

# HEARSAY



ccbawashington.org  
SEPTEMBER 2010

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION



## District Court Judge Ken Eiesland

Sun Setting on 24 Years  
of Public Service

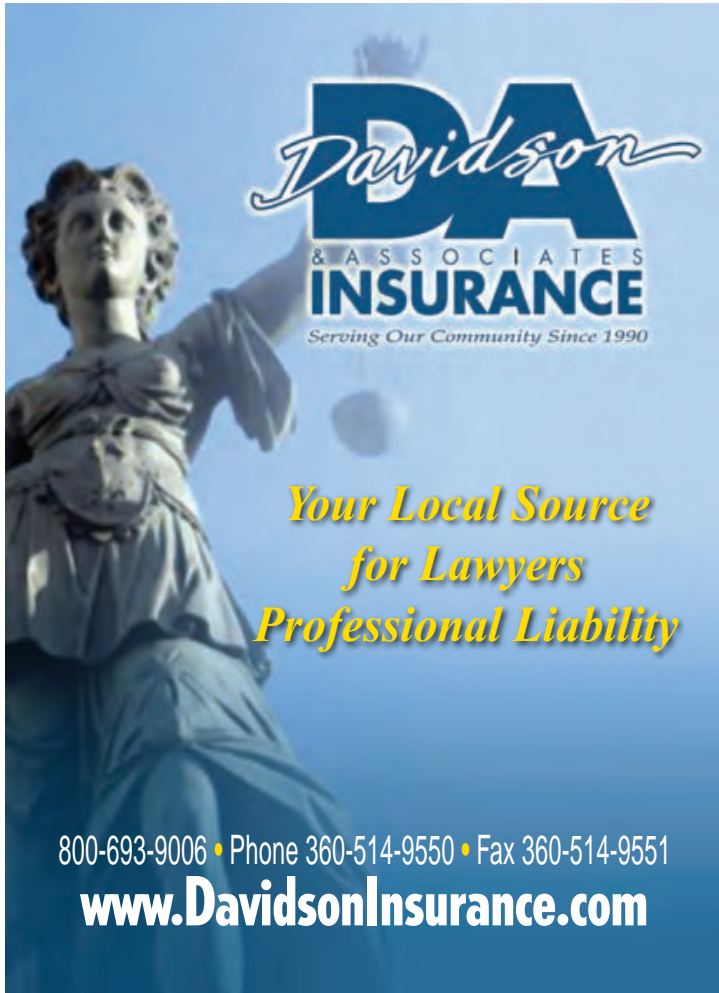
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An annual subscription is included with annual membership dues. Members may purchase additional subscriptions for \$50.00 each. Letters, news items, upcoming events and announcements are welcome. Articles by members are accepted. Submissions should be presented in Microsoft Word and may be edited for length, clarity and style. Submissions by members are published at the editor's discretion and space available. Views expressed in articles represent the authors' opinions, not necessarily the CCBA's. The publication does not purport to offer legal advice.

CCBA OFFICE HOURS: Monday through Friday, 8:00 a.m. to 5:00 p.m.



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## CCBA Conference Room available to rent

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Call Diane Wheeler at 695-5975 to schedule



## PRESIDENT'S MESSAGE

# A Short, Personal Note from China



**DAVID W. RIDENOUR**  
CCBA President

Surprisingly calm, I decide I have two choices: Sit tight one more minute and see what happens, or bolt like an Olympic track star. I'm lying face down on a very narrow table in oppressive heat, and a sweaty Chinese man I don't know has just surprised me by pulling my shorts and underpants down. He and another Chinese man are now having a very spirited conversation on either side of my exposed buns. I don't understand a single word, but you'd better believe they have my full attention.

The idea of leaping off the table and sprinting through the hectic streets of Beiliu City with my pants around my ankles has a number of shortcomings, such as I have no idea where I would go. I haven't seen a caucasian or met a person that speaks any English in days. I'm not carrying any money or even my passport. Something tells me I will be better off staying put, paying careful attention, of course, to what happens next.

When I figured out that the family hosting me was offering a "massage", I was thinking along the lines of a two-hour experience where a small Chinese woman kneads my body into a state



Biting the toe off of a duck foot. Papa Wang Jia Dong approves of my efforts, if not my style.



Hearsay expands its readership to China! Well, at least they enjoy the pictures... My kid sister Deng Wen Wei, Mama Lu Yu Huan, niece Wang Yi Hua, and Deng Yisha.

of bliss and total relaxation. But the devil is in the details, and detail is sometimes lost in the basic communication we are capable of here. Still, I'm expecting some kind of massage. I'm just not sure what kind anymore. So I end up staying in this small Kowloon-style building, not far from North Vietnam, where my back is skillfully adjusted by one of the city's more famous practitioners of Asian healing arts.

I'm in the second week of this excursion to China. I couldn't have scripted a more wonderful and interesting trip, and there are still two weeks to go! Maybe more, as I have been invited by several of my new friends to stay, and can't think of a single reason why I shouldn't. My mantra every moment now has become "why not?"

I've been adopted by a family that speaks no English, but manages to be among the most gracious and endearing people I've ever met. After a few nights in hotels, I now live with and have become part of this family. They are very sensitive to my comfort, believing that Westerners live very well and that I may be offended or uncomfortable in their home. (They would be shocked at just how coddled yet unsatisfied Americans can be.)

It is true that everything seems strange and different at first. Take the bathroom for example. A small room of tile and plaster with a porcelain drain in the floor near the back wall. There is no hot water, (though over my objections they have installed a small propane water heater for my showers). We wash our clothes each morning in plastic buckets, a process that sometimes takes several hours. We pour the waste water into the drain hole, which also serves as our toilet and shower stall. (I brought fragrant bath oil beads for the ladies as gifts, but have not met a single person who owns a tub.) There is a window, but it is broken and open to the outside where it must be 95 degrees and 95% humidity. We bathe at least twice a day, but I am usually soaked with sweat within minutes of dressing. For several days, I could find no toilet paper, (including in restaurants,

department stores or even the bank). I find toilet paper on the diningroom table, where we use two or three squares as a napkin during meals which might consist of duck feet, gristle, vegetables and rice.

My friends apologize because they expect things to seem very different and lacking to me. They worry that their house is "not beautiful like American home". "No good, no good", they say, as they give me the tour. I just smile because I'm merely experiencing a different way to do things, and after a day, my surroundings



Yisha offers breakfast in bed and this time with a fork, meaning a lot less food should end up in my lap.

seem comfortably familiar. I am at home. So I grab our little marginally-effective hand-held translator and explain to my hosts what I see: A home shared by three generations of the most loving and happy people I've ever met. They focus attention and care on each other and especially on the star of the family, baby Wang Yi Hua, who just celebrated her first birthday. There is no hypocrisy or bigotry or judgment. They speak directly to each other and hide nothing. They are devoted and loyal to the end. This narrow six-story compound is brimming with security, comfort, food, warmth, laughter, family and love. I tell them I don't recall seeing a home more beautiful than this.



Learning to play a Chinese 2-stringed instrument called an "er hu", or "2-Stringed Instrument".

We all learn the lesson over and over during our lives - to be grateful for what we have and the loving people around us. But the stark nature of the lesson in this foreign land has captured my focus and seems to be altering my life. I have no skills or ability to get through any encounter other than my smile and a few poorly pronounced Chinese phrases. Completely dependent, helpless and hopeless, I exist in each moment as it happens, aware, at peace, and filled with joy.

