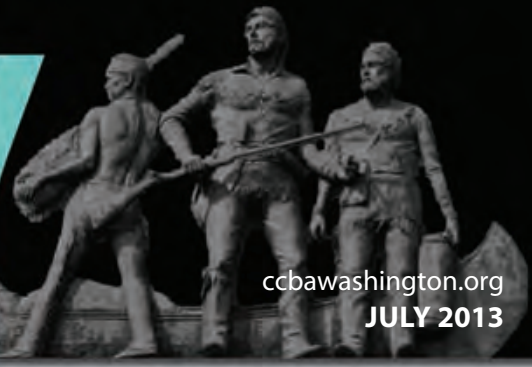


HEARSAY



ccbawashington.org
JULY 2013

OFFICIAL NEWSLETTER OF THE CLARK COUNTY BAR ASSOCIATION



**CCBA Welcomes
Superior Court
Commissioner
Jen Snider**

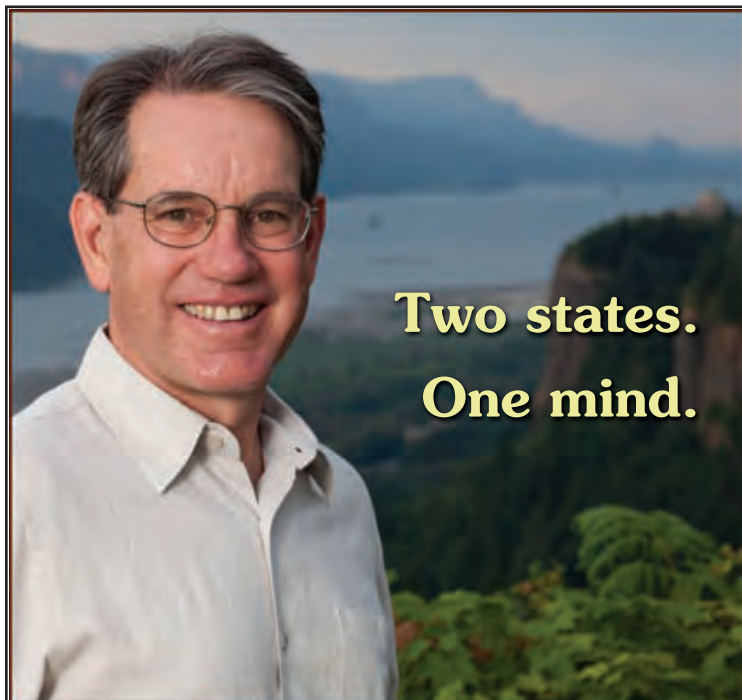
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CCBA Annual Meeting and Lunch

Wednesday, September 18, 2013
12:00 – 2:00 PM
Red Lion at the Quay
100 Columbia Street, Vancouver

The Annual Meeting will feature reports from Superior Court, District Court, the Clerks Office, the Family Law Section, the Young Lawyers Section and various committees.

The CCBA Treasurer will also present a budget for the coming year and we will elect our new sleight of officers.

Please Plan to Attend!

Clark County Bar Association
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PRESIDENT'S MESSAGE

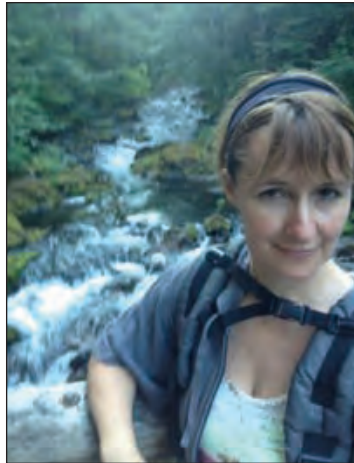


JANE CLARK
CCBA Acting President

Here we are starting our all too short Pacific Northwest summer. This is the time of year when I try my best to balance work and play time, which generally means working harder than I do for the rest of the year in my effort to “relax” and enjoy the summer.

My family loves to camp and many weekends in the summer we pack our “pop up” trailer and drive out to the beach or mountains. Sometimes the effort of getting there can be a little overwhelming but there is nothing quite like being away from both the work office and the home office for a couple of days with only the Iphone as link to the rest of the world! If I can find a campsite that has no cell phone reception so much the better.

I have concluded over the years that in our culture we find it difficult to relax and get away from work. We are a nation “on the go”. We generally take significantly less vacation time than folks in other Western cultures. For example in the UK most people have as a standard between 5 and 6 weeks of vacation a year. We put things off - I will take that vacation next year. I will see Italy



when I retire. But consider this. How many people do you think look back on their lives and wish they had spent more time at work, handled more cases, drafted more wills, taken more cases to trial? On the other hand how many look back and wish they had taken more time off work, travelled more, seen more of the world, read more books, spent more time with their family?

So here is my plea to you - try and achieve a good balance between work time, play time and family time. Turn the cell phone off. Resist the urge to check work emails until Monday morning. Find your “campsite” with no cell phone reception. Read a book. Take a walk to a waterfall. Play a board game with your kids. Life is simply too short not to do those things.

Turning to CCBA business, Lisa and Heather at the CCBA are taking advantage of the summer lull to work on our member benefits program. We will be partnering with local businesses to offer discounts to our members and we are excited to be able to offer this opportunity in the forthcoming membership year.

The board is also researching the advantages and cost of upgrading the CCBA website. Look out for an email with the Board’s proposal and a list of the features the proposed new website will offer in the near future.

We have a two month break in our CLE program over the summer but look out for some great CLEs starting in the fall with our ongoing Nuts and Bolts program, brown bag CLEs and of course our three hour annual ethics CLE in December.

Of course the event of the summer will as usual be the CCBA barbecue which is scheduled for July 19 at the Public Service Center Plaza. If you have never experienced the gourmet grilling of our resident chef, The Honorable Richard Melnick, you have missed a treat. Put the date on your calendar - we would love to see as many members there as possible.

QUOTE OF THE MONTH:

“Only put off until tomorrow what you are willing to die having left undone”

— Pablo Picasso





William F. Nelson

- Baumgartner, Nelson & Wagner, PLLC -

We fielded 127 professional malpractice inquiries in 2012. Fifty-two of those - an average of one per week - were from people referred by the legal community. Many of you have expressed appreciation for the consideration we have shown to those you have referred, and no one has reported that a person referred did not receive a prompt, courteous and professional response.

