

# SCBA NEWS

The Official Publication of the Snohomish County Bar Association - February 2003



**SCBA  
Auction  
for  
Snohomish  
County  
Legal  
Services  
March 22,  
2003**



## SCBA NEWS

Published by the  
**Snohomish County  
Bar Association**

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Everett, WA 98206

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SCBA News is published monthly by the Snohomish County Bar Association, P.O. Box 5429, Everett, WA 98206.

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

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

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**Deadline:** Copy must be received (not postmarked) by the 15th of each month for the issue following. No cancellations will be accepted after the deadline. Please submit hard copy to the SCBA office at P.O. Box 5429, Everett, WA 98206, as well as, a copy in ASCII text of Microsoft Word format (Mac or PC) by e-mail or on a 3 1/2 inch disk (or by e-mail to joycew@snoabar.org). *WordPerfect users, save your files in either MS Word format or Rich Text Format (RTF).*

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## SCBA Members Calendar of Events

### February 2003

**17th** Deadline SCBA Newsletter  
**20th** SCBA Board of Trustees Meeting  
**24th** Family Law Section Meeting  
**25th** SCBA Auction Meeting

### March 2003

**17th** Deadline SCBA Newsletter  
**20th** SCBA Board of Trustees Meeting  
**22nd** SCBA ANNUAL AUCTION  
**24th** Family Law Section Meeting

### April 2003

**4th** CLE in Kinard Room  
**18th** Deadline SCBA Newsletter  
**17th** SCBA Board of Trustees Meeting  
**21st** Family Law Section Meeting

### May 2003

**15th** Deadline SCBA Newsletter  
**15th** SCBA Board of Trustees Meeting  
**19th** Family Law Section Meeting

### June 2003

**6th** CLE Kinard Room  
**13th** Deadline SCBA Newsletter  
**19th** SCBA Board of Trustees Meeting  
**23rd** Family Law Section Meeting

### July 2003

**17th** SCBA Board of Trustees Meeting  
**18th** Deadline SCBA Newsletter  
**21st** Family Law Section Meeting

## Superior Court Assignments: February 2003

**Presiding Judge:** ..... Judge Joseph Thibodeau

**Trial Calendar Call and Motions to Continue Trial:** ..... Judge Thibodeau, Dept. 10

**Juvenile Court:** ..... Judges Allendoerfer and Farris; Commissioner Waggoner<sup>1</sup>

**Civil Motions:** ..... Judge Wynne: February 3 - February 7  
 ..... Judge Thorpe: February 10 - February 21  
 ..... Judge Hulbert: February 24 - February 28

**Criminal Hearings:** ..... Judge Thorpe: February 3 - February 7  
 ..... Judge Wynne: February 10 - February 14  
 ..... Judge Cowser: February 17 - February 21  
 ..... Judge Wynne: February 24 - February 28

**Criminal Dept. Judges:**<sup>2</sup> ..... Judges Knight, Thorpe, Castleberry, Wynne, Hulbert, French, Fair and Cowser

**Civil Dept. Judges:**<sup>2</sup> ..... Judges Thibodeau, McKeeman, Krese and Bowden

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

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

**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,  
DAVE KURTZ**

**Closing Statement**

On April 30, 1981, the *Christian Science Monitor* published an op-ed piece written by an eager young lawyer from Wenatchee, Washington. That article on criminal justice read in part:

This author knows from vivid firsthand experience that the system is far from perfect, but it causes me great concern to hear the endless wave of criticism directed against the criminal justice system...the purported “softness” of the system is belied by the indisputable fact that the nation’s jails are filled to overflowing...

We live in a free and tolerant society. Our police, prosecutors, and judges do demonstrate compassion for first-time offenders; concern for principles of constitutional law; and alas, a capacity for occasional incompetence. But the bottom line is clear: those who regularly flout the law invariably end up in the slammer...

A more positive and realistic attitude toward our efforts to combat crime would better serve the criminal justice system and the nation as a whole.