Is this feeling something I will keep after returning home to a legal career? I promise myself to try, but I'm not attached to even that idea. The only constant is change, so I expect nothing of the future other than new experiences that continue to be interesting and different. Perfect.

#### THANK YOU, CCBA!

The Clark County Bar Association's fiscal year is over, and with it, my time on the Board. We have survived another year, and I am pleased with the progress we've made. We've had a lot of fun, and at the same time tackled some difficult projects that



At the Tian-sheng Palace in Yulin, which houses the 30-meter tall "Maitraya Buddha" - one of the largest indoor bronze sculptures in the world.

have needed attention for a long time. Now it is time to say goodbye. I have so many people to thank that I could fill another page with my expressions of gratitude. I'll try to share those sentiments as I see each of you, but I have to mention a few people here whose efforts went far above and beyond.

I want to thank the Board of Directors as a whole. They invariably made sound decisions and never shirked responsibility. It has been a pleasure to work with them over the past year. Thanks to David Gregerson for agreeing to edit Hearsay for several months. That is always a bigger job than we expect it to be. To Jane Clark, for taking on and for some unknown reason sticking with CLE Committee leadership which is so important to our Bar Association but about the most thankless job on the planet. Finally to Jean McCoy, who has every single day and in every single way been there when I needed her to counsel, assist, edit, write copy, commiserate, listen, provide historical perspective, and generally just support this Bar Association. Thank you, Jean.

I hope to see you all at the annual meeting on September 13. You have to show up to find out if we raised enough money to buy luxury rubber stamps for Judge Rich Melnick! Heck, I guess I will have to eventually leave China if I want to find out, too! See you soon -- "Dai Wei"



# YOUNG LAWYERS *vs.* SENIOR LAWYERS

## Softball Game & Family BBQ



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IF YOU WOULD LIKE TO JOIN THE SENIOR LAWYERS TEAM, PLEASE  
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# Judge Ken Eiesland Retiring in December



**DAVID GREGERSON**

*Hearsay Editor*

**“JUDGE”**: *transitive verb*

1: *to form an opinion about through careful weighing of evidence and testing of premises*

2: *to sit in judgment on: try*

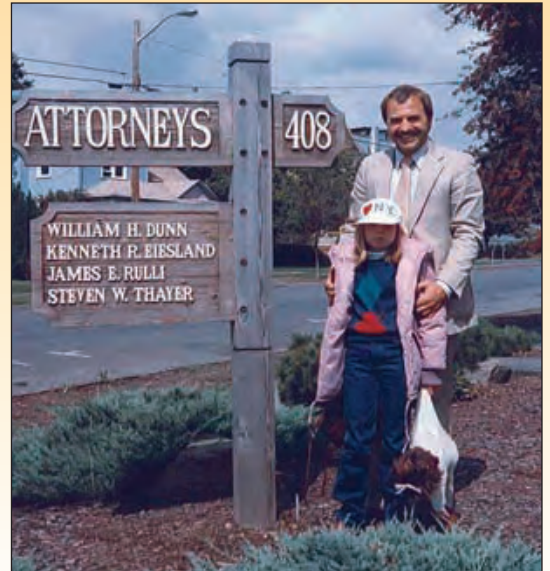
3: *to determine or pronounce after inquiry and deliberation*

Since the day that King Solomon ordered that the baby be divided into two, courts have been served by judges who maneuver through factual and legal complexities, drawing upon learned wisdom, and (hopefully) coming to some kind of just result in the case. “Wisdom” often involves that intangible and indefinable quality of reading people and situations.

After twenty-four years service on the Clark County District Court bench, Judge Kenneth R. Eiesland will retire in December. He becomes the latest in a series of long-serving legal heavyweights to leave the local stage this year (Judge Robert L. Harris, Prosecutor Art Curtis), opening the door to a host of fresh young talent within the legal community to assume leadership positions on and off the bench, with potential long-term implications. His position will be filled by Commissioner Sonya Langsdorf, who is running unopposed in November’s election.



Judge Eiesland among other hungry law students in the early 70s



Judge Eiesland and his daughter in front of a building familiar to many attorneys in town.

District Court processes an enormous volume of filings, including non-felony crimes and civil matters below the \$50,000 jurisdictional limit. It is the “blood and guts” of jurisprudence where the law tries to grapple with complex and very human situations.

Since his election in 1986, Judge Eiesland earned a reputation for his attention to detail, his gentlemanly and unflappable demeanor, and his ability to understand and connect with litigants and defendants on their level. He is widely known for his exceptional ability to “read” people and situations so that—regardless of the outcome—all feel like they have had their proverbial “day in court.”

A few minutes spent with him off the bench talking about matters outside the courthouse also demonstrates the breadth of his knowledge of all things historical and political, whether it’s discussing the Prague Spring of 1968 or the commonalities of nations which were former British colonies. He is clearly a committed reader and thinker on both small and large scales.

A sampling of what the bar says about Judge Eiesland:

### ***Jeff Barrar, Vancouver Defenders:***

“We have handled the bulk of the indigent defense work in District Court over the last ten years. Every time there has been an attorney rotation Judge Eiesland has always been the number one judge that our attorneys want to work with. That is due to many reasons but most of all attorneys feel that he is fair and just at all times. That doesn’t mean he is a pushover, but you know that he will evaluate each case with an eye toward not only what the law is but also what the facts are.

If I ever had a family member or a loved one that had to appear in front of a judge I would want Judge Eiesland to be the person in the robe because I would know that they would be treated with compassion.



Finally, his determination to master Spanish has been a work in progress for the last 20 years. It would not be unheard of for the court certified interpreter to attempt to interpret back into English what the judge said in Spanish to a defendant. This, of course, was all to make a difficult situation more comfortable for the person involved. Again, he always strived to make the defendant feel that they were being heard and dealt with fairly.”

### **Jim Senescu, former deputy prosecutor**

“Judge Eiesland is, was, and has always been a Judge of the people. He is a lifelong resident of Clark County, Washington, cares deeply about the people in this County, and in my experience of appearing before him in the past 12 years as a lawyer and prosecutor is that he recognizes each person, witness, defendant or victim that appears before him as a person first. A person that must be treated fairly, equitably, and with respect. There is no “air” about Judge Eiesland and the black robe never caused him to be “above” anyone who appears before him. I think that because of his “down to earth” mentality, he garners much more trust and respect and is able to cut to the truth of the matter and resolve disputes much more expeditiously due to his demeanor.”

## Case in point...

In a career spanning 24 years and literally thousands of cases and individuals, a few will inevitably stand out as particularly memorable.

One defendant—James Kasper—bluntly credits Judge Eiesland for saving his life. Kasper was once a problem drinker and repeat offender in substance abuse court. Kasper noticed that Judge Eiesland took a special interest in his situation—giving him several opportunities to obtain treatment and achieve compliance with his sentencing conditions. Kasper predictably stumbled in his efforts at sobriety.

Kasper still remembers Eiesland’s words when the end of the rope was reached: “We tried it many years your way, and now we’re going to try it my way.”

“I let him down,” says Kasper. “I got sentenced to 4 years 45 days. I heard that it broke his [Eiesland’s] heart, but he had to do his job.”

Hitting bottom, Kasper began to put his life together and work toward gaining another chance with the court and eventual re-integration into the community. He has been sober since December 20, 2002 and is now the owner of a successful sandblasting and paint business.

“I adore the guy. Very classy and thorough. I love it when he smiles, he keeps it real, he cares about people, he gives people chances and most of the time they let him down. He’s not one you would want to f\*\*k with, though. If you make a promise, you’d better keep it.”