Thanks for
thinking of me
every week in 2012



William Nelson
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Jen Snider Appointed as Newest Superior Court Commissioner



DON JACOBS

Hearsay Special Correspondent

Long time family law and civil practitioner Jen Snider has been appointed to the newly created third Superior Court Commissioner post. She joins current Superior Court Commissioners Carin Schienberg and Dayann Liebman. Commissioners Jeff Witteman and Kristen Parcher hold down similar positions in District Court. Our newly appointed commissioner joined close to twenty others applying for the job. She was finally chosen from four finalists narrowed down by the Superior Court. She'll be leaving the firm of Johnson & Snider where she's practiced primarily family law since graduating from Gonzaga Law School in 1996. Her undergrad days were spent at Whitman College in Walla Walla where she majored in Politics. Jen Snider comes to us from a small town in North Dakota. To say she was active in school sports is an understatement. For all four of her years she played basketball, volleyball and ran track. She was point guard on the varsity hoops team and a spiker on the varsity V-ball team. Track saw her running the 400 meters and the sprint relays. In her spare time she was a cheerleader. She does point out however that the school only had 67 kids in her graduating class so it was pretty easy to keep busy. Currently she's married and with the help of her spouse raises three kids, a fourteen, eleven and ten year old. Given the energy it must take to keep up with her family duties and full time law practice, Commissioner Snider looks to be a good choice for the new commissioner position. She does tell me she'll miss some parts of private practice. Working with Eric Johnson and her former partner Bill Reed has been a rewarding experience. But she is looking forward to her new life as a public servant.

Ok, I admit some ignorance here. Even though I've been around since the 70s I don't think I can accurately describe for you the difference between a Superior Court Commissioner and a Superior Court Judge. And bet I'm not alone. In fact, I'd wager many Clark County attorneys know more about the powers of their fantasy football league commissioners than the ones we have in Superior Court. So what are the distinctions? You call them both "your honor" in any court setting. And they seem to be able to sign the orders you put in front of them at the ex-parte docket. They wear the same robes. At least they look the same. At the

last investiture Judge Nichols was extolling the benefit of discovering pockets in the county issued robes. Maybe Commissioner robes don't have this feature? Trappings reserved for higher ranking judicial officials? They don't have to run for office every four years. Which actually sounds like a plus. Some of our Superior Court judges must be envious of this feature. Every four years they have to sweat out the election deadline waiting to see if anybody files for their seat. With any luck they run unopposed, which is always preferable to having to put a campaign together. That's because even a weak challenger requires all those unpalatable tasks of campaign recruiting, fundraising, public appearances and scrapping for the Colombian endorsement. So it sounds like being a Commissioner even has some advantages over being a Judge! Of course they don't get a judicial assistant. And the pay is considerably less. But they still make significantly more than Circuit Court Judges across the river. Those poor folks currently top out at \$117,000 and just had a request for a long overdue \$4,000 a year raise rejected.

So I asked our new incoming Superior Court Commissioner Jen Snider about the topic. She tells me the duties of a commissioner vary by county, but they essentially do about everything a judge can. They can sign probable cause affidavits and civil orders. In Clark County, they don't preside over jury trials. However, she tells me they probably could if the attorneys stipulated. They also don't handle the general civil docket, although once again they could do so. She says they are appointed by the Superior Court and serve at the will of the judges. There is no term of office. So it's almost like a federal judgeship, a lifetime appointment! They just have to keep ten Superior Court Judges happy. What could go wrong there? Talk about your job security! If the county court's caseload lessens I suppose they could be let go. This seems very unlikely. Clark County has been a growing metro area for some time and appears to be continuing this trend. For years we've been hearing about how Clark County handles more cases with less judges than just about any other county. It seems like we're supposed to have at least a couple more judges than we currently do just to stay up with whatever state standards apply for a certain population area. A

tribute to our hard working bench. But alas, there never seems to be enough money to make this happen. Which is probably why it makes sense to get another commissioner on board.

Commissioner Snider tells me she doubts there will be any free time on the job. She tells me she expects to hit the ground running and be very busy from day one. Commissioners typically handle family law dockets, child support hearings, juvenile matters, criminal cases and ex-parte civil dockets. Just about anything assigned to them by the Superior Court Judges.


So Commissioner Snider seems like an excellent choice for the job. Kudos to the current bench for selecting her. If you've had any dealings with Jen Snider over the years you'd probably agree she has the right judicial temperament, civility, related legal skills and experience to make her a productive part of the team. If you want to help welcome Commissioner Snider to the new position, her investiture ceremony is scheduled for August 2nd at 4:00 P.M. in the Clark County Courthouse.

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In Memoriam
Irwin C. Landerholm
December 12, 1923 - June 19, 2013
We are truly saddened at the passing of our friend, partner and mentor.
Irwin's guidance, kindness and leadership throughout many years will be greatly missed.

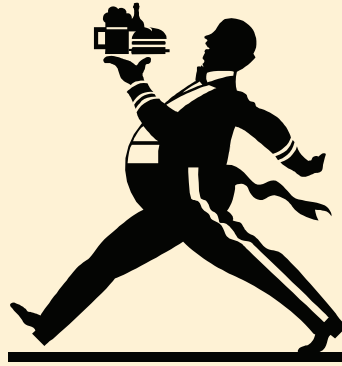
2013 Nuts & Bolts, FLS & CLE Calendar

Date	Topic	Speaker
September 11, 2013 3:00pm – 5:00pm Red Lion at the Quay	N&B Finding Your Clients Money	Tiffany Couch, CPACFF, CFE
September 18, 2013 1:00pm – 2:00pm Red Lion at the Quay	CLE A View From the Bench	Hon. Barbara Johnson Hon. Richard Melnick
October 9, 2013 3:00pm – 5:00pm Red Lion at the Quay	N&B Representing Vulnerable Adults	Jill Sasser
November 13, 2013 3:00pm – 5:00pm Red Lion at the Quay	N&B Dealing with Medicare in Personal Injury Cases	Tim Nay
December 5, 2013 9:00am – Noon Red Lion at the Quay	Ethics Breakin' all the rules: A Case Study	Rick McLeod Rob Lorey

Call 695-5975 to register

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Advertise in next month's HEARSAY
Call Lisa Darco at 360.695.5975 for rates and availability.



