

# THE LEGAL BRIEF

A Publication of the Thurston County Bar Association

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September 2014

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## TCBA Board of Directors 2014-2015

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## President's Message      By: Lenny Lucenko

As one of my favorite artists pronounced, "Summer time has come and gone my oh my." I hope that you enjoyed your summer and had the opportunity for some well-deserved rest and relaxation.

First and foremost I would like to formally welcome the Thurston County Bar Association's new administrative assistant Heather Ligtenberg. Heather brings tremendous experience and enthusiasm to this position and we are fortunate to have her work with us. Heather has been working for the TCBA since July and has made a seamless transition from the venerable Angela Skinder. Please do not hesitate to email Heather with any questions and concerns you might have.

The Thurston County Bar Association has exciting and informative plans for the coming months. I urge all of you to visit our new and improved website [www.thurstoncountybar.com](http://www.thurstoncountybar.com). We have revamped the website so that members can find contact information on bar members as well as keep up to date on upcoming CLE's and other events. We have established a mentoring program where local attorneys are listed on the website by specialty and make their time available to assist other attorneys with questions. We hope to allow members to register and pay for CLEs and other bar sponsored events online in the near future. We are looking for more volunteers so please let us know if you are willing to serve in a mentoring capacity. I look forward to hearing your thoughts on the revamped website and any suggestions on how it can better serve your needs.

The August 21, 2014 bench/bar meeting was well attended by members of the judiciary and bar membership. Justice Gerry Alexander and Valarie Zeeck, President of the Tacoma Law Foundation, presented us with their vision of opening a night law school in Tacoma that would be a branch campus of the University of Washington.

Judge Brett Buckley and Carol Murphy spoke about a potential new courthouse in downtown Olympia. The judges advised us how the current courthouse complex is woefully inadequate and will not be able to sustain the growing demands of our legal community. Judge Buckley cautioned that this proposal is in the early stages and can have a tremendous effect on downtown Olympia revitalization.

Judge Murphy announced a Superior Court History Project to recognize and honor our local legal history. Individuals with photographs and other nostalgia are asked to contribute and assist with implementation of this project.

The August 23, 2014 Thurston County Bar Association BBQ was a rousing success. We had BBQ (from Marv's Marvlus Pit BBQ Catering), badminton, bocce, water balloon games and bar members who performed the ALS ice bucket challenge to the delight of other bar members and their families. Kudos to Trevor Zandell and Larry Jefferson for their hard work in putting together the best BBQ yet.

I am looking forward to a great fall and even better winter for the Thurston County Bar Association. Please do not hesitate to contact me or any of your board members with questions or suggestions on how to make the Thurston County Bar Association an even better organization.

## **A View From the Bench**

**By Judge Lisa L. Sutton**

Thurston County Superior Court Judge and  
Presiding Judge, Family & Juvenile Court



I am often asked what qualities make a good judge. As attorneys and members of the Thurston County Bar Association, you are likely asked this question as well.

There are three qualities one should look for in a person seeking a judicial position. A candidate should be legally competent, have appropriate judicial temperament and demeanor, and have the utmost integrity. The American Bar Association uses these three criteria to evaluate candidates for the highest office, the United States Supreme Court. These same criteria should be used to evaluate those currently seeking appointment and election to the Thurston County Superior Court.

The first attribute for a judge, legal competence, means having the right background and varied legal experience for the job. Thurston County Superior Court judges hear many types of legal issues to include civil, criminal, juvenile, family law, probate and guardianship. The judges also hear matters involving complex issues, issues of statewide significance, and state and local administrative law cases. Having a clear record from the trial court with a well reasoned oral opinion is extremely helpful to the appellate courts. A well reasoned written opinion also is helpful, although the heavy workload of superior court judges often precludes a judge from preparing lengthy written opinions. Ask any appellate judge and she/he will say that knowing why and what the trial court did is the most helpful thing a trial judge can do for an appeal.

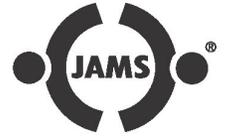
Legal competence includes having the legal acumen to understand what the real issues are and what needs to be done by the judge in that particular case. Having the ability to wade through many pages of pleadings is a regular expectation for a superior court judge. The court does not have paralegals or staff to do this work for the judges. Reviewing a big case takes thoughtful preparation and hard work. A judge should be prepared and able to ask the right questions of the attorneys and/or parties who appear before that judge.

