**Frontier Bank Building
2825 Colby Ave. Suite 304
Everett, WA 98201**

**Tom Gissberg
Attorney at Law
(425) 258-6761**

**Mickey Krom
Attorney at Law
(425) 339-1377**



News from Snohomish County Legal Services

Look for a letter from Legal Aid for Washington in your mail soon. Snohomish County Legal Services has joined with Legal Aid for Washington in a unique fundraising effort to support all three legal services agencies in our county. We are very excited to be working with Legal Aid for Washington in an effort to help all the low-income people in our community and appreciate your financial support of this campaign.

Thanks to those attorneys who are making a difference in our clients' lives by agreeing to represent them pro bono: John Frawley, Ruth Blanchard McLean, Michael Clarke, Satwant Pandher (two clients), Julie Herber, Cindy Bailey, Greg Davies, and Rita Love. They are helping their clients with a variety of legal problems such as bankruptcies, housing, and family law.

Often you can help our clients by handling just one part of their legal issues. For instance, Alice is being assisted at a settlement conference by one of our volunteers. Another volunteer attorney met with a client in his office recently to prepare her for a King County hearing where she would appear pro se. Unbundled legal services like these are an important way to meet the needs of our low-income clients and are a finite task you may be able to fit into your schedule. Please consider helping in this way.

In the past month, these committed volunteers spent an evening meeting with our clients in our Family Law Advice Clinic and gave them priceless legal advice and assistance with court documents: Cindy Bailey, Soloman Kim, Steve Shea, Pat Proebsting, Rita Love, Coreen Ferencz, Cheryl Duffy, Tom Kruse, Jay Leach, Kathryn Martin, Ann Brice, Michael Clark, and Kay Field.

Don't forget about the 2002 SCBA Auction on March 23, 2002. It will be a fun night and helps us help clients like Ludmilla, a Russian-speaking woman

who needed a guardianship for her brain-injured son. With the assistance of interpreters, one of our wonderful volunteers has been able to take care of her legal problems and give her the legal assistance she needed.

Remember to tell clients who need our services to contact us through our referral number, Northwest Justice Project's **CLEAR** telephone line, **1-888-201-1014**. At CLEAR, they will receive initial legal assistance and advice and a referral to us for additional services such as the Family Law Advice Clinic, Divorce Class, or direct representation.

Notice Of Return and Relocation

The law firm of **Marsh Mundorf Pratt Sullivan & Mckenzie** is extremely pleased to announce that Douglas B. Marsh has returned to the practice of law following an extended absence. He will be available to handle child support modification cases and to act as a mediator, arbitrator or settlement conference facilitator. Doug is most pleased to be back on the job and wishes to thank all of you for the expressions of care and goodwill so freely and generously given during the past year. Your kind thoughts provided much comfort and support during a difficult time.

The firm is also pleased to announce that effective December 15, 2001, it will relocate to new offices within Mill Creek. The new business address will be 16504 9th Avenue S.E., Suite 203, Mill Creek, WA 98012. The main telephone number will be (425) 742-4545. You can also reach us through our business web site at www.millcreeklaw.com or the firm e-mail address of MMPS@millcreeklaw.com. Please drop by for a cup of coffee or a visit when you are in the area.

**New Rules:
Snohomish County
District Court Local Rules
(Effective September 1, 2001)**

CIVIL RULES - SCLCRLJ

SCLCRLJ 38. JURY TRIAL

(1) (a)(1) Confirmation Required. On the last court day preceding the jury trial date the party demanding a jury trial shall contact the confirmation clerk at the respective division of the Snohomish County District Court, at the telephone numbers listed below, between 9:00 AM and 3:00 PM, and confirm that the case is going to proceed to jury trial or that some other settlement has been reached.

Confirmation Clerk's telephone numbers for each division are as follows:

Cascade Division: (360) 652-9552
Everett Division: (425) 388-3926
Evergreen Division: (360) 805-6787
South Division: (425) 744-6808

Failure of a party to confirm the jury trial or to advise the confirmation clerk that settlement has been reached shall constitute a waiver of the jury trial demand and cause the case to be stricken from the jury trial calendar. Terms may be assessed if the case has to be continued to a different trial date. Stipulated settlements not yet reduced to writing may be put on the record in conformance with CRLJ 2A.

Any case confirmed for jury under this subsection and not proceeding to jury trial shall be subject to such sanctions, including but not limited to jury costs, witness fees and terms, as deemed appropriate by the trial judge.

CRIMINAL RULES - SCLCrRLJ

SCLCrRLJ 6.1.1 TRIAL BY JURY.

(a) Trial by Jury.

