

THE LEGAL BRIEF

A Publication of the Thurston County Bar Association

Volume 25, Issue 11
November 2010

President's Message By: Kalo Wilcox

This will be my last "President's Message" to the TCBA. As many of you know, I will be leaving the City of Olympia City Attorney's Office and joining the judiciary in the position of Thurston County District Court Judge. I have enjoyed my six years with the Board immensely.

With my resignation, President-Elect Toni Hood will become the President of the TCBA. There will be a vacancy on the Board beginning January 2011. If you are interested in serving, please contact a Board member.

2011 looks to be a banner year for TCBA. The Thurston County Bar has the resources in people, funds, and creative ideas to continue to build on the successes we have experienced. In the New Year, you can expect your Board to continue to offer WSBA sanctioned CLE opportunities right here at home at low cost to our members, to unveil a new and improved TCBA website, and to improve the TCBA newsletter, "The Legal Brief," by including more articles of interest to our members.

Let me take a moment to review some of the recent work of the Board:

The Board coordinated the collection of donations for and the creation of the portrait of Judge Richard Hicks, which I was honored to present to him at his retirement celebration in September. The portrait will remain in the Thurston County Superior Courthouse in recognition of Judge Hicks's years of service.

The Elections Committee, chaired by Board member Janet McClanahan Moody, coordinated the Judicial Preference Poll designed to tally the TCBA members' preference for appointment to the Superior Court seat vacated by the Honorable Judge Hicks. The results were provided to the appointing authority, Governor Gregoire.

Secretary, John Skinder, was appointed Editor-in-Chief of the TCBA newsletter, "The Legal Brief".

The 2011 Budget Committee was formed and includes: Treasurer Leslie Owen, Immediate Past President Allen Miller, Secretary John Skinder, and Board Member Larry Jefferson.

The Young Lawyers Section and Land Use Section are meeting regularly due to the combined efforts of the Board and Bar members, Julie Kamerrer and Carmen Rowe. The Family Law Section, Bench/Bar Committee, Pro Bono Section, Criminal Defense Section, and CLE Committee are all actively responding to members needs through the efforts of your Board members Bill Pope, Leslie Owen, Larry Jefferson, Lenny Lucenko, Brent Normoyle, and Elissa Kokis.

The Annual Holiday Luncheon is December 3rd at 11:30. Please join your fellow Bar members at the Olympia Country and Golf Club for lunch, holiday music, and the Salvation Army Adopt-a-Family drive. RSVP by Friday, November 26th.

Thank you for allowing me to serve the members of the TCBA as a Board member and as President. I look forward to continuing my involvement with the TCBA as an honorary member. Save me a seat at the luncheons!

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The Legal Brief is published bi-monthly. Membership in TCBA is \$50 per year (New Lawyers receive a discounted rate).

To find out how to join TCBA, or to submit an item for publication in the Legal Brief, please contact Amy Robinson at amy.tcba@gmail.com

The Thurston County Bar Association presents:

Reflections: The Do's and Don'ts of Private Practice

Friday, December 17th, 2010

1:00 PM - 4:30 PM

Registration begins at 12:30 PM

St. Martin's University Norman Worthington Conference Center

5300 Pacific Avenue, Lacey Washington 98503

(*In front of the Marcus Pavilion, facing Pacific Avenue)

3 General CLE credits pending with the WSBA

\$25 for TCBA Members, \$80 for Non-Members

Pre-Registration is Required by December 6th, 2010

Please send RSVP & Payment to:

Thurston County Bar Association

PO Box 1653

Olympia, WA 98507

Three panels will provide insight and
wisdom in the areas of:

- **Criminal Law**
- **Business Law**
- **Family Law**

Come hear from our distinguished colleagues:

Sax Rodgers and Jim Dixon

Alan Swanson and Steve Bean

Bill Pope and Pat Morgan

MESSINA-BULZOMI CHRISTENSEN

Areas of Practice

- Automobile Collision
- Wrongful Death
- Highway Design
- Workplace Injury
- Medical Negligence
- Product Liability
- Government Liability

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The Thurston County Superior Court  
is recruiting law student externs