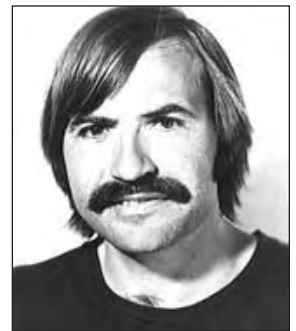
Kasper and Eiesland maintain contact to this day, and meet for an occasional lunch together. He has one favorite quote from Eiesland: “Of the thousands of people I’ve sentenced, Kasper you’re in the 1% that’s never come back.”



Summitting Mt. Hood in 1968.



Serving in the U.S. Army in (West) Germany in the early 60s.



The Student Look.

# Westlaw Training

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**Monday, September 20, 2010**

**Clark County Public Services Building, Room 679  
1.5 WSBA CLE credits per session (3.0 possible)**

*Presenter:*

**Denny O'Connor from West**

**12:00 – 1:30 for Session 1 – introductory Westlaw**

**1:45 – 3:15 for Session 2 – intermediate Westlaw**

**Details:** You may sign up for either or both sessions. Cost is \$20 for one session, or \$40 for both. Attorneys, paralegals, or others are welcome to attend. Seats are limited. Only those who register and are notified their payment has been accepted are guaranteed admission. Registration at the door is on a space-available basis.

**Registration: Maria at 397-2268  
(PO Box 5000, Vancouver WA 98666)**

# Q&A with Judge Eiesland



In chambers, smiling as usual.

**Age/birthplace:** 72, Highmore, South Dakota

**Year admitted to bar:** 1973

**Year and method of getting on the bench:** Elected in 1986.

**Wife/children:** Mary Caye, 3 children ages 26, 27 and 34.

**Your law practice before becoming a judge:** Real estate, personal injury, family law, criminal.

**What was the biggest change for you personally when you took the bench?** Isolation from fellow attorneys socially.

**What was your process in deciding to retire?** "Can not buy time"

**Best advice for new lawyers starting out?** Talk to the veteran lawyers.

**How has our local bar changed since you first started practicing in town?** Larger, less social, more women.

**Who was the biggest single mentoring influence on your legal career and why?** Claude Snider, venerable trial lawyer..... how he handled his cases and how he handled himself in trial. And watching great trial lawyers in Multnomah County when I was a clerk for Circuit Court Judge Bill Dale.

**What do you remember most about becoming a judge?** How what you do changes people's lives.

**Famous/infamous local people whom you've married?** Many of my own defendants!

**What does District Court do best? What does it do least effectively?** Best: use its discretion on sentencing and processing cases. Least: getting defendants from the courtroom to the probation department.

**As a lifelong Clark County resident, what stands out as the most striking change in this community?** The population, variety of cultures and languages, and people in general seem less genteel.

**Favorite anecdote from the bench?** Examination and cross of witnesses by attorneys. For example..... Question: have you ever been a witness before? Answer: No. Question: then this is your first time?

**Predictions for the future of District Court?** More judges, more cases, more civil trials as jurisdictional amounts are increased.

**Impressions on your replacement (Sonya Langsdorf)?** Very qualified. A little too serious..... lighten up a little and don't always take the PA recommendation.

**How would you like to be remembered as a judge?** When everything is considered..... "do justice".

**How would you describe your judicial philosophy in balancing judicial power with judicial restraint?** Balance. Know when to shut up and known when to scold or lecture. Never sentence when you are angry or upset. If that happens, consider what you would sentence in anger, then cut it in half. The next morning when you are cooled off you will be glad you did it.

**What are your plans for retirement?** Take my horses and myself to Mesa, Arizona for the winter.

**What will you miss the most when you leave the bench?** The action and interaction with staff, defendants, and attorneys.



Vacationing in Mexico with Bill Robison, inter alia.



Dress rehearsal for retirement on horseback in Arizona.



# CCBA Hosts Judicial Forum for Appellate Court Candidates



**PETER FELS**

*Hearsay Special Correspondent*

On Monday, August 2, the CCBA held a candidate forum for the public with the candidates for Position 1 of the Washington Supreme Court (currently held by Justice Richard Sanders) and District 3 (which includes Clark County) of Division 2 of the Court of Appeals (currently held by C.C. Bridgewater, who was unable to run for a new term). The forum was jointly sponsored by the League of Women Voters of Clark County and after an initial educational program followed LWV format.

Judge Barbara Johnson and attorneys Brad Andersen and Duane Lansverk agreed to present the educational part of the forum. The forum was conceived as a way to inform voters about voting for judges, particularly appellate judges, because attorneys so frequently hear questions from friends and clients when there is a judicial election. Judge Johnson and Brad Andersen started with a short skit in which Brad played a perplexed voter and Judge Johnson his attorney. Brad wrote the skit and Judge Johnson bravely ad-libbed her performance, answering questions about why we elect judges in the first place and directing her “client” to resources for more information.

After the skit, Brad described the roles of the appellate courts. Due to technical difficulties (as in we didn’t know how to get the equipment to operate) his Powerpoint presentation wasn’t up on the screen in the room until near the very end of his talk. However, even without the aid of the visuals he used his best courtroom skills to keep the audience’s attention. Judge Johnson then followed with information about what qualities are important for voters to consider in evaluating judicial candidates, together with visual references to websites such as “votingforjudges.org” where they could search for more information. Because Brad and Judge Johnson used up all of the combined allotted time, Duane Lansverk modestly conceded his time to them and ended up not speaking. However, readers might want to search The Columbian archives for his letter to the editor on July 21, 2010, regarding judicial selection.

The candidates then answered questions, with the Court of Appeals candidates first, followed by the Supreme Court candidates. They were asked questions selected by the LWV moderator from questions prepared by Peter Fels, mostly taken

from the Governor’s judicial appointment application. The candidates’ answers were lively and they did not hesitate to take jabs at each other.

The forum was recorded by CVTV and can be viewed in full at their website as noted in this issue in the Double Hearsay column <http://www.cityofvancouver.us/cvtv/cvtvindex.asp?catID=999&fileID=12896>. The CCBA and the public are greatly indebted to Judge Johnson, Brad Andersen and Duane Lansverk for their help in presenting this program.



**PAUL L. HENDERSON**

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## ANNUAL MEETING SET FOR SEPTEMBER 13



**DIANE WHEELER**

*CCBA Executive Director*

All members of the Clark County Bar Association are invited to attend the CCBA annual meeting on Monday, September 13, 2010, at the Red Lion at the Quay. Registration and sign-in will take place from 11:45 to 12:00. The meeting will begin at noon and last until 1:30.

The agenda is expected to include committee reports, followed by the Superior and District Court Reports. We will then hold an election of officers and trustees for the 2009-2010 fiscal year.

Meal choices are available, and consist of Mac-Pine Seared Mahi-Mahi, Grilled Flat Iron Steak, or a Stuffed Portabello Mushroom. The price for the lunch and meeting is \$25 per person.

Reservations can be made by calling Diane Wheeler at the CCBA Office, (695-5975). Payments can be made by check or by credit card over the phone. Please reserve your seat early so an accurate headcount can be given to the Quay. See you there!