CCBA Annual Meeting and Lunch

Wednesday, September 18, 2013

12:00 – 1:00 PM

Red Lion at the Quay

100 Columbia Street, Vancouver

The Annual Meeting will feature reports from Superior Court, District Court, the Clerks Office, the Family Law Section, the Young Lawyers Section and various committees. The CCBA Treasurer will also present a budget for the coming year and we will elect our new sleight of officers.

In an effort to better accommodate our members

Pre-registration and payment is mandatory for lunch.

Please call the CCBA at (360) 695-5975

Or

Email ccbamanager@ccbawashington.org

Italian Buffet

Lunch: \$15.00

Directly following the meeting, the CCBA is proud to present

~ A View From The Bench ~

a 1 hour CLE presented by

Clark County Superior Court Judges

\$35.00

1 CLE credits is available for this presentation.

Name	Lunch Only \$15.00	CLE Only \$35.00	Total Paid

CCBA Board Meeting Minutes



ARIN DUNN
CCBA Secretary

July 10, 2013

Board members in attendance: J. Clark (presiding); A. Dunn (preparing minutes); J. Fairgrieve; R. McLeod; J. Sasser; and L. Mancuso. Staff in attendance: L. Darco. VLP Liaison in attendance again: Le Ann Larson.

1. J.Clark called the meeting to order at 12:05 PM.
2. Approval of minutes from June 5, 2013. On motion duly made and seconded, and passed, minutes are APPROVED.
3. Treasurer's Report. Darco presented the financial report. Everything looks good. "We are still solvent."
4. Old Business.
 - a. Member Survey. Dunn will review Clark's final proposed changes and coordinate with Darco. Completion will be "very soon." Proposal to request a return of survey by September 25, 2013.
 - b. Website. Email discussion on which website vendor to provide. Internet Lava and KanaiTek have both responded and requested follow-up. Mancuso favors Kanaitek. McLeod mentioned the advantage of cost from Internet Lava. Dunn mentioned that we have good deals offered from all vendors because the CCBA presents a marketing opportunity to demonstrate to the bar that they do excellent work. Discussion by Fairgrieve of whether the Bylaws require approval of the bar as the cost is \$6,165 and exceeds the authority of the Board for a single transaction. Agreement to give 10 day notice and special meeting to members to request approval of the website development project.
 - b.i.1. J.Clark Motion to have KanaiTek develop website, seconded and approved by unanimous consent. Dunn abstained as KanaiTek is his client.
 - c. Mentorship Program. Fairgrieve is setting up possible participants. Contacts to Judges and young attorneys that might be interested in the program. Deadline is August 9, 2013. Training is in September. A tentative date is set for October as the first sponsored event of the program. Fairgrieve is considering a meeting to set up mentors/mentees. Young Lawyer's is involved and has contacted Fairgrieve to discuss the issue.
5. New Business.
 - a. Possible bylaw change for small expenditures. Currently, the Board discusses and must agree on even a small expenditure of \$45. This consumes a significant amount of time. J. Clark discusses a proposal to have a change to permit the executive officers to allow the approval of costs of up to \$200. Dunn requests that we locate electronic copies of Bylaws for possible changes. J.Sasser may be able to get electronic copy. McLeod can use OCR to turn a fax into an editable document. Fairgrieve and Mancuso will review it and discuss Bylaws. Fairgrieve believes the voting should be based on those present and not an entire quorum of members that may never show up to a bar meeting. Agreement that we will have multiple issues to address as the Board further discusses possible changes to Bylaws. McLeod emails to Board an OCR processed electronic copy of Bylaws for possible changes.
 - b. Comprehensive policy for e-blasts, etc. J.Clark discusses prior policy and concern that we have to discuss almost all requests that come in the door. Discussion of request to publicize the WSBA's Solo Practice CLE in a special email blast. J.Sasser notes need to send out an announcement in the two weeks between Hearsay issues- which is already policy. Darco says she gets requests all the time and filtering them for appropriateness is a significant and difficult chore that often leaves a party unhappy. The CCBA attempts to protect the privacy of its members and to only forward e-blasts likely to be of interest to members. Discussion of what should be permitted as an appropriate announcement. Dunn proposes we distribute an e-blast if the topic is consistent with the CCBA's mission statement. J.Clark would like to add this as a discussion topic for the next bar meeting.
 - c. Member Benefits Program. The CCBA seeks to exceed the competitive member benefits and value of the Multnomah Bar Association. Darco explains that Heather has done extensive work on increasing member benefits. The current proposals include: Office Depot can offer a web portal for CCBA members with discounts built in and a card offering lowest costs on all items. Lexis-Nexis can offer percentage discounts on subscriptions. Legal NW, a placement company, is offering discounts and is interested in sponsoring events. Law Pay, a legal financing company, is offering a discount to members and a nominal \$10 cash payment to the CCBA for the placement of each account.
 - d. SGAL. Dunn chaired the CLE and it was attended by about 25 people. J.Clark says it was a huge success- she arranged for

a video recording. Dunn mentioned that the video can be offered as an online CLE to permit additional attorneys to be on the SGAL List. Dunn noted that the Board needs to complete the application. J.Sasser will work on this and send it to Darco upon completion.

d.i.1. J.Clark Motion to allow attorneys on the SGAL list if they view the video, seconded and approved.

e. Attorney Service Day. J.Sasser would like a day where attorneys can take on shifts or work on a designated day to assist with men and women's shelters, habitat for humanity, beach cleaning, or the food bank. Discussion of a specific day designated for work and publicity around that issue.

f. Mock Trial. Discussion of development of program. Many local high schools lack mock trial coaches. Some local

attorneys are developing such programs at local high schools. The CCBA might assist by generating a list of schools wanting such programs.

g. Staff Evaluations. J.Clark reports that we have not conducted a recent evaluation and salary review. John and Jane will meet with staff and discuss these issues.

h. Nominating Committee. Discussion of possible need to request applications for the Secretary position upon completion by Dunn.

6. There being no more business before the board, on motion duly made, seconded, and passed, the board meeting is ADJOURNED, 1:17 PM.