Please send inquiries to Rebekah  
Zinn at [zinnr@co.thurston.wa.us](mailto:zinnr@co.thurston.wa.us) or  
(360)754-4359

ATTENTION EVERYONE!! THE LAW OFFICE OF SANS M. GILMORE IS NOT CURRENTLY ACTIVE. I HAVE BEEN MOBILIZED BY THE ARMY RESERVE FROM 11-26-2010 TO 11-25-2011. MY PHONE NUMBER, ADDRESS, AND E-MAIL IN WILL CONTINUE TO OPERATE, BUT EXPECT LARGE DELAYS ON RESPONSES AS I AM ONLY CHECKING MESSAGES AND THE MAIL ONCE OR TWICE PER WEEK, AS MY SCHEDULE ALLOWS. IF YOU NEED TO GET A HOLD OF ME QUICKER, THE FASTEST WAY IS TO SEND AN E-MAIL TO

[SANS.GILMORE@US.ARMY.MIL](mailto:SANS.GILMORE@US.ARMY.MIL).

THANKS FOR YOUR SUPPORT AND I LOOK FORWARD TO RESUMING MY  
USUAL PRACTICE IN ABOUT A YEAR. RESPECTFULLY, SANS.

P.S. I NEED A COUPLE OF TENANTS TO RENT MY OFFICES WHILE I'M GONE. THANKS!

## Professional Mediation Training

The Dispute Resolution Center of Thurston County (DRC) is offering its 40-hour Professional Mediation Training January 24-28, 2011, in downtown Olympia. The class meets Monday through Friday, 8:00am to 5:00pm. The training fee is \$625. Pre-registration is required. The class will be offered again March 10-12 and 17-19, 2011, in Olympia. This class meets two consecutive weeks, Thursday evenings 5-9 and Friday & Saturday, 8:30am to 5:30pm. Approved for CLE Credit through the Washington State Bar Association (37.5 total credits, including 5.25 ethics credits).

For more information or to register, call 956-1155 or email [onlewis@mediatethurston.org](mailto:onlewis@mediatethurston.org) or visit our website at [www.mediathurston.org](http://www.mediathurston.org).

## **John R. Justice Student Loan Repayment Program (JRJ)**

John R. Justice Program application acceptance began **October 1, 2010.**

Applications and all required attachments must be ***postmarked*** no later than **November 30, 2010.**

Faxes not accepted.

The John R. Justice State Loan Repayment Program provides financial assistance to licensed attorneys who commit to working three years in state or local prosecutor's offices or in public defender offices operated by federal, state or local entities (including tribal governments).

The program was established by Congress in 2008, to encourage attorneys to enter or remain in public service positions as prosecutors or public defenders. Due to educational debt, some attorneys forego such career options for more lucrative opportunities in the private sector.

Under the John R. Justice Program, attorneys who make the three-year commitment and meet program requirements will be eligible to have a portion of their outstanding student loan debt forgiven.

Annual award amounts are contingent upon available funding. If funds are insufficient to pay all eligible applications, awards will be based on "least ability to pay." Preference will be given to renewal applicants who continue to meet eligibility requirements. Additionally, applicants who are not already receiving benefits under another repayment program will receive priority consideration.

For more information on how to apply for this program, please visit: **[www.hecb.wa.gov](http://www.hecb.wa.gov)** and click on "Paying for College"

### ***WANTED:***

Funny, interesting, educational or even controversial articles written by our TCBA members. If you are interested in contributing a column to one of our Legal Brief Newsletters, we want to hear from you!!

**Contact Amy Robinson at [amy.tcba@gmail.com](mailto:amy.tcba@gmail.com) to submit**

## **Office Update from Thurston County Clerk**

Changes continue to move the Clerk's Office in new and exciting directions. I have continued to make use of the "Clerk's Alert" to inform you of some of the changes to business practices – with the constant goal of improving the accessibility of court documents and services.

Some of these changes are due to the budget constraints of the County and the loss of staff. While other changes are just technology driven for better service. The first thing that was addressed was the general "flow" of the documents that arrive for filing each day. We average approximately 27,500 documents a month between the two offices, with 60% filed at the main courthouse and 40% filed at the family/juvenile court facility.