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# What CCBA Members Are Doing About Town



## RAISA JUDICATA

Guest Gossip Columnist

Duane Lansverk from the Landerholm Firm wins the Double Hearsay award for best speaker at a program hosted by lawyers. Peter Fels was the master of ceremonies at a Judicial Candidate Forum held on August 3, 2010 at the Citizens Service Center, sponsored by the League of Women Voters and the Clark County Bar Association. Superior Court Judge Barbara Johnson and attorney Brad Anderson from Schwabe, Williamson & Wyatt volunteered and gave of their time to provide a guide and background for voters on the functions of the appellate system and role of the judges prior to the introduction of the candidates for the open positions on the Supreme Court and Court of Appeals. Brad even had an Inns of Court skit prepared! Duane Lansverk was also invited to be on the educational panel, but graciously declined to speak after his esteemed colleagues left nothing to the imagination. I have it on good authority that the candidate presentations were thoughtful and lively and more than just canned stump speeches. The presentation can be viewed on CVTV online at <http://www.cityofvancouver.us/cvtv/cvtvindex.asp?catID=999&fileID=12896>. Remember, as the November elections come upon us, vote early and vote often!

State of Oregon in terms of dollars collected. If he can successfully complete this type of ride with only 12 miles of training time under his belt, he can do anything!



Russ Garret, far right, with some members of Team Discover 2010.

Proving he is more than just a good Bankruptcy Trustee, but also a good guy, Russ Garrett from Bullivant Houser Bailey, PC, rode his bike on a warm summer weekend in August in the Oregon Chapter of the Bike MS ride that spanned two days and over 130 miles. This ride is sponsored by the National Multiple Sclerosis Society as a fundraiser for research and treatment of the disease. Russ has participated in this ride for many years and has a number of friends who live with the disease. While research and treatment make a difference, the symptoms are different and devastating for each individual and today there is no cure. Russ reached "Top fundraiser status" and many of his lawyer-type friends in Clark County donated money to the cause. He rode with Team Discover 2010 and his team was in the top five in the

Speaking of a good summer sweat, Karey Schoenfeld from Ferguson & Schoenfeld, PLLC, completed a triathlon on July 25, 2010 called the Girlfriends and Dudes Triathlon. The event finished at Frenchman's Bar park and was hosted by the Northwest Women's Fitness Club. The event beneficiary was Janus Youth Programs, providing runaway and homeless youth services, as well as education and scholarship programs for young people. Karey placed in the top three in her division (and looked good doing it!) Karey has completed quite a few marathons over the years and is in awesome shape – say a congrats next time you see her!

The County Service Center Courtyard was humming on Friday, August 13, while about 150 of us enjoyed good food and fellowship at the annual (free) CCBA BBQ. Judge Rich Melnick again

cooked his heart out for us, and we had a beautiful sunny day to enjoy. April Brinkman won the raffle for a portable Barbeque. This event is a hallmark of Summer, and is a great benefit we all look forward to.



Judge Melnick cooks a mean burger while Mila Boyd looks on.



A good crowd gathered at the Courtyard outside the County Service Center.



John Fairgrieve kept the line moving and Jane Clark provided her sunny smile.



Jim Mullins awaits his meal.



Jill Sasser, Julie Payne and Linda Frischmeyer wait in line for their grub.



Judge Melnick's burgers were sought after, as the line attests.

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One year lease includes: Reception/waiting area for clients, free conference room use, copy machine availability, fax machine availability, separate 7 x 10 storage space available for lease, kitchen/break room. Utilities and janitorial included.

**Contact Teresa at 360.693.4111**

And, finally, what do pond snails, fish heads, alligator, pig guts, duck feet and bat have in common? Why, they are all the gourmet delicacies our CCBA President David Ridenour is relishing on his Chinese Tour. It makes the buffet at the Quay look positively appetizing. David has found a place to open a side business selling these lovely treats!



David's is sure to be a hit when franchised!

*Your esteemed colleague Raisa Judicata can't be everywhere. If you have a tidbit of news you would like the world to know, send a note to CCBA at [diane-ccba@qwestoffice.net](mailto:diane-ccba@qwestoffice.net). Raisa usually checks in the first Monday of every month. Remember, it is your ethical duty to support your member organization with juicy gossip and goings on.*



Fish heads...always a crowd pleaser.

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The Clark County Bar Association's Nuts and Bolts series is pleased to announce its kick-off lecture:

## LANDLORD-TENANT LAW: A PRACTICAL APPROACH FROM THE LANDLORD'S PERSPECTIVE

By Attorney Phil Foster

Taking place **September 8, from 3:30 – 5:00 PM at Red Lion at the Quay**. Please plan on adjourning to the bar afterwards for a little socializing and further discussion with Phil and the attendees.

Phil Foster is a local attorney with 25 years of experience representing residential landlords in Clark County and whose practice focuses on real property matters. His talk is designed to provide a beginning attorney, or one new to landlord-tenant, with the practical knowledge needed to represent a residential landlord and provide insights into the landlord's case for those representing tenants.

This talk will focus on what you need to practice day to day: What are the landlord's business priorities, and how do those affect your legal tactics? What offers should you make, or accept, to resolve landlord-tenant conflicts like non-payment of rent, substandard conditions, or requests for accommodation of disabilities? What are the requirements, timing, and 'gotchas' of leases, deposits, notices, and evictions?

Phil has also included a section on **Mobile Home Parks** – an area which is similar but not the same as run-of-the-mill landlord-tenant, and which is both frequently needed and poorly understood in Clark County.

The cost is \$50.00, which will get you 1.5 CLE credits and Phil's prepared materials to download. There is an extra fee if you want to pick up the materials at the door. **Call Diane Wheeler, (360) 695-5975, at the CCBA to register.**

If you are a senior attorney, this is an excellent source of practical training for your associates, with no travel required and an unbeatable price. Help us inaugurate a series which will provide useful and usable knowledge from practicing experts each month throughout the year, and contribute to one of the CCBA's most important funding sources.

An outline of Phil's presentation is included below. We hope to see you there.

### 1. Global view:

- a. 1 in 3 rent
- b. Competing economic investment options
- c. Risk - \$70K to \$200K structure for \$600 to \$1,200 per month
- d. Strict construction & "do over" capability

### 2. Landlord motivators

- a. Rent paid
- b. Premises not damaged
- c. Cumbersome legal structure for efficient work outs (clear cut violations)
- d. Screening criteria

### 3. Beginning the tenancy

- a. Screening
- b. Lease: month to month & extended month
- c. Inspection & security deposits

### 4. During the tenancy

- a. Anti-discrimination & abuses
- b. Inspections, periodic
- c. Repairs & withholding of rent
- d. Drug manufacturing

### e. Notice structures

- (1) 3 day
- (2) 10 day
- (3) 3 day nuisance
- (4) 20 day no cause

### 5. Ending the tenancy

- a. Notice & service
- b. Tender by tenant: If before / if after deadline
- c. Waiver of notice
- d. Special endings: domestic violence, stalking
- e. Suit with Show Cause
- f. Suit without Show Cause
- g. Suit without payment option to Clerk
- h. Trial
- i. Timelines

### 6. Mobile Home Park variances

- a. Notices: 5 & 15 day
- b. Secured party notice if a rent default
- c. Foreclosure of landlord's lien
- d. Annual lease right - Holiday Resort

# CLARK COUNTY BAR ASSOCIATION CLE SERIES

## Nuts & Bolts: What Every Practitioner Needs to Know

The Clark County Bar Association is delighted to announce that it will host a CLE series geared to the new members of the legal community titled **Nuts & Bolts: What Every Practitioner Needs to Know**.