Twenty-one years later on April 29, 2002, the Everett Herald published another op-ed piece from that same “young” man. That article read in part:

Q: What do you call 1000 attorneys at the bottom of the sea?

A: A good start.

Most have heard this old quip, or other similar lawyer jokes. In fact attorneys are probably the princi-

pal conveyors of humor about themselves. They readily laugh at the foibles of their profession.

But many citizens see nothing funny about lawyers. They view the legal system with a cynical and bitter eye...but the bad image of lawyers is a bad rap...

Consider why most people become lawyers in the first place. It’s usually not about the money. Most young men and women join the legal profession because of a sense of idealism, a desire to fight for individual rights. For example, I cannot tell you how many attorneys I know became defenders all because of Atticus Finch in “To Kill a Mockingbird.” And even as one’s hair thins and one’s waistline expands, that passion and fire for justice still burns within.

So please remember, May 1 is not just May Day. It is also Law Day. It is a time to celebrate a system based on reason and due process, not hatred and oppression. In a terror-ridden world, the survival of that system is no small achievement—and no laughing matter.

I cringe a bit when re-reading past pontifications; but yes, I have to confess that I authored both articles above. In addition it’s been my privilege to fill this particular page for the past year. Here also I’ve tried to focus on the positive, and to emphasize that we should be proud of our profession.

That’s not to be blind to our faults, or to ignore important issues (see e.g. last month, on the Auction and the Jail Initiative). But, I feel good about my work and about my colleagues. You should too.

It’s indeed been a pleasure to be SCBA President. One wishes we did more (e.g., in providing input to judges—but thanks to leadership from Judge Castleberry and Geoff Gibbs, I’m hopeful we will). SCBA already does a lot—largely due to the untiring efforts of Joyce Wood. Thanks to Joyce—and to you all—as I ride (or run) off into the sunset.

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## **VICE PRESIDENT'S VIEW**

**By Rita Love**

I would like to thank all of our members that regularly attend the annual general membership meeting. Your presence at that meeting is vital to the Bar Association. We usually have a nice turnout. For those of you who haven't decided on attending this year I want to encourage you to be there.

This is the one meeting when you all have the ability to vote for your new Bar Association officers. The officers are important in that they work to plan and fulfill the needs and goals of the membership each year. So come and let your voice be heard.

This year the general meeting will be on January 31<sup>st</sup> at the new Everett Transit Station. Call the Bar Office to R.S.V.P.

We will also be voting on the adoption of the new by-laws. Richard Okrent and Seth Fine rewrote the by-laws. This was a tremendous project and I personally wish to thank them. Way to go guys!

The new by-laws will make us a more progressive organization. Some issues that were not addressed in the previous by-laws have been included and other areas were updated.

Your presence is important to all of the officers and your trustees. Be there to support the Association.

# **Auction Time Is Coming A Knight For Justice Mark This Date**



**March 22, 2003**

**Howard Johnson Plaza Hotel  
Everett**

**Invitations will be mailed out in  
January 2003**

**We need your ideas for auction items  
and also your donations for auction  
items Call Joyce Wood at the SCBA  
office with your ideas.  
(425) 388-3056**

# Snohomish County Law Library



View from the Director's Chair

By Lettice Parker

## A Happy New Year to You All!

In keeping with my “gloom and doom” demeanor that has become familiar to you all, it is surely not a surprise when I say that I have already received portents that the adjective “happy” is not the word to describe the New Year for me. “Interesting” is the euphemism replacing a well-known Anglo-Saxon word that offers a more apt description of coming events in the law library. So, let’s cut to the chase.

## The Good and Bad News

It is a mix. Depending on whether you are optimistic or pessimistic there is a little something for everyone. I am writing to confirm or deny various rumors about the law library. This is just part of our service: to still any sense of anxiety you may have about the fate of the law library for 2003.