Each document is time-stamped, prepped and scanned into our Liberty imaging system immediately. The staff then checks the image for clarity, imports the document, and electronically routes it to the appropriate staff for processing. This replaces the "old" way where the document was sorted with copies made for outside departments needing the information immediately. The document was then placed into a sorting bin waiting to be processed by staff before it could be scanned. With our new process, staff receives the routed document, views the document electronically, and completes the processing. The document is then available for viewing and printing by the public. Expedited documents are sent electronically to the judge or commissioner immediately (and the paper documents are filed in the appropriate file). Copies of documents needed by outside agencies are now sent electronically. Almost all of the work completed by the Clerk's Office is now done electronically. This has cut down on expenses and the amount of time staff spends handling the paper documents.

The changes to our business plan on how the documents were handled upon receipt necessitated a change at the front counter. There is still two counter staff at each office, although you may not always see both of them. At FJC, one is behind the scenes scanning and meeting other responsibilities important to keep up with the needs of the public. This staff is available to assist at the front, immediately, when needed. With staff in court, there are times we have limited resources and lines are formed, especially during ex parte time. We are attempting to schedule extra back up during those extra busy times.

It has always been my goal to transition to a "Paper on Demand" court and I feel that we are well on our way. Each step has been carefully considered and tested before we open up the processes to all of our users. Here are some exciting new services we offer in an effort to reach our goals:

### **eCommerce**

e-Commerce went live in April 2009. It is a service that was created by our System Manager, which allows the public to purchase copies of documents from our website ([www.co.thurston.wa.us/clerk](http://www.co.thurston.wa.us/clerk)). An individual now has instant access (24 hours a day, 7 days a week) to their documents (no confidential or sealed information) from their home or office; that has reduced the amount of copy requests that staff receives, which results in more time for them to work on other duties and shorter lines at the counters. This service has been particularly helpful for parties out of the area and unable to travel to the courthouse.

### **E-Filing**

The Prosecuting Attorney's Office, Office of Assigned Counsel, and several departments of the Attorney General's Office are now electronically filing documents. We have spent a great deal of time creating the ability to e-file, testing the process, and monitoring the program and its success. Since the start of the beta testing, we have received 5,840 documents filed electronically; which means that none of those documents came across our counter for staff to scan and process and saved the user the time to travel to the court and wait in line.

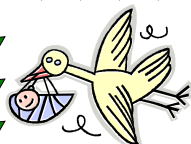
We are now ready to allow local attorneys to file documents electronically. If you are interested in participating in the beta testing for E-filing, I am asking you to email me at [gouldb@co.thurston.wa.us](mailto:gouldb@co.thurston.wa.us). Once I receive the information, we will work with you individually, to make sure you have the technology and ability to file documents electronically into our Liberty imaging system.

In closing, I hope to be regularly reporting the changes and updates in my office in future publications. Some of the upcoming issues/items will be the new Family Safety Center, Dismissal Fees, LFO Collections, the new Clerk's Office website, and much more. Please visit our website at [www.co.thurston.wa.us/clerk](http://www.co.thurston.wa.us/clerk) for valuable information resources, FAQ's, policies and procedures.

As always, I would like to hear from you if you have any questions or concerns and would welcome suggestions for topics that you would like addressed in an upcoming issue.

**Betty J. Gould**

THURSTON COUNTY CLERK



**Jensen Kokis Erwin**



**is pleased to announce the  
arrival of its newest junior  
partner**

**Ollya Magee Erwin**

**Born November 8, 2010 at 2:49 a.m.  
8.4 lbs., 21"**

**Ollya is the beautiful daughter of  
Elissa Kokis and Jeffrey Erwin**

**Benefits to Establishing a Link from  
the TCBA  
Website to your own  
Website:**

- ◆ The TCBA website is accessible through the major search engines, so potential clients looking for an attorney in Thurston County can easily find you.
- ◆ You can provide potential clients with information about you and your practice in an inexpensive, efficient and professional manner.
- ◆ The website is linked from the WSBA website so attorneys from outside of Thurston County can easily find attorneys here for various cases.

Cost:

\$25/year—Pays for a link from the TCBA website directly to your own website.