The series, which is currently scheduled to begin in September 8, 2010, will vary from one to three hours every second Wednesday of the month. Each session will feature knowledgeable attorneys in a particular area of practice, and focus on the basic issues and procedures confronting an area of law. The current list of dates and topics are as follows:

Date	Topic	Speaker	Committee Member
September 8, 2010	Landlord/Tenant Basics	Phil Foster	Scott Matthews
October 13, 2010	Employment Law Tips and Traps	Emily Sheldrick	Jane Clark
November 10, 2010	Mediation		Scott Matthews
December 8, 2010	Civil Litigation Basics & Practice Tips for Clark County		Jane Clark
January 12, 2011	Criminal Law Basics	Suzan Clark	Suzan Clark
February 9, 2011	Personal Injury		Jane Clark
March 9, 2011	Networking & Building Your Practice		
April 13, 2011	Evidence		Suzan Clark
May 11, 2011	Family		Suzan Clark
June 8, 2011	Consumer Protection		Scott Matthews
July 13, 2011	Ethics Client & Office management conflicts		
August 10, 2011	Wills and Estates		

*The Nuts & Bolts series will continue in 2011.*

*Sponsorship opportunities for firms and practitioners for each CLE of the series are available. Please contact Diane Wheeler for further information.*

**360.695.5975**  
*diane@ccbawashington.org*





# SUPERIOR COURT BENCH/BAR COMMITTEE MEETING MINUTES

August 10, 2010

The meeting began shortly after noon. Persons present were Judge John Nichols, Judge Robert Lewis, Jolene Sell, Jean McCoy, Ann Christian, Amy McCullough, Heather Beasley, Karen Dinan and John Fairgrieve.

## OLD BUSINESS:

1. Prosecuting Attorneys' obligation to provide evidence of the prior convictions of its witnesses to the defendant under CrR 4.7(a)(1)(vi): John Fairgrieve told the committee that the Prosecuting Attorney's Office had not heard back from the Federal Bureau of Investigation (FBI) on the draft policy it submitted to the Criminal Justice Information Services Division (CJIS) for review. He said he hoped that the PA's office would receive feedback on the draft policy prior to the next meeting.

2. Housing Justice Project (HJP): Jean McCoy related to the committee that she and Phil Foster had recently met with representatives of the HJP and that they had discussed two principal issues; the timing for the appearance of the parties for court and what the goal of the program is.

Concerning timing, Jean suggested that the tenants arrive for court at 8:30 and that the landlords and / or their attorneys arrive at 10:00. This allows HJP attorneys to meet with their tenant clients and to discuss their cases with them prior to meeting with the landlords' attorneys.

Jean then stated that there seemed to be a difference of opinion concerning what the goal of the program was depending on who your client is. Jean, who represents landlords, stated that the HJP seems to be leading to more litigation of cases as opposed to settlement. She stated that lack of evidence to support tenant claims is a continuing problem. She also asked if the current format could be revised to require that tenants give notice of the actual claims they are making and the defenses they will be raising.

Amy McCullough of the Northwest Justice Project and a volunteer HJP attorney stated that the HJP allows tenants to raise valid defenses and arguments and that tenants' attorneys are vigorously representing their clients. However, the goal is to reach settle-

ments in the vast majority of cases. She stated that the volunteer HJP attorneys do not consciously engage in delaying tactics.

Judge Nichols stated that the bottom line is that the court can dictate procedures that the parties will follow, but it cannot control the nature of the arguments that the parties make. He then stated that matters involving landlords with counsel will generally not be heard until 10:00 am.

Amy McCullough requested that the judicial assistants make an announcement at 8:30 on hearing days about the program and the availability of attorneys to counsel tenants.

Jean handed out copies of a document titled Notice Regarding Options for Legal Counsel. Jean and Amy agreed to meet to review the Notice and to modify it if necessary.

3. Guardians ad Litem: Judge Lewis stated that Guardian ad Litem (GAL) list is reviewed annually and that to remain on the list a GAL must be available to be appointed to new cases. He also stated that the need for GALs is increasing, and he encouraged interested attorneys to go through the required training and ask to be placed on the list.

## NEW BUSINESS:

1. Appointment of Counsel in Criminal Cases: Ann Christian reported that effective September 1, 2010 there will be a change to the Superior, District and Juvenile court criminal rules requiring that prior to the appointment of counsel a judge must inquire if the attorney to be appointed meets the standards for appointment. The standards have not yet been promulgated by the Supreme Court. Ann stated that she does not believe that the standards will address caseloads or staffing levels this year, but may do so in the future.

1. Next Bench Bar committee meeting: The committee will meet next on Tuesday, September 14, 2010 at noon in Judge Nichols' jury room.

Respectfully submitted,  
John Fairgrieve



# DISTRICT COURT BENCH/BAR COMMITTEE

# MEETING MINUTES

August 11, 2010

## Special Presentations

- New Laws: Ignition Interlock and Deferred Prosecution
- And DOL Hearing Practice Tips

Judge Zimmerman introduced special speakers.

**Carla Weaver, Court and Law Enforcement Liaison from the Department of Licensing** presented information on changes in the law relating to ignition interlock and Deferred Prosecution cases.

RCW 46.20.720 contains ignition interlock device (IID) requirements

- 1st restriction = 1 year
- 2nd restriction = 5 years
- 3rd or subsequent restriction = 10 years

Current cost of IID from \$70.00-\$100.00/month. Ignition Interlock License (IIL) fee is \$20.00/month. There is indigent funding available for qualifying individuals, interlock providers have information.

Other relating RCWs:

- Administrative information 46.20.308
- Conviction information 46.61.5055
- Administrative Hearing and Appeal information 46.20.385

To apply for an IIL a person must:

- Have court order for IIL
- Have received notice of suspension or revocation from DOL
- Granted Deferred Prosecution on or after 1-1-2009 but before 1-1-2011
- Be a Washington resident
- Personal driving privilege only (not CDL)

The fee to apply for an IIL is \$100. If your application isn't approved, the fee will not be refunded.

Occupational Restricted License (ORL) are only granted on a limited basis to person(s) who have had a valid driver license and have an offense that is not alcohol related.

An ORL restricts:

- Times of day you may drive (not to exceed 12 hours in a 24-hour period).
- Days of the week you may drive.
- Geographical area where you may drive.
- Vehicles you may drive (limited to vehicles for which you have filed proof of financial responsibility).

Not eligible for ORL if:

- Convicted of vehicular assault or vehicular homicide within 7 years before the incident for which you are requesting the ORL.

Your driver license is suspended for:

- Driving under the influence of alcohol (alcohol-related DUI)
- Physical control (alcohol-related)
- Minor in possession.
- Vehicular assault or vehicular homicide.
- Intermediate (teen) license violations.
- Too many rules of the road violations while you have an intermediate license.
- Failure to pay child support.
- Fraud.
- Medical or vision reasons.
- Violation of court-ordered probation.
- Habitual traffic offender status.
- Failure to qualify on a medical or visual examination.
- Failure to qualify on a driver skills examination.
- Failure to undergo required alcohol/chemical dependency treatment.
- Violation of ORL restrictions.
- Cancelled SR-22 insurance (proof of financial responsibility).
- Commercial drivers



You cannot get an ORL to drive a commercial motor vehicle. If you have a commercial driver license, you may still apply for an ORL to operate a non-commercial motor vehicle.

The fee to apply for an ORL is \$100. If your application isn't approved, the fee will not be refunded.

SSHB 2742 legislation is effective 1-1-2011

- The installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.
- If an IIL, which authorizes to drive during suspension or revocation period, is canceled a person can re-apply at anytime if qualifying.