The second attribute a judge should have is the appropriate judicial temperament and demeanor. Judicial demeanor is an attribute developed over time, often by serving as a pro tem commissioner or judge, mediator, arbitrator, or settlement conference facilitator, or by volunteering with the Dispute Resolution Center in Olympia. At Family & Juvenile Court, it is particularly important for the judicial officer to display appropriate demeanor given the emotional nature of family law matters such as dissolutions, adoptions, termination of parental rights proceedings, and juvenile matters. Equally important is displaying the appropriate judicial demeanor in civil matters, in front of juries, and in criminal cases at all proceedings. Ensuring that the parties before the judge have been heard and have an appropriate opportunity to participate is critical to whether the parties believe the judge and judicial process were fair.

The third attribute a judge should have is integrity. Integrity is demonstrated by one's reputation, the ethical decisions one makes, by exercising sound judgment, and in demonstrating the ability to make difficult decisions under stress, without being distracted. Integrity is also displayed by serving one's community and being involved in efforts to improve the judicial process.

As you ponder which candidate to support as the next Superior Court Judge for Thurston County, I ask that you evaluate each candidate with these attributes in mind. Additional information about judicial candidates can be found at [votingforjudges.com](http://votingforjudges.com). This website is maintained by Kitsap County lawyer, Stephen Fjelstad, who received recognition from the American Bar Association for his and others' efforts to create this valuable resource. Please recommend this website to your friends.

(continue to page 10)



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# YOUNG LAWYER SPOTLIGHT By: Megan Card, YL Chair

## **Meredith Gerhart, WSBA #43179**

*mgerhart@wbpopelawfirm.com (360) 866-4000*

Meredith Gerhart is an attorney with Pope, Houser & Barnes. Meredith is from Mississippi and graduated from Vanderbilt University. She earned her J.D. from Gonzaga University School of Law where she met her husband, Brian. Brian works as a private attorney in Lewis County. They have one beautiful daughter, Madeline, age 2.



- ② **Areas you practice:** Almost exclusively family law (I say “almost exclusively” to reserve the possibility that some day I may practice other areas of law.)
- ② **I became a lawyer because:** Getting into medical school was never going to happen with my organic chemistry grades! Kidding aside, I felt the practice of law beckoning to me ever since I was ten years old. I knew it was a career in which I could find value, success (not in the fiscal sense), and be proud of my contribution to my community.
- ② **The hardest part of being a young lawyer is:** I would say the two hardest parts of being a young lawyer (for me) thus far have been: 1) Oftentimes being underestimated whether by potential clients, court staff, opposing counsel, or judicial officers. I may have a high bar number (and a baby face to boot), but that does not mean I am not competent nor prepared to be a top notch advocate. 2) Juggling work life and family life. Having a young daughter with significant special needs has certainly taught me that life is a beautiful gift and any moment, no matter how seemingly ordinary and innocuous, can truly be something extraordinary. You quite literally need to have the time to stop and smell the roses.
- ② **If I were not practicing law,** I would be a Mesoamerican anthropologist living in some remote part of the Yucatan Peninsula studying all things Maya, living off beans on toast, and praying my next research project got published.
- ② **This is the best advice I have been given:** This advice actually applies to the practice of family law. My first boss would tell me whenever I became emotionally involved with a client’s case or whenever I vehemently disagreed with a judge’s ruling. She said, “Don’t get sucked into their movie.” It kind of works in a lot of aspects of life.
- ② **Trait I admire in other attorneys:** Punctuality.
- ② **Currently playing on my iPod/CD player/record player:** I am more than a bit of a music junkie/snob. The three most recent albums circulating on my iPod are: 1) Spoon – They Want My Soul 2) Bleachers – Strange Desire 3) Colony House – When I Was Younger

# CONGRATULATIONS

TO MY WIFE, SHIRLEY BATTAN!

AFTER 38 YEARS OF PRACTICING LAW,  
ENJOY A WELL DESERVED RETIREMENT.

IN ANSWER TO THOSE OF YOU WHO HAVE  
ASKED, NO, I AM NOT RETIRING TOO!

-PAUL BATTAN

CONTACT PAUL BATTAN FOR ALL FAMILY LAW MATTERS  
PHONE (360) 754-3901  
WWW.PAULBATTAN.COM

CTM is pleased to announce that the following  
attorneys received "AV" ratings from  
Martindale Hubbell:

**Chuck Szurszewski, and  
Carter Hick.**

They join **Chris Meserve** and  
**Avelin P. Tacon**, who previously  
received AV ratings.