Be sure to mark on your membership registration and submit payment to start or maintain your link for 2010.

The Government Lawyers Bar Association presents:

**2010 ETHICS SEMINAR**

**A half-day CLE for Government and Administrative Lawyers**

Friday, December 3, 2010, 8:00 a.m. to Noon

Location: The United Churches of Olympia  
110 11th Ave. SE  
(11th & Capitol Way)  
Olympia, WA 98501

7:30 – 8:00 Registration\*\*

The topics will focus on ethics and discuss varying perspectives of in criminal and civil practice. Speakers are still being confirmed but will include instruction from the WSBA as well as a view from the bench.

**More information will be available at <http://wagovlaw.org/> as it becomes confirmed,  
Including information on how to reserve your spot and pay.**

At least 3.00 CLE credits expected (WSBA approval pending)

Cost: \$40.00 Gov. Law Members; \$50.00 Non-members (includes Gov. Law Membership)

\*A note about parking: The church's parking lots are leased during the work day, so parking choices include meters on Washington Street and around the corner on Union, the state lot off of Washington at 11th, and the ramp between the Hands On Children's Museum and the GA building. We will be in the social hall, which is downstairs. The easiest access to the social hall is off of Washington Street between 11th and Union. There is a lower parking lot with an entrance on the same level as the social hall.

\*\* Seating is limited to the first 80 registered attendees. Walk-on registration will be accepted at the door if space is available; however, early registration is encouraged to ensure admission and a seat.

## Judges Corner

Written by Sam Meyer

I have been asked to submit a column for the Judge's corner on the subject of my choice. I am choosing to use this opportunity to express a note of thanks and appreciation to our soon to be retiring District Court Judge Sue Dubuisson.

Judge Dubuisson came to Thurston County by way of Clarke College in Dubuque, Iowa (where she also was awarded an honorary Doctor of Humanities degree in 2007) and the University of Washington School of Law. She began her legal career in the Grays Harbor County Prosecuting Attorney's office.

From there, she went into private practice in Thurston County. In 1984, Judge Dubuisson was appointed to succeed Dan Berschauer in District Court following his election to Thurston County Superior Court. She has been re-elected six times and after 26 years on the bench she has decided to ride her bicycle into the sunset and retire.

We are all aware that Thurston County District Court is a busy court and Judge Dubuisson (like most District Court Judges) is on the bench morning and afternoon five days a week. Less well known, however, is that she has been a tireless advocate for courts of limited jurisdiction and the judiciary in general.

In addition to having served on the board of directors of the District and Municipal Court Judges Association, she has at various times served as chair of that organization's education, by-laws and nominating committees. She is currently the District and Municipal Court Judges Association elected representative on the Board for Judicial Administration. She has also served on the Commission on Judicial Conduct.

Judge Dubuisson has also maintained a strong interest in education at all levels. She has served as dean of the state Judicial College for three years and she remains a frequent instructor at the Judicial College's annual program for new judges. She has also taught numerous seminars for judicial education. She is currently teaching a Street Law class at Tumwater High School.

Judge Dubuisson has worked to promote cooperation and collegiality between Superior, District and local Municipal Court Judges by organizing dinners where judges from all levels meet and discuss issues affecting our courts in Thurston County.

Thurston County District Court is the highest volume court in Thurston County and deals with thousands of people, many of them unrepresented, per year. Throughout her 26 years Judge Dubuisson has treated everyone who has come before her with respect and dignity.

On behalf of everyone at district court, thank you Judge Dubuisson for your many years of public service. Enjoy your retirement and ride your bicycle safely.

Join us in recognizing the accomplishments of  
***Judge Susan Dubuisson***  
and her 26 years of service to the District Court and the community  
on January 7, 2011, at 3:00 in Court Room 129



**TCBA  
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**ADVERTISING IN THE LEGAL BRIEF**

If you would like to advertise in the LEGAL BRIEF, please contact Amy Robinson at amy.tcba@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.
- **\*\*PLEASE NOTE FEE CHANGE:** *Classified Advertisements for TCBA members regarding legal related items are now subject to the above fee scale.\*\**
- All advertisements are subject to approval of the Legal Brief's Editorial Board.
- The LEGAL BRIEF is published bi-monthly. The next deadline for submission is January 5th, 2011.