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SUPERIOR COURT BENCH/BAR COMMITTEE MEETING MINUTES

JUNE 11, 2013



JOHN FAIRGRIEVE

Hearsay Special Correspondent

The meeting began shortly after noon. Persons present were Judge Robert Lewis, Emily Sheldrick, Ann Christian, Karen Campbell, Curtis Welch, and John Fairgrieve.

OLD BUSINESS:

1. New Committee Chairperson Chosen: The first order of business was to elect a new committee chairperson to replace Suzan Clark who resigned from the committee to assume her new position as a superior court judge. John Fairgrieve was elected to be the new committee chairperson.

2. Update on the Selection of the New Superior Court Commissioner: Judge Lewis told the committee that the superior court bench was pretty close to naming a new commissioner and that he expected an announcement would be made soon. Judge Lewis also told the committee that he believed that the new commissioner would probably not take office until mid-July or early August. (Note: In an article dated June 12, 2013 the Columbian newspaper reported that Jennifer Snider was chosen from a pool of sixteen candidates to be the new superior court commissioner. Her investiture ceremony has been set for Friday, August 2 at 4:00 p.m. in the Clark County Courthouse. Commissioner Snider will begin her new job on Monday, August 5.)

3. CCBA Mentorship Program. John Fairgrieve reported solicitation for nominations of attorneys to be mentors and for attorneys who are interested in participating in the program as mentees would be sent out shortly.

4. Change in the Judges' Schedule: Judge Lewis told the committee that with the addition of the new superior court commissioner there will be a change in the superior court

judges' schedule back to what he described as the old system where a commissioner will handle the juvenile docket on most days. He further stated that the schedules for the civil / criminal judges would remain the same. Judge Lewis told the committee that an announcement would be made about the new schedule in the first part of August.

5. Involuntary Mental Commitments and Western State Hospital (WSH): Ann Christian told the committee that involuntary mental commitment cases in the county have doubled in the past six months. Part of the reason, Ann believes, is that there is financial pressure on WSH to discharge patients as soon as possible, leading to more persons with significant mental health disorders being released, decompensating, and coming back into contact with law enforcement officers and mental health professionals.

6. Gang Green/Sweep Cases: Ann Christian reported that all of the cases filed in state court have been completed and that the cases that were filed in federal court were winding down.

NEW BUSINESS

1. Publishing Jury Selection Procedures? Curtis Welch asked Judge Lewis if it would be possible to query the judges about the jury selection procedures they use and to publish that information to the bar. He stated that the information would be helpful to newer attorneys who will be going to trial soon. Judge Lewis said that he would not have a problem doing that. Emily Sheldrick stated that she agreed with the idea and would help Curtis with the project. Curtis stated that he has experience in Multnomah County and there is quite a bit of variance in the way different judges conduct jury selection there.

2. Judge Lewis announced that with the addition of Suzan Clark to the superior court bench that in the future all Lewis and Clark jokes would be prohibited.

3. Judge Lewis also announced that Judge Clark has stepped into Department 8's schedule and will be doing everything that Judge Woolard was doing prior to her retirement. He also announced that judges Rulli, Melnick and Gonzales will continue to serve as the family law judges until the end of 2013. At that point one of them would rotate into one of the civil / criminal positions and one of those judges would rotate into family law. The goal is to

create more of a regular, staggered rotation of the judges between the family law positions and the civil / criminal positions.

4. Summer Recess for the Committee: Emily Sheldrick moved that he committee recess for the rest of the summer. The motion passed. The next meeting of the committee will be on Tuesday, September 10, 2013.

Respectfully submitted,
John Fairgrieve

CCBA Young Lawyers Section - 2013 CLE Series

The CCBA Young Lawyers Section would like to invite you to their 2013 Brown Bag CLE Series! A "Young Lawyer" is defined as an attorney that has been in practice for 5 years or less or is 36 years of age or younger, whichever is later. Attorneys not meeting these criteria are still invited to attend. Everyone is welcome!

Location: Public Service Center – 6th Floor

\$10.00 – Individual CLE for CCBA Member "Young Lawyers"

\$25.00 – Individual CLE for CCBA Members

\$35.00 – Individual CLE for Non- CCBA Members

Date/Time	Speaker	Topic
August 13, 2013 Noon – 1:00 p.m.	TBD	JA Panel
September 10, 2013 Noon – 1:00 p.m.	TBD	Ethics
October 8, 2013 Noon – 1:00 p.m.	Judge Kelli Osler Barry Brandenburg Jim David	Criminal Law Panel
November 12, 2013 Noon – 1:00 p.m.	TBD	Business Law

Please RSVP by emailing ccbayounglawyers@yahoo.com

All payments must be made out to **CCBA-YLS** and should be sent to:
Elizabeth Arwood, 712 W. Evergreen Blvd., Vancouver, WA 98660



One of Irwin's last "press release" photos

The Five Things I Learned from Irwin Landerholm



JEAN McCOY
Hearsay Special Correspondent

As we age, many times we don't recognize until too late that we are no longer the "young ones" in the crowd. It is sneaky. First, our doctors and mechanics are younger than we are. Our kids grow up and eventually move away. Then, those that were our mentors, maybe even our parents, start to weaken and die. It catches us off guard. Growing up can be a bummer. But then, hopefully, we look around at the accomplishments of those that have gone before us, and we become inspired to do better, to give more, and to be someone we are proud of.

I have been with the Landerholm Law Firm for 22 years. When I first started in 1991, Irwin Landerholm was very much in active practice, and he was the "father" of our Real Estate group. He loved to teach us what he knew, and over the years we collected little "Irwinisms", such as "He has a good head" (meaning he was smart); "Bless his pointy little head" (meaning he really didn't get the point); or "We can do better" (meaning you really need to try again, now, really). When Irwin passed away on June 19, 2013, I had just lost my father nine days prior. It was like a double hit. While Irwin had slowly and gradually drifted out of our daily lives at the Firm (he was 89!), finding out about his death reminded me about how much he and Duane Lansverk have shaped our lives, and the character of this law firm that I call home. People here are civic minded, welcoming, interested in the lives of others, happy to teach, and above all, nice to each other. I don't think this Firm's culture is an accident.

In thinking about the impact Irwin has had on our lives, I wanted to share the Top Five things I learned from Irwin Landerholm.