First, the basic law library budget was approved. The County appropriation for the law library is \$34,000. A request has been submitted for a supplemental appropriation (\$48K) to cover invoices for 2002. It is expected to go before the Council this month. Funding is still a critical issue for the law library. It seems there may be some legislative efforts in the works to raise civil filing fees for the superior and district courts and the portion of those fees that go to fund county law libraries. I attended a WACLL meeting on January 10<sup>th</sup>. None of the librarians attending has seen any drafts of proposed filing fee legislation, but WACLL is going ahead with its own legislation to address funding for the county law libraries. Some of you may recall that the WACLL

bill would allow county law libraries to go to their local county governments to ask for a surcharge on the civil filing fees that would go to fund county law libraries. WACLL is trying to find sponsors for the bill. Hopefully I’ll have more information on this as the legislative session moves forward.

I received official notification that the new space for the law library is expected to be ready for occupancy in September. The law library is remaining on the first floor of the courthouse, but it will be located in space formerly occupied by SNO-PAC and the Snohomish County Property Management offices. This is directly across the hall from the Office of Public Defense. The new space is less than the space currently occupied by the library. I will be meeting with the project architects in order to discuss and plan the configuration of the new space. As things progress with the move, I will report happenings in this column.

*So what’s gonna happen to all of those books?* A good question. In conjunction with the anticipated move the law library has entered into an agreement with Beel...oops...West. If everything has gone according to plan by the time you are reading this access to Westlaw is available in the law library. The national reporters, federal reporters, Am Jur Series and ALRs are accessible through Westlaw. A more comprehensive listing will be posted in the law library once Westlaw is available. The only charge is the 15¢ per page charge for any documents printed.

At the beginning of 2003 the twenty free pages of printing on the public PCs was eliminated. The free printing was being abused by some patrons. With the current financial crunch the law library needs to recover the costs of paper and toner cartridges for these printers. Attorneys with law library accounts can “charge” the printing to their accounts for billing at a later date.

Oh, *the books!* Titles that are available through Westlaw are canceled. I will be getting rid of a great number of books. They will be sold or given away to anyone able to pick them up or pay for packing and shipping (donations gladly accepted). I still have

decisions to make about what goes and what stays. Once I have a list I will post it in the library and publish the list in this newsletter. Given the size of the new library it is not possible to keep everything. I know some readers of this article are probably chomping at the bit for the chance to relieve the library of a few volumes while others will quietly mourn the departure of books.

An annual library fee for attorneys looks like a distinct possibility. Clark County recently instituted an annual fee of \$36 a year for their attorneys. I am putting this proposal before the law library Board at the next meeting. I can hear the moans and groans, but I did some basic math on this astronomical figure. Here's what I came up with:

It works out to \$3 a month  
*Or 75¢ a week (4 weeks in a month)*  
*Or 69¢ week (52 weeks in the year)*

If you buy one Starbucks or Tully's coffee (plain old cuppa joe) a week you can sacrifice 52 cups of coffee and divert that money to the Snohomish County Law Library that you love so much. If you indulge in *lattes*, *mochas*, or other fancy coffee drinks you can be a true library martyr because giving up one of those fancies a week more than covers the cost of a month of an annual \$36 fee! I can see a plaque honoring with the names those making the sacrifice

Well ending on that high note about sacrifice says it all. I make the usual disclaimers and apologize for any typos, grammatical errors and general bad writing. While the main purpose of this column is to keep members of the Bar and legal community aware of happenings at the Law Library, for me it is cathartic. Things effecting the Law Library are serious; I just try not to take myself too seriously.

## **New Attorney Hangs Shingle in Edmonds.**

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## **Lee B. Tinney**

Attorney at Law

is pleased to announce the opening of her new law office.

Her practice will continue to focus on family law matters, especially those involving complex financial and parenting issues.

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**as of January 1, 2003**

**A Call for Support  
for  
Jim Twisselman**



**By Doug Marsh**

One of our colleagues and my friend, Jim Twisselman, has been gravely ill for many weeks. Approximately one week before Christmas, Jim was admitted to Providence Hospital for routine heart by-pass surgery. Following surgery however, there have been numerous complications, which have seriously jeopardized his life.