(1) Readiness Hearings. All cases set for jury trial shall be assigned both a readiness hearing date and a trial date. The defendant, and the defendant's attorney if the defendant is represented, shall appear at the readiness hearing. The court will inquire as to

whether the case is expected to go to trial, the number of witnesses to be called by each side and the anticipated length of trial; and if all motions, discovery and plea negotiations have been concluded. Any case confirmed for jury trial at the readiness hearing shall remain set on the jury trial date. Failure to appear at the readiness hearing, as required herein, shall constitute a waiver of the defendant's speedy trial rights, and may result in a bench warrant for the defendant's arrest and forfeiture of any bail or bond.

(2) Confirmation Required. On the last court day preceding the jury trial date the defendant, if appearing pro se, or the defendant's attorney if represented by counsel, and the prosecutor shall contact the confirmation clerk at the respective division of the Snohomish County District Court, at the telephone numbers listed below, between 9:00 AM and 3:00 PM, and confirm that the case is going to proceed to jury trial or that some other disposition has been reached. Confirmation Clerk's telephone numbers for each division are as follows:

Cascade Division: (360) 652-9552
Everett Division: (425) 388-3926
Evergreen Division: (360) 805-6787
South Division: (425) 744-6808

Failure of a party to confirm the jury trial or to advise the confirmation clerk that another disposition has been reached may cause the case to be stricken from the jury trial calendar. Failure of the defendant, if appearing pro se, or the defendant's attorney if represented by counsel, to confirm the jury trial or to advise the confirmation clerk that another disposition has been reached shall constitute a waiver of the defendant's speedy trial rights. Failure of the defendant to appear on the jury trial date may result in a bench warrant for the defendant's arrest and forfeiture of any bail or bond, unless it is confirmed by both parties that a disposition is to be proposed to the court. Dispositions will be heard on the jury trial date or on another date as the court directs.

Any case confirmed for jury under this subsection and not proceeding to jury trial shall be subject to such sanctions, including but not limited to jury costs, witness fees and terms, as deemed appropriate by the trial judge.



**CLE UPDATE
FROM THE
VICE PRESIDENT,
DAVE KURTZ**

Reviews have generally been very positive from the Appellate Practice CLE on September 28th. Please try to take advantage of some of these fine upcoming events:

- (1) On Friday morning, November 30, catch a two credit CLE on Collections and Bankruptcy with John Shields and Mary Schmitt.
- (2) On Friday, December 14, we hope to hold a year-end Ethics credits CLE.
- (3) On Friday, March 8, we expect Judge Bibb to be able to host a CLE on Guardianships.

Please watch for more information on these events, and/or contact Executive Director Joyce Wood at the Bar Office (425) 388-3056. We'd also encourage further input to me or Joyce about ideas for other CLEs.

**Carol the "Best"
Law Librarian is Retiring!**

Come say goodbye at a farewell soiree on

Thursday, November 29th
from 3:00 p.m. to 5:00 p.m.

At the Snohomish County Law Library
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The Edmonds School District is looking for volunteers interested in helping students learn more about the legal profession.

Opportunities include hosting a student job shadow or internship, speaking at a career fair, and volunteering as a mentor.

For more information please contact Mark Madison, Business Partner Coordinator with the Edmonds School District, at (425) 670-7119 or by e-mail at madisonm@edmonds.wednet.edu.

The Second 2001 Snohomish County Swearing-in Ceremony will occur on

November 8, 2001 at 4:00 p.m.
at the
Snohomish County Courthouse

The SCBA will be hosting a reception after the swearing-in on the fourth floor of the courthouse in the Kinard room.

Check with the Superior Court Administration to confirm that the swearing-in will take place in Courtroom C-201.

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- * **Jury Trials in Superior Court**
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PETE PATTERSON'S LAWYER'S ROAD REVIEW



Road Trip

It is said that in the wake of the sinking of the *Titanic*, Americans booked fewer trips abroad and instead toured America. New vehicles with built in kitchens on the tailgates began to be produced as people fanned out across the west in search of a safer vacation. President Teddy Roosevelt had recently named a number of National Parks and it was time to find America.

I suspect that is where we are headed in the wake of September 11. The difference this time is we already have the SUV's necessary for the task. Take for example the Pontiac Aztec, which at first glance seems to be made out of plywood and visquene, is really very functional to this task.

The patriotic thing might be to book a flight to New York and take in some shows in a sort of "In Your Face" to the terrorists. But if you have children, think of them first. My parents did, but we had nothing like the Aztec.

The year was 1967. My parents owned a white 60-something Chevrolet Belair station wagon that stalled every time you backed out of the driveway. My father would exclaim, "I'm never buying another *%#&&@ GM car so long as I live." He hasn't. It was Mom that bought the Buicks.

The destination was Disneyland. This was before I-5 was really done, and there were lots of highways and by-ways still. This was the end of the mythic time of Route 66, and also a time where to keep the kids occupied, the seats were folded down in the back and the wagon was made into a play area. Forget about the seat belts. I recall Ford actually advertised it was a better idea to do this, and had a wagon specifically designed to turn into a playground.