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## **Real Estate, Land Use, and Environmental Law Section**

### **½ day CLE Opportunity on October 28**

The Real Estate, Land Use, and Environmental Law Section will host a CLE from 1pm-4:30pm on Tuesday, October 28. The CLE will be in the Thurston County Superior Court, Courtroom 101. Five speakers will cover a diverse range of topics that have the potential to affect all of us who practice in Thurston County, including derelict vessels, venue issues, marijuana leases, food and farming, and ethics. The overview of the panelists' presentations are below. Look for a flyer and registration information to be emailed and posted on our website soon. If you have questions about the CLE, please contact Martha Wehling at [mwehling@phillipsburgesslaw.com](mailto:mwehling@phillipsburgesslaw.com) or (360) 742-3500. We look forward to seeing you there!

**Overview of Panelists' Presentations:** (at time of printing only three of the four presentations were submitted)

#### **Voluntary Steward Program The Thurston County Pilot Program and Its Statewide Implications** Presenters: James Goche' JD & Evan Sheffels JD

This presentation will provide participants with an overview of the Voluntary Stewardship Program (VSP) starting with its statutory origins, its connection with the State's Growth Management Act (GMA) and its programmatic development as a result of successful negotiations between farmers, environmentalists, the counties, and the building industry. We will then discuss the Legislature's creation of pilot programs in Thurston and Chelan Counties in 2014 and the current status of the Thurston "stakeholder process". Finally, we will cover the plan to implement VSP statewide contingent on funding by the Legislature during the 2015 legislative session. The goal of the presentation is to acquaint members of the Bar with VSP and how it may affect clients' interests in using rural lands and dealing with GMA regulatory issues.

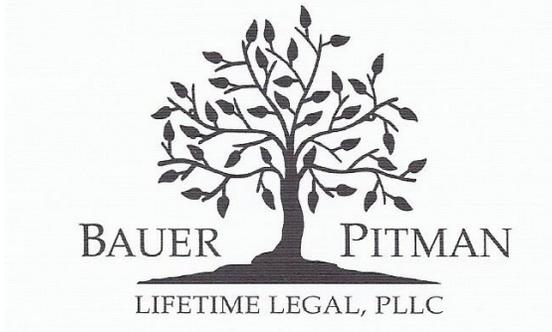
#### **Marijuana Leases, Opportunities and Challenges** Presenter: Dan Shin

Washington marijuana retailers opened their doors for the first time on July 8, 2014, and launched a new sub-industry within commercial real estate with its own unique set of opportunities and challenges. Initiative 502 was passed on November 6, 2012 to create a system to license and regulate marijuana production, processing, and retail sales to consumers 21 years of age and older. State tax revenues from the 25% excise tax charged at each of three levels from production to processing to retail sales, plus B&O tax and retail sales tax, have been projected to generate upwards of \$2 billion in tax revenues for the state over the next five years.

Marijuana remains an illegal drug under the federal Controlled Substances Act, however, and operators have been encountering challenges finding banking institutions willing to accept their deposits. Property owners face the risk of default on their commercial loans for leasing to tenants operating businesses that contravene federal law, though the Department of Justice issued guidelines on federal enforcement priorities on August 29, 2013 stating that the Department will defer its right to challenge Washington State's legalization laws at this time.

Producers and processors also face operational and regulatory challenges when building-out their facilities. Tenant improvements involve substantial and expensive upgrades to electrical and HVAC systems, and state laws require installation of high resolution security cameras, quarantine areas, secured facilities and other measures.

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Part time paralegal/legal assistant position available. Fax resume to Bauer Pitman Lifetime Legal, PLLC at 360.943.4427.

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### 3rd Annual TCBA Summer BBQ Picnic

TCBA held its annual barbecue for members and their families on August 23, 2014, at Burfoot Park. Approximately 70 people attended and enjoyed each other's company over a wonderful lunch served by Marv's Marvlus Pit BBQ Catering.

Congratulations to Chris Coker and his son for winning the balloon toss championship this year!