As he is in dire need of some immediate positive vibes and encouragement, I would ask for your support. I would request that you expeditiously stop by the Bar office in the Courthouse and sign a card left there for that purpose, or mail/fax a personal note to the Bar office which will be delivered to Jim by his wife, Pat.

I personally know how much your support can aid the healing process! If you wish additional information about Jim's situation, please do not hesitate to call me at (425) 742-4545.

The Lawyer Referral Service of the Snohomish County Bar Association would like you to become a member of the LRS. We need input and representation from many areas. For example we do not have any attorneys in Snohomish County that practice law in the following areas: Workman's Comp Federal, Mental Health, Special Education, Non-profit charities, and Civil Rights/Liberties.

We only have one or two attorneys in the Snohomish County area that practice law in the following areas: Consumer Protection, Tenant, Workman's Comp, Employment, SSI, Internet, Patent and Copyright, DSHS, Military, Securities, and Tribal.

We receive on the average of 70 calls a day from clients requesting legal assistance. If you would like to increase your practice in a specific area, LRS is a great way to do that. In an effort to better serve all clients we need you as a member. You can obtain an application for the LRS at <http://www.snobar.org> or by visiting the SCBA office.

If you have any questions please give Joyce Wood a call at the SCBA office at **(425) 388-3056**.

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**2003  
SCBA/SCLS  
AUCTION**

**By Ruth Blanchard-McLean,  
Auction Chair**

There have been some questions about where donations for the auction should be taken. Currently, anyone having anything to donate for the auction should take them to the Snohomish County Bar Association office, on the second floor of the County Courthouse. Joyce will log them in and store them, for the moment.

Eventually, we will be having donations dropped off at the Law Offices of Jim Hawes. His address is 3102 Rockefeller Avenue, Everett, Washington. The office sits on the corner of Pacific Avenue and Rockefeller Avenue. Jim has very graciously consented to allow us to use his basement area and the auction Committee thanks him very much. When this comes about, please remember to still call Joyce so that she may get the item recorded for the program. Donations will be accepted during normal business hours; Monday through Friday from 9:00 am to 5:00 pm.

Also, please remember, if you have something to donate and can't make it in to Everett, either call Joyce Wood at (425) 388-3056 or Ruth Blanchard-McLean at (425) 774-2800. We can have someone pick up your item.

We have another thank you to go out. The Law Offices of David A. Kastle has generously volunteered to donate four hours and their staff to do telephone solicitations. The committee would like me to offer their deepest appreciation of this unselfish donation. If there are other firms or attorneys that would like to donate something similar, again, please call either Joyce or Ruth. The more helping hands, the better.

There is something else the committee has decided to offer at this year's auction. Attorneys and firms can buy ad spots in the auction program. The price will be \$35.00 for ° page; \$60.00 for Ω page or \$100.00 for a full page ad. Let Joyce know as soon as possible if you would like to advertise in the program.

While donations have increased, we are still way behind our projected goals. We need your help. If you have something to donate, please do so. If you know of someone or some organization who may be willing to donate, please call either Joyce or Ruth with the name of the contact person.

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# **2003 Snohomish County Bar Association Annual Meeting**

You Must R.S.V.P. with the SCBA

Come make your vote count. The election of Officers will take place at the meeting along with general membership business and lunch. Also on the agenda will be major by-laws changes, there is available to all members a copy of the proposed by-laws in the SCBA office and or we can send you a copy via your choice of delivery.

Also, back by popular demandÉ

Award for “Attorney of the Year” will be presented at this annual meeting.

Please make you nomination known to the SCBA office.  
Come join the action!