1. TAKE TIME FOR THE POEM

I didn't know Irwin in his brash, young man days. I hear he was kind of a terror around here in the 50's – everyone marched to his tune. What I did know when I knew him, was that he loved singing and poetry. For as many years as he was able to attend our Firm Christmas Party, he would read A Cup of Christmas Tea, which was basically the story about a younger person not realizing

that they needed to take the time to spend with older people, because just an afternoon spent sharing tea could mean the world to someone. It was a nice story, but I never actually understood its application until Irwin's later years, when he would come into the office for a cup of coffee and make the rounds. On one occasion, maybe 8 or 9 years ago, he brought in a book of poetry he had found in a used book store on one of his vacations. He came in to talk with me, and asked if I would like to hear a special poem he had found. I actually didn't. I can't even remember what I was



In 1951 there were no copiers, computers, or printers – the equivalent of the Wild West!

doing, but I was stressed, probably had baby ointment on my sleeve, was kind of sleep deprived, and had multiple deadlines. The last thing I thought I needed was to listen to a poem. Before I could think, Irwin sat down and read me the poem – all I could think about was all the things that had to be done, and my eyes misted a bit. When Irwin was finished, he looked up in triumph, and said "I can see you are moved by this, I will read it again". He was very pleased with himself, and I recognized, you should always take time for the poem; even the second time around. Nothing is that critical that it can't wait a few minutes, and what you give in return, your attention, is priceless.

2. LOOK IT UP

I started at the Firm as an intern in 1991. In 1992 I was in my last year of law school and taking mostly late afternoon and evening classes. I was able to attend the Firm's Real Estate meetings, presided over by Irwin. I worked on any and all kinds of cases for all of the departments. Irwin had some type of collection matter, and asked me to prepare a letter or a pleading, and in looking at the file, it didn't appear we had all the information to proceed, such as the location of the defendant. I went to Irwin to let him know I had prepared the paperwork, but we needed more information about the defendant to proceed. He looked at me very seriously and said "Did you look in the phone book?" Well, I went and looked in the phone book, and there they were. I was embarrassed. This was the day when everyone was in the phone book, and hardly anyone had unlisted numbers. Why didn't I think of that? To this day, I make it a point to investigate every avenue and think of other ways to access the information, rather than saying "I don't know". It is much easier now with the Internet, but the point was not to rely on others, to pass the buck – take that responsibility to figure it out.

3. DON'T USE A FORM WITHOUT KNOWING WHAT IT MEANS

Many of our clients just want a "form"; they think our work is like pushing a button and magic spits out that we have no need to review or understand it. Everything is "standard". Irwin never liked the concept of "forms" and said there was no such thing as a uniform situation. How many times have clients come to us with something they got off the internet that said the exact opposite of what they believe it says? Irwin would say that we need to know what every word means, and how it applies, and never just blindly "fill in the blanks". It is not good customer service, and can get us into trouble if we are just using what the guy before us created. My clients may not be happy that I sometimes cost more, but they get the documents they need, and an explanation of what it means.

4. TRY FOR PERFECTION (OR AT LEAST YOUR BEST)

For an overachiever, there is nothing worse than having someone find a flaw in your document, in your argument, in your grammar. Irwin would never allow mistakes to go out the door; the standards were high, perfect. This is where the "we can do better" comes into play. At his memorial service, Irwin's adult children said they also were at one time or another recipients of "we can do better"; never said in a mean way, just matter of fact, and you wanted to please him and make it right. Perfection, or as close as you can get, is a high standard, but it is what we are paid for, and it is what our clients expect. It sets expectations for all aspects of your life.



Irwin was a big sponsor of Fruit Valley School and Washington School, participating in lunch buddies and school supply drive

5. GIVE TO OTHERS

In looking back at Irwin's achievements, both personal and professional, it is amazing to see how much time and energy he took over the course of his life to serve others; to make the community a better place. When I knew him, Irwin was color-blind and gender-blind. Even in the early 90's, some folks did not assume the woman was the lawyer (I was mistaken for the Court Reporter twice in my first couple of years at other law firms, while sitting next to the male Court Reporter). Irwin donated his time and talent, helping to initiate the tutoring and lunch buddy program in the poorest of elementary schools, working to bring the Library and WSU to the community, and donating funds to those who needed assistance with their schooling. He encouraged others to donate their time. It was borderline mandatory when you joined the Firm to pick a cause (at least one) and become involved. Irwin came from a time where leaders needed to shape their community, to provide the services, and to form the service groups. We are now in a time where it is too easy to rely on other people to do the work for us; we are too busy; there are too many other things going on. I challenge you, and myself, to see where we can pitch in, shape a discussion, fund a project, and take the time, without excuses.

Our founding fathers are leaving us. It should not be a surprise that we are now in the place of the mentors, the leaders, the ones with the answers. Are you living up to your potential? I have heard the claim that you should write your obituary, and then try to live up to it. I will think of Irwin's lessons, and try to live up to them.

WANTED!!!

**The Hearsay is in search of new and exciting material and new and exciting contributors!
Please join us on the third Wednesday of every month at noon at the CCBA office!
If you have a great idea to share please don't hesitate to contact us.**

Call Lisa in the CCBA office at 695-5975

The Clark County Bar Association is pleased to announce its

Thirty First Nuts and Bolts Lecture:

Finding Your Clients Money

Presented by Tiffany Couch, CPA/CFF, CFE

Wednesday, September 11, 2013, 3:00 PM – 5:00 PM
Red Lion at the Quay

The cost is \$50 for CCBA members, \$70 for non-member attorneys, and \$25 for non-attorneys. This will get you 2 CLE credits and the speaker's prepared materials to download. There is an extra fee if you want to pick up the materials at the door.

→ *Snacks still famous. Beverages still sublime.* ←

To register: Call the CCBA, (360) 695-5975, OR email:

CLE@ccbawashington.org, OR FAX this flyer back to the CCBA at (360) 737-6891

with your NAME _____

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and EMAIL ADDRESS _____

~ Payment can be mailed to 500 W. 8th Street, Ste 65, Vancouver, WA 98660 or via credit card over the phone ~



Tiffany Couch is founder and principal of Acuity Group, PLLC – a forensic accounting firm based in Vancouver, Washington. Ms. Couch has more than 16 years of experience in the field of accounting, with the last 8 years focused completely on forensic accounting related engagements. She has conducted dozens of financial investigations, managed cases involving tens of thousands of documents, and has testified in state and federal jurisdictions. She has worked with local, state and federal officials to support their work in several significant embezzlement cases.