- IID restriction cannot be release if there is a failed test or failure to appear at vendor, 4 months prior to the end date of restriction.
- Alcohol monitoring does not qualify for IIL
- Defendant's on Deferred Prosecution will not be required to have SR22 or IIL

#### **DOL Hearings – Defense Attorney Practice Tips**

**Andrew Wheeler**, Wheeler, Montgomery, Sleight & Boyd, PLLC

Andrew spoke of various strategies for dealing with the DOL. Please contact him at [awheeler@vancouverlaw.net](mailto:awheeler@vancouverlaw.net), with questions regarding his presentation.

Handouts from both presenters are available from the indigent defense office.

**Next meeting: October 13th 12:00 p.m.**

**Location: Judge Zimmerman's Courtroom**

*Note taker: Linda Shaw (397-6119 ext. 4143)*

**Visit us online at: [ccbawashington.org](http://ccbawashington.org)**

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The Law Firm of Paul L. Henderson is pleased to announce that Connie W. Taylor has joined the firm as a member. Connie is admitted to practice in Washington and Idaho. She has many years experience as a litigator handling complex civil litigation cases including medical negligence, wrongful death and serious injury. A former member of the Board of Governors for the Idaho State Trial lawyers Association, Connie also serves on the teaching staff for Gerry Spence's Trial Lawyers College in Dubois, Wyoming, and teaches trial advocacy at the University of Idaho Law School. She has relocated to Vancouver from Lewiston, Idaho, and we feel very fortunate to welcome her to our community and to our firm.





# Family Law Section Meeting



**ELIZABETH CHRISTY**  
*Family Law Section President*

I'm looking forward to leading the FLS this coming year! I already scheduled some special speakers that will I think will attract more than just family lawyers so be sure to keep reading my column in Hearsay and checking the blog <http://ccbafamily-lawsection.blogspot.com/>. The meetings will always occur on the second Thursday of the month during the lunch hour and will include a CLE presentation.

The first meeting of the year is September 9, 2010 from 11:30 a.m. until 1:00 p.m. We will kick off the year with some of the family law judicial officers presenting. Judge Rulli; Judge Collier; and Commissioner Stahnke will present "Special Advice

from the Bench" to the group so you should not miss this meeting! The meeting will take place at the Family Law Annex and will be BYOL (Bring Your Own Lunch). The cost for the CLE credit is \$5.00.

Now is the time to join the CCBA and FLS so don't forget to pay your CCBA and FLS dues, which are \$125 and \$25 respectively.

I highly encourage attorneys practicing in any area of family law to consider joining the FLS. The meetings are social, informative, and a great way to build bonds with your colleagues.

---

## Inns of Court



**KRISTEN PARCHER**  
*CCRA Special Correspondent*

The George and Donald Simpson American Inn of Court will begin its 2010-2011 program, "Return of the 7 Deadly Sins," with the first presentation October 20, 2010. To gear up for this year's theme, Inns of Court is hosting a BBQ, open to all members and anyone interested in Inns of Court, celebrating everyone's favorite sin ... gluttony.

Please come meet your officers; some returning, some new: Judge Kelli Osler, President; Therese Lavallee, Vice-President; Scott Horenstein, Membership; Kristen Parcher, Membership; Jack Green, Programs; and Christie Emrich, Treasurer.

The Gluttony BBQ will be held at:

Green & Ritchie  
1601 Lincoln Avenue  
September 22, 2010 @ 5:00 p.m.

The remaining sins will provide education and entertainment over the course of six presentations. American Inns of Court are designed to improve the skills, professionalism and ethics of the bench and bar. The groups are comprised of judges and attorneys, divided up by years in practice. Each program includes dinner, program and discussion on matters of ethics, skills and professionalism.

For more information about Inns of Court generally, please go to [www.innsofcourt.org](http://www.innsofcourt.org). For more information about joining our local Inn, please contact Scott Horenstein at [scott@horenstein-law.com](mailto:scott@horenstein-law.com) or Kristen Parcher at [kristen@greenandritchie.com](mailto:kristen@greenandritchie.com).

Regular meetings will remain the third Wednesday of each month, from 5:00 p.m. to 6:30 p.m. Dinner is provided. Location to be announced.



**Entertainment Books are here!**

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## GETTING TO KNOW: **STEVEN BUSICK**

*"Getting to Know" is a monthly feature designed to better acquaint the membership with our local attorneys, judges and other people of interest to the Clark County bench and bar. This month's subject is Steven Busick.*

### ***Who or what inspired you to practice law?***

My father, who owned and operated a grocery store in Salem, Oregon, where I grew up. He wanted me to be an attorney and a Certified Public Accountant. I never seriously considered being an accountant.

### ***What has been the biggest lesson of your legal career?***

Never, never give up on a case; and continue to pursue a file until you get the best possible result. I had an office-sharing agreement with Bill Dunn when I started practice between 1972 and 1975. Bill gave me a personal injury motor vehicle claim to pursue. I located the client in the Clark County Jail. He had already been sentenced to a mandatory minimum on an armed robbery conviction. I talked to the claimant in jail and with the insurance adjuster, and thought I had a settlement. The client then decided he did not want to settle cheap. Bill got the client out of the deal with the insurance adjuster, eventually received a good settlement, and shared the attorney fee with me after I had relocated.

### ***What is the best piece of advice you have received along the way?***

Gerry Spence, who represented insurance companies into the prime of his life and then switched to representing claimants: You have to develop a passion for whatever you do in the practice of law if you are going to be successful.

### ***What do you feel is your greatest accomplishment?***

The four worker compensation claims I won in a row in the Court of Appeals over the last ten years. Two are published: *Wells v. Olsten Corporation*, 104 Wn. App. 135 (2001), and *Walker v. Glacier Northwest, Inc.*, 151 Wn. App. 389 (2009). Both of these appeals are attributed to Judge Robert Harris, but I did try to convince the Court of Appeals that Judge James Ladley actually decided the first one, but employer's attorney mistakenly submitted the order and judgment to Judge Harris for signature. While we are on the subject, you should know of my greatest shortcoming: the twelve jury trials I have lost in a row in Superior Court on appeal from the Board of Industrial Insurance Appeals over the last year and a half. Judge John

Skimas was right that the jury instruction which presumes the Board is correct in their findings is a killer. I will keep trying, and go to twelve-person juries in hopes of finding more diversity to avoid one juror leading the others down the primrose path with a six-person jury. I am always amazed at attorneys who have never lost a case and go on to do something else. They probably realize that their luck will run out on them.

### ***What advice would you give an attorney beginning a practice?***

Find your niche that not everybody else is doing, keep your nose to the grindstone, avoid distractions on the internet, and you can be successful in the business of practicing law or as a judge.

### ***What do you feel is one of the greatest challenges in law today?***

Trying to defeat Initiative 1082 on the November ballot to allow insurance companies to sell worker compensation coverage in Washington. Our state ranks in the middle of all states for cost of insurance premiums, but at the top of providing benefits to injured workers. I was at the Oregon legislature in 1965 while a political science major at Willamette University following the three-way bill through the House, which allowed insurance companies to compete, and their system has been dysfunctional ever since. Allowing insurance companies to sell workers comp in Washington is comparable to privatizing social security, and how are your health insurance premiums working out for you?

### ***What would you be doing if you were not an attorney?***

Teaching high school history and contemporary world problems, and coaching soccer like my son Sam at Hudson's Bay High School, as well as coaching youth premier club soccer.