### United Way Day of Caring On September 26, 2014

A team of TCBA members will participate in this year's 22<sup>nd</sup> annual United Way Day of Caring on Friday, September 26, 2014. The TCBA team will partner with the Olympia Downtown Association and lots of other volunteers to clean up and beautify downtown Olympia. The tasks will include painting, weeding, sweeping and general cleanup. Kudos to those members who are participating. The sign up deadline was August 29.

If you did not RSVP but want to take part, e-mail Trevor Zandell at: [trevor@swansonlawfirm.com](mailto:trevor@swansonlawfirm.com) and he will try to get you on the team.

### CLE Opportunity with Dispute Resolution Center 40-Hour Professional Mediation Training

**October 9-11 & 16-18**

**Thursday from 5-9p.m., Friday and Saturday from 8a.m.-5p.m.**

This fun and highly interactive 40-hour training course will acquaint you with the philosophy, model and skills needed in order to have a working knowledge of the role of a neutral mediator. The concepts and skills taught in this training are easily transferable and are designed to improve communication and enhance relationships in all settings. Cost is \$675, plus \$20 CLE processing fee.

**37.5 CLE Credit, including 5 ethics credits approved.**

For more information or to register visit [www.mediatethurston.org](http://www.mediatethurston.org), call (360) 956-1155 or email [lonlewis@mediatethurston.org](mailto:lonlewis@mediatethurston.org).



### Family Law Section

The Family Law Section meets at 12:10 on the 2nd Tuesday of each month at the Family and Juvenile Justice Center.

Patrick Rawnsley is the new Chair of this section.

If you have any questions please contact Patrick at (360) 754-1222 or pat@pwr-law.com

### Young Lawyer Section

The Young Lawyer Section holds regular Monthly Meetings the first Tuesday of every month,

Please contact Megan Card at 352-8311 –or- meganc@buddbaylaw.com

Please visit the new webpage at <http://thurstoncountybar.com/sections/young-lawyer-section/>



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**Tuition/Fees:** \$5076, \$50 application fee (50% application fee discount with code **TLBA** ), \$10 registration fee, plus books.

**Courses include:**

- Fall** Fundamentals of Legal Practice ★  
Legal Research & Writing I ★
- Winter** Litigation Basics  
Legal Research & Writing II ★
- Spring** Business Law  
Legal Issues I  
Legal Issues II

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(continued from page 6)

Site selection can be challenging with operations required to be located more than 1,000 feet from the perimeter of any elementary or secondary school, playground, recreation center, child care center, public park, public transit center, library, or arcade. Cities, counties, tribal governments, and port authority can object to issuance of licenses, and many cities and counties have imposed moratoriums on these businesses. Real estate attorneys can play a key role in reducing risk for both property owners and tenants entering into this new industry with carefully crafted lease provisions and facility rules and regulations.

### **PCHB and ABA Appeal Issues**

By Phil Ferester

The presenter will use a recent, contentious PCHB case as a vehicle to discuss and provide tips on a variety of PCHB and APA appeal issues. First, he'll provide a context by touching on channel migration zones under the Forest Practices Act, the main substantive issue in the case. The case was fairly complex, but one effective hearing strategy involved the use of electronically-projected exhibits. Learn what worked, what didn't, and why the PCHB will likely adopt rules on this issue in the future. After the hearing, appeals were filed in two different superior courts, and one party sought direct review in both appeals. These issues are not clearly addressed in the APA, but the presenter will cover the rules and what's not in the rules, so that you'll have a better grasp of these process issues for your next APA appeal.

Martha Wehling is the Section Chair. For questions or additional information, please feel free to contact her directly at [mwehling@pwblawgroup.com](mailto:mwehling@pwblawgroup.com) or (360) 742-3500.



(continued from page 2)

The Governor's appointee to the Thurston County Superior Court will stand for election in November 2015 and again for a four year term in 2016. A Superior Court Judge has a special status in our community. A judge's decisions impact all citizens in our community. Take time to evaluate each candidate and encourage your friends to do so as well.

Since November 29, 2010, I have had the great fortune to have served the citizens as a Thurston County Superior Court Judge. Every day was an opportunity. I treasure my colleagues and staff and those people who support the work of the courts and who come to work every day committed to do justice. I have enjoyed getting to know the lawyers who practice in Thurston County and the members of the local Bar. I trust that whoever succeeds me in this position will have as much enjoyment in the position as I have.