Tiffany holds a Bachelor of Science in accounting degree cum laude from Central Washington University. She is a Certified Public Accountant (CPA), Certified in Financial Forensics (CFF), and is a Certified Fraud Examiner (CFE). She is a faculty member for the Association of Certified Fraud Examiners (ACFE); and is a nationally recognized speaker on the topic of fraud and forensic accounting. She has also published several articles in local, regional, and statewide publications.

Tiffany is also an honoree for the 2007 Accomplished and Under 40. Acuity Group is a three-time winner of the Vancouver Business Journal's annual Business Growth Awards.

An outline of this presentation appears on the next page.

FINDING YOUR CLIENT'S MONEY

My client has experienced an embezzlement – now what?!

When a client has experienced an embezzlement the ramifications are more than a loss of money. With a clear action plan, you can assist your client in navigating through the financial and emotional distress they are experiencing.

Ms. Couch will provide you the technical knowledge you need to understand typical fraud schemes, red flags of fraud, and the prevalence of these crimes on small business, non-profits and at-risk members of our society. From there, the discussion will include preservation of both electronic and physical evidence; the pros and cons of pursuing criminal charges; and understanding how a strong insurance claim can recoup your client's funds quickly. Ms. Couch will also touch on easy and cost-effective fraud prevention tools – helping you add value to your client before a fraud happens to them. Key points will be highlighted by stories of actual fraud investigations and the action steps that produced desirable outcomes.

Outline:

- What is Fraud?
 - Typical Schemes
 - Importance of economic impacts to individuals and business
 - Tenure of typical fraudsters
 - Key red flags and motivators
 - How fraud is detected
 - Common Misconceptions
 - Easy Action Plan
- Legal Elements of Fraud
 - Washington State Law
 - Statutes of Limitation
 - Evidence
 - Attorney Work Product Privilege
- Recourse Options for your Client
 - Criminal Charges
 - Civil Proceedings
 - Insurance Claim

CLE Recap: First-Party Insurance Coverage Law



HEATHER J. NORTON
Hearsay Special Correspondent

Okay quick. . .
What is the difference between a 1st party and a 3rd party insurance claim?

Recently, CCBA members enjoyed a refresher on this very topic from Nick Thede and Andy Lauersdorf as the two presented a CLE entitled “Recent Developments in First- Party Insurance Claims.” (Incidentally, a third party claim is one in which payment is not made to the insured, but rather to someone suffering loss who is not a party to the insurance contract. Example: Jane Clark runs over John Fairgreive while she is simultaneously driving and accessing her “paperless office” documents, so Jane’s insurance provider pays John a settlement.; A first party claim is one in which payment is made directly to the insured. Example: Jane Clark’s office burns to the ground, so her insurance provider gives her money to rebuild. . . . Thankfully, Jane’s office was paperless.)

This CLE focused primarily on first party claims. Presenters Thede and Lauersdorf walked listeners through 2 recent Washington Supreme Court cases, illustrating how the rulings of these cases will dramatically change insurance companies’ ability to respond to future first-party insurance coverage litigation.

In *Staples v. Allstate Ins. Co.*, for example, the court gave significant direction regarding an insurer’s ability to investigate a claim through examinations under oath (also known as EUO’s). And in *Cedell v. Farmers Ins. Co of Wa.*, the court clarified the scope of the insurer’s ability to assert privilege in pre-litigation materials prepared by an attorney during the analysis of coverage of an insurance claim. This decision will undoubtedly lead to discovery of materials not previously available to insureds.

This was a valuable CLE for any attorney who might be involved in a first-party insurance claim. Our thanks go out to our presenters.

8th Annual WSBA Solo & Small Firm Conference

Co-sponsored by the WSBA Solo and Small Practice Section

July 18, 2013 - July 20, 2013

10:15 a.m. - 6:00 p.m.

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CLE Credits: 14.5 general and 2.25 ethics

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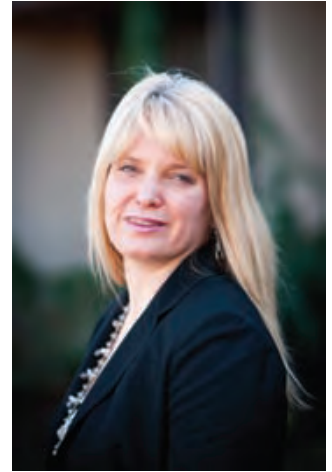
- **Carolyn Elefant**, founder of MyShingle.com
- **Ann Guinn**, solo/small law firm practice management consultant
- **Matthew Homan**, founder of LexThink
- **Jeff Lantz**, CEO of Esquire Interactive
- **Peter D. Roberts**, WSBA practice management advisor
- **Karl B. Tegland**, noted author and lecturer on evidence issues

JOIN US BEFORE THE CONFERENCE BEGINS FOR ONE OF THREE NON-CREDIT WORKSHOPS:

Retirement & Succession Planning, Social Media for Lawyers 101, Reciprocity: A How To with the Oregon State Bar and Washington State Bar

Hearsay Profile:

Le Ann Larson



Home: East Couve

Age: Guess

Profession: Deputy Prosecuting Attorney, child support division

Hobby: My two sons consume my time! I can usually be found carting kids around to sports, activities, and events.

Summer activities: outdoor music concerts, farmers markets, roller coasters (Silverwood's Aftershock made me reassess the amount of life insurance I carry), the Oregon coast, and Lake Coeur d'Alene

Last Book Read: That requires sitting still, which I have little time to do. I have five books stacked on my nightstand that are half finished. The top one is [The Immortal Life of Henrietta Lacks](#).

Legal Philosophy: The Golden Rule: do unto others as you would have done unto you. I treat my colleagues, the masses of pro se litigants I meet, and the Courts with respect and professionalism. Family law practice can resemble the Wild West at times, but we keep calm and carry on.

Latest Accomplishment: My oldest son was diagnosed with autism over a decade ago. I have a passion for both helping connect families to resources and advocating for those living with developmental disabilities. I have served on seven boards/committees/steering committees over the years. Presently I focus on the areas of employment and special education. I am proud to be in a network of "pushy moms" who work to make Vancouver a community with opportunities and resources for our kids.