**Friday, January 31, 2003  
Noon to 1:30 p.m.  
Everett Transit Station  
3201 Smith St**

**R.S.V.P. with the SCBA office at (425) 388-3056**

# PHILIPS AND MAZZONE, LAWYERS

Paul R. Lehto  
has now joined our firm  
as Partner

## PAUL R. LEHTO

B.S. Biology, Northern Michigan University 1987; J.D., Seattle University School of Law 1995 *cum laude*; Washington State Bar Association Board of Governors 2001-2003. Paul has been in solo private practice since 1997 in the areas of commercial, consumer protection, employment and personal injury litigation, in addition to maintaining a transactional caseload advising small businesses and nonprofits. Paul was named a 2003 Rising Star, by Washington Law & Politics magazine. Originally from the Upper Peninsula of Michigan, prior to becoming a lawyer, Paul was a legislative assistant to a state senator in Michigan, a volunteer backcountry ranger in Yellowstone National Park, and a small business owner in the Everett area.

**The firm continues to practice in the following areas:  
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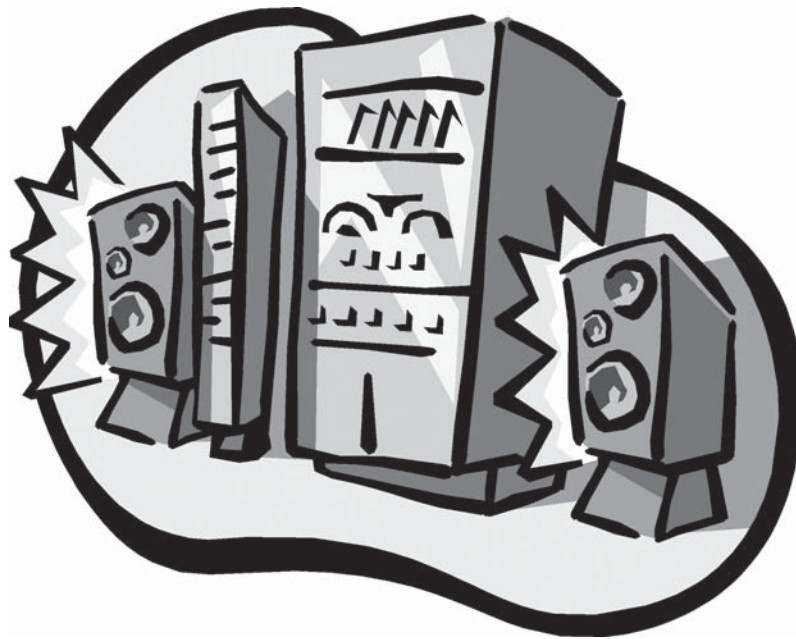
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## Lawyers for Access to Justice

Yes! I want to donate to the 2003 SCBA to support access to justice in Snohomish County through Snohomish County Legal Services.

By my Signature below, I authorize the Snohomish County Bar Association to bill my account the sum of \$50.00, as a tax-deductible contribution. I understand that my name will be included with other attorneys who have made the same commitment.

Name: \_\_\_\_\_ Bar # \_\_\_\_\_

Signature: \_\_\_\_\_



## Seeking Employment

### Help me make the break.

Evening student at S.U. School of Law looking to make the career break into law. Seeking an entry-level clerk or secretarial job and/or some mentor in order to make the transition from **my** current high-tech manufacturing management career to the **legal career** in front of me. I am a former Marine that spent 8 years as a single parent of 3 while earning 2 Associate degrees a BA and a slot in law school while working full time. I have been a decent secretary for my own management needs for over 9 years with significant experience. I am resilient and capable and currently in my last semester as a 1L. I am a student member of SCBA, live in Snohomish County and looking to work and practice here. I have a supportive spouse now, built myself a study and refinanced to ease the transition. Only opportunity remains. Call Rob at (425) 501-3340 or (425) 334-8494.

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Two offices available immediately in attractive suite at Sunset and Main Streets in downtown Edmonds. Conference room, copier, fax, other amenities and great location. Contract Ann or Diane at (425) 776-6600.

### Everett: Frontier Bank Building

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