## Thurston County Bar Association Judicial Appointments Bar Poll

The Thurston County Bar Association is releasing the results from a recent Judicial Appointments Bar Poll. The purpose of this poll is to express the preference of our members for the next judicial appointment to the Thurston County Superior Court.

Pursuant to our By-laws, four attorneys requested to be included in our poll as they were interested in receiving the appointment to the Thurston County Superior Court position that will be vacated by the Honorable Lisa Sutton on September 30, 2014.

Ballots were mailed to our membership which totals 350 attorneys. In response, we received 168 valid ballots.

The results are as follows and have been sent to the Governor's Office for review.

Larry Jefferson 45  
Allen T. Miller 21  
John Skinder 78  
Joseph F. Wheeler, Jr. 19



### ATTENTION Members:

If you have **not** provided the TCBA with an email address you may be missing out on important notifications for CLE's and social events.

The Legal Brief is the only thing to be printed and mailed in an effort for the TCBA to work towards going green.

Please contact [tcba.info@gmail.com](mailto:tcba.info@gmail.com) if you have any questions.

Also, please remember to notify us when you change your email address or change addresses. We want to make sure you do not miss anything.

### **The TCBA has a new look to its website!!**

The Board of Directors wanted to improve the current TCBA website and voted to make some needed updates. Some of the new things you will see are:

- Ability to fill out your membership form and **pay for your membership dues online**
- Ability to sign up and pay for CLE's and events online
- Re-design of the overall layout
- Online calendar view of events
- Better and easier access to articles

The Board of Directors is excited about these improvements. Please let us know what you think.



**Thurston County Volunteer Legal Services**  
**(360) 705-8194 – Main phone**  
**(360) 688-1376 – Director's phone**

## ATTORNEYS NEEDED

TCVLS has wonderful and dedicated volunteers and **WE NEED MORE!** We have legal advice clinics in Olympia on the following evenings beginning at 6:00 pm:

- 1<sup>st</sup> and 3<sup>rd</sup> Thursdays at SafePlace working with survivors of domestic violence
- 2<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Tuesdays at the Family Support Center
- 3<sup>rd</sup> Wednesdays at the Family Support Center

We have an **urgent** need for attorneys to assist clients on the Unlawful Detainer calendar each Friday morning at Thurston County Superior Court from 8:45 am until 12:15 pm. A legal advice clinic for landlord-tenant issues is held at the same time. For those of you wanting courtroom experience, this is the clinic for you!

Our clinics always have a highly experienced attorney available to mentor other attorneys in areas that are new or unfamiliar.

Please contact Megan if you are interested in volunteering: [coordinator4vls@gmail.com](mailto:coordinator4vls@gmail.com)

## WE NEED YOU!



## UPCOMING CLEs

One of the ways we show our appreciation to our volunteer attorneys is by offering free CLEs on the 1<sup>st</sup> Thursday of the month from noon until 1:00 pm. These are held in the conference room at our administrative office which is in the Family Support Center at 201 Capitol Way North.

September 4<sup>th</sup> Victoria Byerly will present "Working with Clients with Diminished Capacity". This will count as an ethics credit as well as a regular CLE credit.

On October 4, Angela Carlson-Whitley of Carlson-Whitley & Luther, LLP will present "What the Clinic Attorney Needs to Know about Guardianship".

## WELCOMING NEW BOARD MEMBERS

The Staff and Board of Directors said a fond farewell to Leslie Owen awarding her the first TCVLS Legacy Award for her 12 years on our board. Her dedication to equal justice is well known and TCVLS is richer for her commitment. We welcome Samantha ("Sam") Adams as the new representative from Northwest Justice Project.

With her appointment to the Court of Appeals, Judge Lisa Sutton left the role as Judicial Liaison to the TCVLS Board. We welcome Judge Christine Schaller as our new Liaison. Judge Schaller was once a TCVLS Director while in private practice. Welcome Back!

## TCBA & Other Upcoming Events

### Ramblin Jacks

CLE Lunches will resume on Friday, September 19, 2014 at 12pm. The topic is "Lessons from the Oso Landslide: A primer on municipal and adjacent landowner liability for landslides and flooding". This CLE has been approved for 1 credit with the WSBA.

The next CLE is on Friday, October 17 at 12pm. The topic is "Technology Challenges for Today's Lawyers". This CLE has been approved for 1 ethics credit with the WSBA.

### United Way Day of Caring

The date for the Day of Caring will be Friday, September 26, 2014. You will be able to volunteer all day or just part. Every year it is a new adventure...think about volunteering this year!