Why I Do What I Do: I decided I wanted to be a lawyer in elementary school. I would rush home to watch Perry Mason reruns. Once I mentioned that I wanted to be a lawyer, my parents never let me forget it. What keeps me in the profession is that I like to help others and it is rewarding to help someone navigate a problem.

Profile: Wife, Mom, Attorney, Disability Advocate, Home Manager, Basketball Mom, Non-sewing Drama Mama, and Master Organizer/ Planner

Beverage of Choice: Watermelon SPARK by AdvoCare



What CCBA Members Are Doing About Town

RAISA JUDICATA

Guest Gossip Columnist



Mike Dodds receives accolades from County Prosecutor, Tony Golik

In June Clark County Deputy Prosecutor Mike Dodds retired after years of public service to the people of Clark County. County Prosecutor, Tony Golik, recognized Mike for his dedication, professionalism and service. Many will miss Mike's presence at the Courthouse. He, however, may not miss

some of the wacky cases. In April of this year, Mike prosecuted a puppy stealer, who was convicted and sentenced to 20 months in prison. The Defendant stole an English bulldog after meeting the owners to allegedly purchase the dog. Instead of turning over money to buy the dog, he stole it at gunpoint and gave it to his ex-girlfriend's daughter. When the ex-girlfriend saw the news report, she turned the culprit in to Vancouver police, who arrested him after a three-hour standoff with a SWAT team. Never boring in the 'Couve!



We are sad to report that longtime bastion of the community, Irwin Landerholm, passed away on June 19 at the age of 89. Irwin celebrated his 60th anniversary with Landerholm Law Firm on August 25, 2011, and thereafter would come in to share coffee with his office mates whenever he could. Most of the current bar may never

have practiced with Irwin Landerholm, but most know of the firm that bears his name, and its longstanding tradition in the community. Irwin and his wife, Dovy, met in law school at the University of Oregon and were married in 1951. In those days, women lawyers were not welcomed into the halls of justice, and Dovy was unable to find a job. Instead, she assisted Irwin with his career, with his charitable endeavors and there is no way he could have achieved his highest goals without her by his side. Many do not know that Irwin served as a 1st Lieutenant in the U.S. Army Air Corp (Air Force) at the Prestwick Air Base in Scotland during World War II. Many also do not know that in 1968 Irwin took the steps to form the Vancouver Methodist Foundation in response to the assassination of Martin Luther King, Jr. The Foundation began with the allowance and savings of the four Landerholm children to provide for those wanting to better their lives, and has gone on to


give more than \$2.5 million to help people with a variety of needs, including scholarships for young people to attend college and seminary. Irwin was a lifelong Rotarian at the downtown branch, and chair of the library board when they built the original Fort Vancouver Regional Library building. His list of accomplishments could go on for pages. Those that may wish to honor his memory are invited to donate to the Vancouver Methodist Foundation, 401 E 33rd St., Vancouver, WA 98663.

Speaking of the Circle of Life, some lawyers, bankers and other legal professionals gathered together for a "Royal Baby Shower" to collect donations of baby gear for the YWCA Women's Shelter on the guise of celebrating the impending birth of the future King or Queen of England. To the uninitiated, England's Prince William and his bride, Catherine, the Duchess of Cambridge, are due to have their first child any day. To those who follow the news of the mother-land (or just read People magazine), this is big stuff. The centuries old English laws of succession that the male heir will ascend to the crown was changed in October 2011, such that even a first-born girl child could possibly be the Queen of England someday. I guess some would say it has taken long enough! I think Dovy Landerholm would agree!



Ladies in waiting.

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 raisajudicata@gmail.com. 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.



CCBA Annual Summer Bar-B-Que! July 19, 2013

Clark County Public
Service Center Plaza
Noon – 1:00 p.m.

**Judge Melnick
Will Be Our Chef!**



**Members bring your
staff. Everyone
is welcome!**



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**TICKETS
\$5.00**



Clark County Law Library Spotlight on: Immigration



MARIA SOSNOWSKI
Law Librarian

This month we are focusing on immigration, in honor of the Fourth of July. Given the political landscape, this is an area where the rules can change seemingly overnight.

The law library selection of immigration materials has grown a lot in the last 10 years. Thirteen years ago when I started this job, Kurzban was the only title we owned. As demand has increased, we have added more titles to the collection. Now we have these:

- Essentials of Removal and Relief: Representing Individuals in Immigration Proceedings
- Representing Clients in Immigration Court
- Forms and Fundamentals
- Immigration Law and Procedure
- Immigration Consequences of Criminal Activity: A Guide to Representing Foreign-Born Defendants
- Kurzban's Immigration Law Sourcebook (which has gotten so popular we now own 2 copies)
- Immigration Practice
- Guide for Immigration Advocates

There are also two CLE books, although this is not a popular topic for the WSBA for some reason. The CLEs that we own are focused on the non-immigration attorney, learning to spot potential immigration issues. Given the ramifications of immigration issues on other areas of the law, these are good reading material for attorneys in many specialties.



If you are looking for an overview of immigration, American Jurisprudence 2d has a section on the topic, under the heading Aliens and Citizens. You can also find a few entries in the Causes of Actions set (see the March issue of Hearsay for more on this set) and an article in Proof of Facts.

Immigration is one of the rare topics that is not covered in either Washington Practice or Washington Lawyers Practice Manual.

You can see our online library catalog at: <http://www.clark.wa.gov/law-library/catalog.html> to search for a book by title or search by key words in titles such as "immigration" to bring up all titles including that word.

Also, if you are in need of a title that we don't have, we are able to obtain interlibrary loans from the Washington State Law Library. You can search their catalog at: <http://lawlibrary.courts.wa.gov/> and let us know if there are titles you would like us to borrow for you. Emailing us the link to the title you would like to see is the easiest way to do that. We also have other sources for loans if needed. Email can be sent to: lawlibrary@clark.wa.gov and you can call us at 360-397-2268 with questions.

Maria Sosnowski
Clark County Law Library

Want more referrals?

Each month the Lawyer Referral Service receives calls from clients seeking help in the fields of Administrative Law and Intellectual Property. Unfortunately we have very few attorneys to refer them to. If administrative law or I.P. is one of your practice areas, we invite you to join the Lawyer Referral Service. The cost is only \$150 for the membership year.