It was a time before standard air conditioning, and it was hot. For some reason my sister and I decided it would be cooler in the front seat, but the folks wouldn't let us go up there. Instead, Mom seemed to produce an endless stream of car games, comic books, songs to sing, and just about anything you can think of to keep Kathy and I occupied. I shall never forget the first sight of the Matterhorn in the sunset as we blew into LA. We had a great time, even with the car trouble on the way back. Stuck in the middle of no where in Northern California, Dad was charged \$8 for a fan belt. Adjusted for inflation, that is about \$64. What could we do, they had us there.

We got good at long distance car trips. After that was Yellowstone, the Grand Canyon, Yosemite, Glacier National Park, Grand Teton, the Canadian Rockies, etc. This served me well into college when someone in my fraternity would shout "road trip," and we would be off, in the Mustang, of course. I remember leaving the U of W for Pullman at 9:30 one Friday night. It is remarkable how fast that car goes over long uninterrupted spaces. I think we got there in four hours.

So think about it this summer. In addition to all those clever games my mother came up with, we now have hand held Game Boys, laptop computers and a TV and VCR that plugs into the cigarette lighter. See America. Discover it by car, er, I mean SUV, and grow closer to your family.

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Barry Best

Recently, I broke down and treated my somewhat aging and dirty truck to a car wash at the local establishment down the street. I was faced with the choice of Beary Good, Beary Better, and Beary Best. Yes, I can make this analogous to the practice of law - bear with me.

On a recent Friday evening fellow Bar Association Trustee and colleague, Rita Love opened her house to five local individuals for a dinner and cooking class. This event had been offered by Ms. Love and myself at the last Snohomish County Bar Auction and with the help of veteran auctioneer, Mike Mallory, was presented with both humor and for a very good price. The money of course is entirely used to benefit activities, which promote equal access to justice including for example support of Snohomish County Legal Services and the Law Library.

While not tooting our own horns too much, we offered both instruction on preparation, menus for, and eating of hors d'oeuvres (death defying shrimp), racks of lamb with plum sauce, risotto (the easy way), "true" New York Cheesecake. But the benefits were not only to the consortium of five winning bidders, but to us as well. We gained not only the pleasure of attending the auction ("barry good") and the pleasure of bidding and donating to promote equal access to justice ("barry better"). Beyond these two levels, Rita and I were able to meet outside the advocacy arenas that we commonly occupy and develop friendships with colleagues and those related to the law ("barry best").

The next auction is schedule for Saturday, March 23, 2002. Consider treating yourself to the premier "Barry Best" level, going beyond merely attending and donate an auction item. Think of not only things you have but activities you do in which you could involve

Eileen C. Sussex

Attorney at Law

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a judge or fellow attorney. The experience will be rewarding in more ways than you can imagine. Items include not only artwork, quilts, bottles of wine and the like but many of the most popular are involving the winning bidder in activities (kayaking, wind-surfing, skiing at Whistler and Sun Valley, use of a condo for a week or weekend, picnics and sailing, etc.) Contact Joyce at the Bar Association office now - do not wait until March of next year - and donate your auction items to benefit not only our profession but community as well.

Snohomish County Up on Appeal

Almost 60 members of the Snohomish County Bar Association attended a well presented CLE seminar lead by Division 1 Court of Appeals recently. Breaking down the barriers, Judge Faye Kennedy lead a diverse group of Snohomish County practitioners through the agenda focussed on "Appellate Briefs & Motions Practice."

Appellate Court Commissioners Ellis, Verellen, and Kesler provided not only an insider view on "motions practice" before the Court, but provided very real and practical advice on the procedural maze of appellate law. Topics included "Noting and Arguing Motions," how to avoid the commute to Seattle through telephone conference calls and what it takes to obtain an award of "attorney fees." Although the Commissioners often varied or moved away from the printed text (much to the relief of many who become bored when they can read the text faster than the presenters can speak it), the audience expressed much interest in procedures to obtain "stays" or other immediate relief. The Commissioners also discussed "discretionary reviews," appeals from motion rulings and the newly implemented rules on "filing by e-mail."

The procedural presentation of the Commissioners was followed a presentation by Judges Appelwick, Becker, Cox, and Kennedy on their views on "Briefing and Argument." This was not only informative but made more pleasant by the Judges, interspersing examples from cases argued before them.

"By the 20th page, we are muttering to ourselves, "I get it, I get it."

"You cannot imagine how disquieting it is to find several spelling or grammatical errors in an otherwise competent brief. It makes the judge go back to square one in evaluating counsel. It says - worst of all - the author never bothered to read the whole thing through, but she expects us to."

"Don't use roman numerals to number the counts in your complaint or for any other reason."