### November Issue of the Legal Brief

There will be a deadline of October 28, 2014 for submission of articles and advertisements to Heather Ligtenberg at [tcba.info@gmail.com](mailto:tcba.info@gmail.com).

### 2014 Holiday Lunch

Save the date for the 2014 Holiday lunch.... *Friday, December 5, 2014* starting at 12:00 p.m. It will be held at Indian Summer Golf & Country Club.

Please refer to the "News & Events" section of our website for a full list of upcoming events:  
[www.thurstoncountybar.com](http://www.thurstoncountybar.com)

If you are interested in contributing a column to one of our Legal Brief Newsletters, we want to hear from you!!

Funny, interesting, educational or even controversial articles written by our TCBA members are always welcome.

Please submit to  
[tcba.info@gmail.com](mailto:tcba.info@gmail.com)



### **ADVERTISING IN THE LEGAL BRIEF**

If you would like to advertise in the LEGAL BRIEF, please contact Heather Ligtenberg at [tcba.info@gmail.com](mailto:tcba.info@gmail.com)

- The cost for advertising is \$200 for a full page, \$100 for 1/2 page, \$50 for 1/4 page and \$25 for 1/8 page.
  - All advertisements are subject to approval of the Legal Brief's Editorial Board.
- The LEGAL BRIEF is published bi-monthly. (January, March, May, September and November)
- Visit [thurstoncountybar.com](http://thurstoncountybar.com) for more information on specs and to view past editions of the Legal Brief



***Give a little, get a lot***  
***FREE ESTATE PLANNING CLE for***  
***WA VETS WILL CLINIC***

By: Megan D. Card



“To know even one life has breathed easier because you have lived. This is to have succeeded.” ~ Ralph Waldo Emerson

On Wednesday, October 8, 2014, the TCBA will be putting on a FREE estate planning seminar from noon to one at the Thurston County Superior Courthouse. This 1 credit CLE course is in preparation of the Olympia/South Sound WA Vets Will Clinic held on Saturday, October 18, 2014 at Rally Point 6 in Lakewood from 9:00 to 5:00.

The WA Vets Will Clinic provides free estate planning to veterans of the Armed Forces and their spouses. Volunteer attorneys are needed to review the pre-drafted documents with the clients. Malpractice insurance will be provided. Additional volunteers (non-lawyers too!) are needed to notarize, witness, and assist with the check-in process. To volunteer, please visit: <http://www.wavetswillclinic.com/volunteer>

Thank you to the following people who have already graciously volunteered their time to help make this clinic a success: Jamie Olivares, Michael Edwards, Susan Robinson, Mandy Weeks, Caryn Ragin, Megan Browder, Debbie Requa, Allyson Bazan, Leigh Wickell, James Richardson, Onika Garvin, Bryana Cross, Terri Thomas, Octavia Hathaway, Kristina DeVore, Samantha Adams, and Zelena Jones.

If you know a veteran who would benefit from this free clinic, please direct them to sign-up for the Olympia/South Sound Clinic at: <http://www.wavetswillclinic.com/sign-up>

A huge THANK YOU to those members who responded to the request of becoming a mentor:

Michael DeWitt	Larry Jefferson	Diane Whaley
John Skinder	Lenny Lucenko	Jonathan Sprouffske
Bill Pope	Trevor Zandell	Melissa Denton
Margaret Brost	Darren Nienaber	Chris Coker
William Kogut		Stephen Foster



If you are willing and wish to be a part of this program it is not too late, please send an email to [tcba.info@gmail.com](mailto:tcba.info@gmail.com) with your name and area of practice that you are willing to mentor in.

The list is currently on our website and ready to be used by the many young lawyers that are just starting out and may have some questions in a particular area of practice.

The time commitment is up to you and can be as simple as a phone call or more in depth mentoring as you see fit.

## **Newly admitted lawyers will take the Oath of Attorney on September 18, 2014**

**By: Megan D. Card, Young Lawyer Section Chair**

The Young Lawyer Section of the TCBA will be holding a swearing in ceremony on **Thursday, September 18, 2014 at 4:00 p.m. at the Thurston County Superior Courthouse** for the newly admitted lawyers in our area. Please join us in celebrating their accomplishment and welcoming them to the legal profession in Thurston County! Happy hour will follow at 5:00 p.m. at Pints Barn in Tumwater.