### ***What activities do you enjoy in your spare time?***

Playing tennis, running at Neskowin, watching soccer, reading *The Columbian*, and *National Geographic* since 1972. I am four years behind on the magazine issues, but it gives you a different perspective. I hit tennis balls with a pro at the Vancouver Tennis Center two mornings a week, at 6:00 a.m., and play sin-



gles with Don Peterson and Mike Lacey when they are not in Arizona enjoying their retirement. I am sure Arizona is a nice place to be from. I might win a set a year against these guys. Tennis reminds me of golf in my youth—occasionally I will hit a good shot. By the way, at age 66 I have no plans to retire; but it's kind of fun to collect Social Security Retirement and be on Medicare.

**What is your favorite vacation spot?**

Neskowin, on the Oregon Coast. In December 2008, in the throes of the recession, my wife, Peggy, and I purchased a home being built there entirely on credit except for the \$5,000 earnest money. I have a photograph of me in a swing at Neskowin as a small child during World War II. The swing set is still there. Peggy has not flown since 1995, and I have not flown since the week after 9-11-2001.

**What is your favorite stress reliever?**

Walking our nine-year-old chocolate lab, Max, who we purchased for our second son, Joe, as a companion, through the neighborhood morning, noon, and night.

**What is your favorite food and restaurant?**

Since I am a 35-year diabetic, 25 years insulin dependent, I am constantly on a diet. I eat a lot of vegetables and fruit, but also wheat and rice, as well as meat. My family refers to me as the food Nazi. I initially lost 30 pounds back in 1975 when I was diagnosed, through a dietician, by eating three equal-sized meals a day, and I felt like I was stuffing myself. It is one thing to lose weight on a special diet, but is another thing to keep it off on a regular diet. By the way, my favorite restaurant since 1967 has been the downtown Ringside in Portland.

**What was your favorite television show growing up?**

All of them, until I flunked the first term of college English my sophomore year at South Salem High School.

**What is your favorite childhood memory?**

Going to Neskowin for summer vacation with my mother, father, and sister Barbara; and going to summer camp at YMCA Camp Silver Creek Falls.

**What book are you currently reading?**

The Gospel According to Mark. When I was 53 running on the Vancouver waterfront, I had an epiphany that the Gospel is the word of God; and I have been reading it ever since. This is cur-

rently the eighth time through the King James version that I received at my baptism as a small child. I attempted to read the Old Testament as a teenager, but soon stalled out.

**What music is on your I-Pod/whatever?**

I do not have an I-Pod, have never used a computer, and have never owned a cell phone. I listen to classical music on FM 89.9 and progressive talk on AM 620 KPOJ. I am an unabashed political liberal, but a financial conservative. Back in the 1990s, before progressive talk, I was listening to Rush Limbaugh on 1190 KEX. By the way, these are sister stations, both owned by Clear Channel. Every day Rush would be bashing the Clintons over Whitewater, and I kept turning him off. He pushed me further to the left. Nowadays, I threaten the next time we have a fire in the outdoor fireplace to burn Bill Clinton's book, along with Glenn Beck's, which my wife bought me for Christmas. Can you believe this guy describes himself as a rodeo clown?

**What is the best part of your job?**

The rush I get when I talk to a new client and realize I can help him or her. About half of my clients are Latinos, Russians, or Bosnian Muslims. I only speak English, and they provide their interpreter. I also have been on the Board of the Volunteer Lawyers Program for twenty years, five as Vice President, five as President, and in my third year as Treasurer. I continue to volunteer my time in this capacity because the Board does not provide attorneys for injured workers, and I am too specialized to volunteer to serve clients otherwise. We are fortunate that the Clark County Bar Association and our volunteer lawyers are doing such a great job. Thanks to Diane Wheeler and Susan Arney.

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**REQUEST FOR PROPOSAL  
2011/2012 Public Defense Contracts**

Clark County is issuing a Request for Proposal for two-year public defense contracts. The RFP will be released in middle to late September.



EMAIL [ANN.CHRISTIAN@CLARK.WA.GOV](mailto:ANN.CHRISTIAN@CLARK.WA.GOV)  
TO BE PLACED ON A LIST TO RECEIVE  
THE RFP DIRECTLY OR WITH QUESTIONS.

# The Clark County Bar Association Presents a Seminar on Trial Technology

October 1, 2010 from 10:00 to 2:45

To be held at the Clark County Public Service Center • 1300 Franklin Street, Vancouver WA • 6th floor training room

The CCBA is excited to be offering a seminar on Trial Techniques – Technology and Communication with jurors. The presentation will, for the first time, also be offered via Websast allowing delegates to participate from the comfort of their own office or home.

The Seminar will feature one of the most popular legal speakers in the area – David Markiwitz.

The seminar will also feature Craig Smith and Danny Carrao of Prolumina.

**For detailed flyer please contact the Clark County Bar Association at (360) 695-5975 or [cle@ccbawashington.org](mailto:cle@ccbawashington.org)**



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I have 28 years of bankruptcy experience and knowledge in the Western District of Washington to assist you and your clients.

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**VOLUNTEER**  
Lawyers Program

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Susan DePasquale, *Program Coordinator*  
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E-mail: [susana@ccbavlp.com](mailto:susana@ccbavlp.com)

Statistics for July include 51 clients seen in advice clinics, 32 in Family Law, 12 in Family Law paperwork review clinic, 9 in the DV clinic, and 4 in General Law. We placed 10 cases with an attorney for direct representation. There were 150 hours of volunteer attorney time donated

It's that time of year when I have to make reports to the people who fund our program. Our VLP is going strong. We are currently having Family Law Advice clinics every Tuesday and two Wednesday evenings a week, Family Law Paperwork Review clinics every Tuesday, General Law clinics every other Thursday, Housing Justice Project clinics every Thursday, we are in the courthouse for Housing Justice Project every Friday, Bankruptcy clinic on Mondays twice a month, Domestic Violence clinic on Monday evenings twice a month, Homeless Shelter Legal clinic every Friday, a Non Parental Custody seminar once a month on a Wednesday evening and the new Dependency clinic twice a month on Wednesdays. Through July we have seen 660 people in advice clinics and placed 42 cases with volunteer attorneys for direct representation.

One of the requirements of my grant reporting is that I give some success stories. If you have a case you worked on in the last year and it was a success, I would love to hear from you. Send me a few paragraphs about the case, what you did and how it came out. I use success stories in my grant reports and also in our annual report.

**MANY THANKS TO ALL THE ATTORNEYS AND  
PARALEGALS WHO STAFFED THE ADVICE CLINICS,  
HOMELESS CLINICS, PROVIDED REPRESENTATION,  
AND VOLUNTEERED IN THE HOMELESS COURT IN  
THE MONTH OF JULY**

*Mark Baum, Shon Bogar, Bill Brendgarrd, April Brinkman,  
Chuck Buckley, Gideon Caron, Suzan Clark, Tessa Cohen,  
Ivan Culbertson, Stefanie Ellis, Dee Grubbs, Marlene Hansen,  
Lincoln Harvey, Emily Howsley, Evan Hull, Vickie Kesala,  
Jeff Lindberg, Janna Lovejoy, Scott Matthews, Amy McCullough,  
Kristen Parcher, Brian Parker, Nancy Retsinas, Jeff Riback,  
Mark Sampath, Kathryn Smith, Scott Staples, Susan Stuafter,  
Randy Stewart, Chris Sundstrom, Diane Sweet, Bob Vukanovich,  
Jean Waller, Gerry Wear*