Contact Heather Norton at the CCBA (695-5975) to sign up or to ask questions.



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Save the Date!

2014 Barrister's Ball

March 1, 2014

The Heathman Lodge

Vancouver, WA

Clark County VOLUNTEER Lawyers Program

Susan Arney, Executive Director
Ashley Belisle, Program Coordinator
Administrative: 360-823-0423
E-mail: susana@ccvlp.org

The Home Foreclosure Project is up and running. Please call our office and speak to Kristina Phillips if you are interested. We will train you. Attorneys are needed to advise clients about the options in foreclosure and help them decide what is best for them. Attorneys are also needed to represent clients in mediation. Kristina is holding a seminar open to the public twice a month. The statewide Home Foreclosure Project is winding down so we are expecting more calls from clients. Please let us know if you can help. Thanks for your time.

Susan

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 MAY

DIRECT REPRESENTATION

Heather Carroll, Mark Carter, Tresa Cavanaugh, Molloy Good

YWCA SAFECHOICE DV CLINIC:

Sidney Dolquist, Marlene Hanson, Jeffrey Holmes, Sally Lewis, Peter Sloane

FAMILY LAW:

Lou Baran, Elizabeth Christy, Lori Gascon, Lincoln Harvey, Eric Hoffman, Scott Horenstein, Susan Stauffer

BANKRUPTCY:

Mark Carter, Rob Russell

HOMELESS COURT:

Nick Alexander, Chuck Buckley, Heather Carroll, Jeff Courser, David Feeney, Abby Powell, Diane Sweet, Anna Waendelin

HOMELESS SHELTER:

Heather Carroll, Ken Hoffman, Dustin Klinger

HOUSING JUSTICE PROJECT:

Tresa Cavanaugh, Ed Dawson, Phil Foster, Scott Matthews, Michael Reid, Bill Robison

HOME FORECLOSURE PROJECT:

Tresa Cavanaugh, Molloy Good

Statistics for MAY

Cases Place for Representation	7	Volunteer Attorney Hours	119
Clinic	# of Appts.	Clinic	# of Appts.
Family Law Advice Clinic	16	Family Law Paperwork Clinic	11
Bankruptcy Clinic	6	General Law Clinic	0
Homeless Shelter Clinic	8	Homeless Court Referrals	7
Housing Justice Project Clinic	2	Housing Justice Project Courthouse	13
Domestic Violence Clinic	4	Dependency Clinic	0
Home Foreclosure Project	4	Non Parental Custody Clinic	0

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CCBA Member Benefits

In an effort to add value to your CCBA membership, we've arranged for you to receive discounts and special benefits at some local businesses. Simply present your CCBA membership card at these establishments:
(and be on the lookout for more businesses joining us throughout the year!)



Bleu Door Bakery: 10% off
Anytime Fitness: year-round discounted rate
Source Climbing Center: 1/2 off Climb 201 class

Spa of the Earth: 15% off spa services
Roots: 10% lunch discount (does not include drinks)

ATTORNEY BOOKKEEPING TIPS

NEWS YOU CAN USE



EMANUELA SANDRI
Attorney Bookkeeping Services, Inc.



LISA DARCO
CCBA Office Manager

Setting Up Trust Accounts in QuickBooks using One Bank Account

Trust Accounts in QuickBooks can be tracked without the need of setting up multiple trust accounts for each client in the chart of accounts.

To setup trust accounts without multiple accounts for each client:

1. Setup two accounts in the Chart of Accounts: Trust Account (bank account) and Client Funds (other current liability account)
2. Assign Customer:Job to each line item in deposits/credits and checks/withdrawals

For a report of client balances:

- Reports menu
- Custom Reports > Summary
- At Modify Report window (click Customize Report button if needed)
 - o Display tab
 - § Dates = All
 - § Report Basis = Cash
 - § Display rows by = Customer
 - § Click Advanced Button and Display Rows = Non-zero
 - o Filters tab
 - § Account = Client Funds
 - o Header/Footer tab
 - § Report Title = Client Funds Balances

Trust Account, Client Funds account, and total of client balances on report will be the same number.

NEW ADDRESS:

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Law Office of Todd N. George, PLLC
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Vancouver, WA 98666
Phone: (360) 334-7204
Fax: (360) 313-6963

Bronson Potter

Chief Assistant City Attorney at the City of Vancouver
Email: Bronson.Potter@cityofvancouver.us
Phone: 360 -487-8521

The CCBA has many back issues of the Hearsay that will be recycled early next month. If you would like a copy or two from any specific month, please drop by the office and take your pick!

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You know your kid's a lawyer when...



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CCBA is looking for reliable Attorney Support Services who want affordable, targeted advertising in upcoming issues of Hearsay. If you have reliable and trustworthy service providers that can benefit our audience, please refer them to Lisa Darco for pricing and availability today!

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UPCOMING EVENTS

MEETING

July 17, 2013

Hearsay Editorial Board Meeting
CCBA Office - Noon

SOCIAL

June 19, 2013

CCBA Annual Summer BBQ
Public Service Center Plaza Noon -
1:30pm

SOCIAL

August 2, 2013

Investiture of Commissioner
Jennifer Snider
Clark County Courthouse - 4:00pm

MEETING

August 7, 2013

CCBA Board Meeting
CCBA Office - Noon

SOCIAL

August 8, 2013

YLS Happy Hour
Location TBD 5:00pm - 6:00pm

MEETING CLE

September 18, 2013

CCBA Annual Meeting
Red Lion at the Quay - Noon - 1:00pm

SW WASHINGTON LAWYER REFERRAL SERVICE

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 the CCBA at 360-695-5975.

THE SWLRS REFERRED 204 CLIENTS IN THE MONTH OF JUNE

Administrative Law	4
Bankruptcy	5
Business & Corp	2
Consumer	12
Criminal	8
Debtor/Creditor	16
Family Law	47
General Litigation	43
Labor & Employment	18
Real Property	31
Wills & Trusts	12
Worker's Comp	6

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- Obstetrics malpractice — \$1.6 million
- Trampoline accident — \$1 million
- Electrocution at work -- \$900,000
- Motorcycle collision -- \$500,000
- Rear end MVC. Soft tissue injury -- \$230,000

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