"Avoid Creative, ways of referring to the record; generally RP__ and CP __ work well."

Bar Association members, whether or not they attended the CLE, were also invited to the social function following the seminar. Many of the Snohomish County Superior Court Judges and others shared hors devours and libations with the Division I Appellate Judges and Commissioners following the seminar at the Bar Association's Ex Parté party which had been scheduled to coincide with the visit from the Court of Appeals.

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**Superior Court Pro Tempore
Applications are due
December 21, 2001**

The Snohomish County Superior Court will be adopting new Pro Tempore lists for 2002. 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.

Applications shall consist of a **resumé and cover letter** to the Superior Court Administrator; Attn: Pro Tempore Positions; 3000 Rockefeller Avenue, M/S 502; Everett, WA 98201-4060. **Applications must be received no later than December 21, 2001 at 5:00 p.m.**

To be considered, an applicant must specify in the cover letter which of the four lists he or she is applying for **and** must indicate the number of years of experience in that area of the law. All applicants must be admitted to the practice of law in the State of Washington and be members in good standing of the Washington State Bar Association.

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 the Superior Court Administrator at (425) 388-3421.

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**Announcement from the
Superior Court of the State of Washington
for Snohomish County**

Effective November 1, 2001, the Snohomish County Bench has adopted a policy that no domestic relations cases will be given an initial or continued trial date more than 12 months in the future, unless approved by the Presiding Judge. If a date is requested beyond 12 months, the calendar administrator will refer the matter to the Presiding Judge.

This policy is in keeping with the filing to resolution time standards adopted by the Washington Supreme Court, which provide that 90% of domestic relations cases should be settled, tried, or otherwise concluded within 10 months (300 days) of the date of filing, 98% within 14 months (420 days) of date of filing and 100% within 18 months (540 days) of the date of filing.

November 30th 2001 SCBA CLE:

"Bankruptcy and Collections in your Law Practice"

*Training from two
of the best in town.*

John Shields, Attorney at Law, specializing in Collection Law. He will update you on the new forms and law changes.

Mary Schmitt, Attorney at Law, specializing in Bankruptcy. She will update you on the latest news and proposed changes that will effect how you practice Bankruptcy Law.

Where: *Snohomish County Courthouse, Kinard Room, 4th Floor*

When: *8:30 am to 11:00 am.*

Price: *\$45.00 includes continental breakfast*

Credits: *2 credits pending*

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Notice from the Superior Court:

Please submit all requests for payment for mandatory arbitration and guardian ad litem services for 2001 to Superior Court by Friday, January 4, 2002. This includes partial payment for work completed through the end of this year. Billing for guardian ad litem services must include the order of appointment and/or the order designating the amount to be paid by the county, and a detailed statement of the time spent and services rendered. In addition the court must receive billings for other expert services completed in 2001 by January 4, 2002 due to the 2002 Superior Court budget constraints. Superior Court has no 2002 funds available to pay 2001 bills.

If you have any questions please contact Valerie Stone at (425) 388-3421.

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Robert W. Warren

Attorney at Law
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(425) 672-7877

Mr. Farley is an experienced litigation attorney and former Senior Trial Attorney with Allstate Insurance Company and Travelers Property Casualty.

Mr. Warren is a personal injury with over 10 years experience and former State Farm claims adjuster.

Mr. Farley and Mr. Warren offer reasonable rates and creative resolutions for all matters of commercial and personal injury litigation.

Employment

Attention All Attorneys:

The law office of Patterson, Micheli, Spalter is seeking an attorney with an established practice, with or without staff, to join an office share arrangement commencing January 1, 2002. Our office is located in a beautiful circa 1920's home less than 100 yards from the city and county government buildings. A strong work ethic and sense of humor are required. If you are interested, please contact Pete Patterson, Lisa Micheli, or Ruth Spalter at (425) 258-3511.



Snohomish County Legal Services,

a non-profit organization utilizing volunteer and staffed models to provide civil legal services to low-income persons, has an opening for Executive Director. Minimum qualifications include a law degree, admission to practice in Washington, and 5 years legal experience. A detailed job description and additional information can be obtained from Yvette War Bonnet at (425) 259-3421 or Jenny Heard at (425) 258-9283. Start date of position is no later than January 15, 2002. Interviews will occur on December 5, 2001. Resumes and cover letter must be received by November 26, 2001 and be sent to Yvette War Bonnet, 2828 Colby Ave., Ste. 405, Everett, WA 98201

Paralegal/Legal Assistant:

Primarily family law. Some plaintiff's personal injury and criminal defense. Part time or full time. Experience required. Start date no later than November 1. Dupuis & Schwimmer is a 2-attorney, 4-staff person law firm located in downtown Everett. Fast paced environment. Fax resume and cover letter to (425) 259-7000, or e-mail to dupuis@seanet.com.

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Contact Ken Brew
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