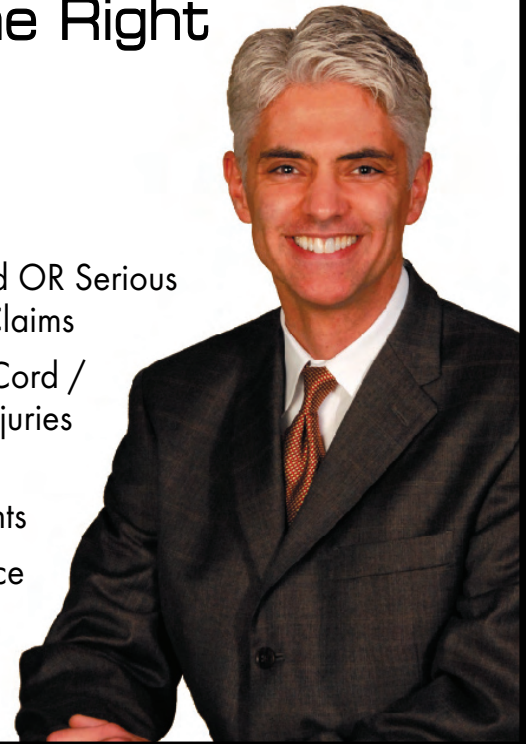
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ISLAND by Vasanth Sarathy

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## Benefits of CCBA Membership

HEARSAY Monthly Newsletter  
(and discounted advertising rates)

Free copy of the Membership  
and Resource Directory

High-quality CLEs at discounted member  
rates; saving you travel time and money  
on your annual educational requirements

Access to the Southwest Washington  
Lawyer Referral Service

Social and networking opportunities  
throughout the year: quarterly membership  
meetings, annual Golf Tournament,  
Winter Social, and the Summer Barbeque

The opportunity to participate in  
committees and sections pertinent  
to your interests and practice

**Call 695-5975 to become a member!**



# LAW LIBRARY NEWS



**MARIA SOSNOWSKI**  
*Law Librarian*

**WESTLAW CLE:** Just a reminder that the law library is doing a Westlaw CLE on Monday, September 20th. Call the law library at 397-2268 for more information or to sign up.

## Did you know:

Solo Practice University <http://solopracticeuniversity.com> has a collection of courses about practical topics such as marketing, technology, office management, etc. It also has some courses in general areas of the law. You can work at home at your own pace. This might be a way for attorneys to supplement the law school education they got with information about the actual practice of law and the running a business aspects.

Three of our very own judges are going to be speaking at a CLE entitled: What Civil Court Judges Want You to Know on November 5 right here in Vancouver at the Hilton. This is offered by NBI and you can get more information on their website at [www.nbi-sems.com](http://www.nbi-sems.com) or by calling them at 800-930-6182. The law library will also be purchasing the book so you can read their words of wisdom later.

Maria Sosnowski  
Clark County Law Library  
PO Box 5000  
Vancouver, WA 98666  
360-397-2268

# NEWS YOU CAN USE



**SCOTT MATTHEWS**  
*Hearsay Special Correspondent*

## Nuts & Bolts Kick-Off

The Clark County Bar Association "Nuts and Bolts" series kicks off this month with a presentation by local attorney Phil Foster entitled **Landlord-Tenant Law: A Practical Approach From a Landlord's Perspective**. Participants will learn how a landlord looks (or should look) at his investment in rental property, and the steps it takes to get into the business, find tenants, maintain the property, and protect himself and his investment if things go wrong. This is a great practice area for new attorneys, taught by an attorney with many years' experience in the local market.

A ticket is \$50. We'll meet at the Quay at 3:00 on September 18 for about an hour and a half. Afterwards we hope you can join Phil for happy hour to continue the discussion. Materials will be provided free for download for those who register three days before the seminar, or for a modest fee at the door. Call (360) 695-5975 to register, and see our big article about this series in the August Hearsay, page 19, or online at [www.ccbawashington.org](http://www.ccbawashington.org).

For firms with new associates, this series is a great way to support your local bar association and provide new associates with an introduction to the community and a broad set of useful legal skills and information. See the article for information about purchasing discounted tickets to a year of seminars.

# ATTORNEY BOOKKEEPING TIPS



**EMANUELA SANDRI**  
*Attorney Bookkeeping Services, Inc.*

## Message When QuickBooks is Closed – QuickBooks Data is Okay

One of the following messages may appear when closing QuickBooks:

**Qbw32.exe - Application Error The instruction at "0x564000e0" referenced memory at "0x02e74360." The memory could not be read.**

Other error codes may be referenced in the message above:  
**0x56461f49, 0x56a92c53**

**AVMTimer:qbw32.exe - Application Error The instruction at "0x564000e0" referenced memory at "0x02e74360." The memory could not be read.**

## Microsoft Windows - QuickBooks has stopped working.

Note: The memory addresses shown in quotes may be different on your computer.

This issue is related to the Microsoft updates, which are part of the .NET Framework 2.0, 3.0, and 3.5 updates released by Microsoft within the last few months, and **does not harm your QuickBooks company file or cause problems with any features or functions of QuickBooks. Your data inside QuickBooks is safe.**

# UPCOMING EVENTS

MEETING

**September 1, 2010**

CCBA Hearsay meeting; CCBA office, 500 West 8th Street, Suite 65 at 11:30 am

**September 6, 2010**

CCBA office will be closed in honor of the Labor Day Holiday

MEETING

**September 8, 2010**

CCBA Board meeting; CCBA office, 500 West 8th Street, Suite 65 at 12:00 pm.

MEETING

**September 9, 2010**

Family Law Section meeting to be held at the Family Law Annex at 11:30

SOCIAL

**September 11, 2010**

CCBA Young Lawyers vs Senior Lawyers Softball game. Nautilus Global Headquarters (16400 SE Nautilus Drive) 1:00 p.m. – 3:00 p.m.

MEETING

**September 13, 2010**

CCBA Annual Meeting and Election of Officer's; Red Lion at the Quay – 100 Columbia at 12:00 pm

MEETING

**September 14, 2010**

Superior Court Bench/Bar meeting; Judge Nichols Jury Deliberation Room – noon

MEETING

**September 16, 2010**

CCBA Web Site committee meeting; Nellor|Retsinas|Crawford at 1201 Main Street at noon

CLE

**September 21, 2010**

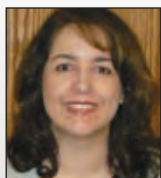
CLE committee meeting Clark County Bar Association 500 West 8th St., Ste 65. Meeting will begin at 12:15

MEETING

**October 13, 2010**

District Court Bench Bar Meeting; Judge Zimmerman's Courtroom - noon

## SW WASHINGTON LAWYER REFERRAL SERVICE



**ELENA QUINTANA**  
CCBA Member Services

The CCBA's Lawyer Referral Service is a program designed to help the general public find attorneys appropriate for their needs, while at the same time providing a source of new client business exclusively to our members.

To participate, members pay a small one-time annual fee. (The service is free to the public.) For more information, call Elena Quintana at 360-695-5975.

### THE SWLRS REFERRED 305 CLIENTS IN THE MONTH OF JULY

Administrative Law .....	15
Bankruptcy .....	3
Business & Corporate .....	2
Consumer .....	23
Criminal .....	17
Debtor/Creditor .....	3
Family .....	47
General Litigation .....	42
Intellectual Property .....	1
Labor and Employment .....	16
Real Property .....	36
Wills & Trusts .....	9
Worker's Compensation.....	7



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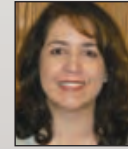
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