Did you know?

In order to be admitted to the Bar of the State of Washington, applicants must be of good moral character, possess the requisite fitness to practice law, and must qualify for and pass the bar exam. APR 3. The bar exam is held in February and July of each year and results are sent out as soon as practicable after the completion of the exam. APR 4. Before an applicant who has passed the bar exam may be admitted, the applicant must take and pass the Washington Law Component (an online open book multiple choice test on Washington specific law); complete a minimum of 4 hours education; pay to the Bar Association the annual license fee; file any and all licensing forms required of active members; and take the Oath of Attorney. APR 5. The Oath of Attorney must be taken before an elected or appointed judge, excluding judges pro tempore, sitting in open court in the state of Washington. APR 5.

The oath which all applicants shall take is as follows:

1. I am fully subject to the laws of the State of Washington and the laws of the United States and will abide by the same.
2. I will support the constitution of the State of Washington and the constitution of the United States.
3. I will abide by the Rules of Professional Conduct approved by the Supreme Court of the State of Washington.
4. I will maintain the respect due to the courts of justice and judicial officers.
5. I will not counsel, or maintain any suit, or proceeding, which shall appear to me to be unjust or any defense except as I believe to be honestly debatable under the law, unless it is in defense of a person charged with a public offense. I will employ for the purpose of maintaining the causes confided to me only those means consistent with truth and honor. I will never seek to mislead the judge or jury by any artifice or false statement.
6. I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with the business of my client unless this compensation is from or with the knowledge and approval of the client or with the approval of the court.
7. I will abstain from all offensive personalities, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged.
8. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay unjustly the cause of any person.

After receiving the required documents, the Supreme Court enters an order admitting them to the practice of law. APR 5. The Bar Association then sends out their coveted bar number that will forever dictate how other attorneys judge their experience. [No particular rule states this, but we all know it's true.]

## **A call for action for 2015**

By John Skinder

We just ended a beautiful, hot summer. Our kids are starting another year of school. The rain has returned. The holiday season is fast approaching. This is a great time to start thinking about goals for 2015.

The Thurston County Bar Association is enjoying a period of healthy growth and we have an impressive membership. We need your help to take on new challenges. We need your ideas and your energy around ways to increase our presence in the community and expand our services for the membership.

We just unveiled the improved website at [thurstoncountybar.com](http://thurstoncountybar.com). Please take some time, examine it, and give us your feedback. Let us know what additional content would be helpful for you and your practice. We continue to provide high-quality, low-cost CLEs in our community. We also continue our efforts to help welcome new attorneys in Thurston County. We provide opportunities for social interactions between our members. And, of course, we continue to financially support legal organizations in an effort to increase access to justice.

There are many more ways the TCBA can be involved in the community. We all have our favorite causes. But think what we could accomplish if we all worked together on a specific cause. What if we tackled, as a legal community, the multi-faceted problems of domestic violence or homelessness or educational deficits in our school system? What could we accomplish? Could we make a meaningful difference?

What if we came together to provide the community with our views about the buildings that house Thurston County District Court and Thurston County Superior Court? Could we help bring about a plan to either improve these facilities or help spearhead a plan to build a new combined courthouse? At the recent Bench/Bar lunch meeting, Judge Buckley and Judge Murphy spoke passionately about the need for a new courthouse and their idea of building a courthouse in downtown Olympia. The TCBA is an organization that is uniquely situated to speak on this type of legal issue in Thurston County.

What should we endeavor to do on an individual level? What should the TCBA as an organization do? Should the TCBA be involved in issues like this? We would love to hear from you. Let us know what you think.

Your current Board of Directors is President Lenny Lucenko, President-Elect Terry Church, Treasurer Janet McClanahan Moody, Secretary Megan Card, Immediate Past President Larry Jefferson, Chris Coker, Chris Lanese, Laura Murphy, Bill Pope, John Skinder, Mark Wheeler, and Trevor Zandell. They are passionate about the TCBA and volunteer their time and energy to make the TCBA better. Reach out to them, talk to them, and let them know your ideas.

During the Fall, I always start thinking about the upcoming year. This is the best time to have these conversations. We have over 350 attorney members who care deeply about Thurston County. Let's make the TCBA be a voice in the community. There are many issues we can tackle (it is the start of football season!). We can accomplish great things together!

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.” --Margaret Mead