**Section/Committee Announcements...**

**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.

If you did not receive an agenda and would like to be added to the mailing list, please call William B. Pope & Associates at (360) 866-4000

**Young Lawyer Section**

The Young Lawyer Section holds regular Monthly Meetings the third Thursday of every month, noon at I.talia.

Please contact Julie Kamerrer with any questions (360) 754-3480 jkamerrer@lldkb.com

**CLE Committee**

The TCBA CLE Committee brings lower cost, local CLE opportunities to our bar. We always welcome ideas and suggestions for additional CLE's from our membership and welcome new members to the committee.

Please contact Elissa Kokis with your ideas or if you are interested in joining the committee.

elissa@jensenkokis.com

**Land Use Committee**

Stay tuned for more CLE events from the Land Use Committee, co-chaired by Carmen Rowe, Robert Dengal and Jessica Jensen.

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# Thurston County Bar Association



## *Holiday Luncheon*



*Friday, December 3, 2010*

*11:30 am - 1:30 pm*

*Olympia Country and Golf Club*

*3636 Country Club Drive (Off of Cooper Point Road NW)*

### ENTRÉE CHOICES:

Chicken Caesar Salad

or

Lemon chicken with potatoes and green beans

or

Beef stroganoff with green beans

or

Vegetarian option - Caesar Salad

*\*All Meals are served with molten chocolate cake.*

*\*Meals include soft drink, tax and gratuity.*

Cost is \$20/person, payable at the door by cash or check to TCBA. Remember to indicate your selection when making your reservation

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**\*\*Reservations are required by  
Friday, November 26th**

*Please email your reservation to  
Amy Robinson at amy.tcba@gmail.com*

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### **ADOPT-A-FAMILY**

The Thurston County Bar Association will host the Annual Salvation Army Adopt-A-Family drive. If you would like to participate in the Adopt-a-Family program but are unable to attend the luncheon please send your donations to:

Thurston County Bar Association  
PO Box 1653, Olympia, WA 98507  
**Donations should be made payable to TCBA**  
Please indicate Adopt-a-Family

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## THE SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY JUDGES

*Cordially invite you to attend the investiture of*

**LISA L. SUTTON**

**THURSTON COUNTY SUPERIOR COURT JUDGE**

*Monday, November 29, 2010, at 4:00 p.m.*

Thurston County Superior Court  
2000 Lakeridge Drive S.W.  
Olympia, Washington

*\*Reception immediately following\**

## LEAVE A LEGACY TO LEGAL SERVICES

Whether you are preparing a will for yourself, a family member, another attorney who is a client, or any client wanting advice about worthy non-profits to whom they could leave a legacy; don't forget about our local pro bono coordinators, Thurston County Volunteer Legal Services.

We may think from time-to-time about our professional duty to do pro bono work and end up postponing it but leaving a legacy to our local volunteer program is something none of us should postpone. TCVLS puts on over 100 clinics a year and serves around 800 families. TCVLS leverages thousands of attorney hours each year for those who cannot afford an attorney.

TCVLS gives you an opportunity to help a needy client but without you having to do the screening to determine just how needy or how capable of self-representation. TCVLS gives new attorneys opportunities to jump right into the profession even before they have their own office. TCVLS gives emeritus attorneys an opportunity to stay active even after they have closed their practice. TCVLS provides free on-going training approved by WSBA.

TCVLS has low overhead. It coordinates all these clients, attorneys and paralegals with 1.5 FTE. TCVLS has no endowment, no capital fund, and no building of its own. It uses buildings owned by other non-profits for its clinics: the Family Support Center, Safeplace, and the Mason Transit Community Center. It operates year-to-year, patching together local giving and a grant from the Legal Foundation of Washington. There are many worthy charities but we needn't look beyond our own local pro bono coordinator and our own profession's obligations. Please consider TCVLS when you are thinking of gifts or legacies. TCVLS is a 501c3.

**To contact the TCVLS, please call 360-705-8194 or visit <http://www.lawhelp.org/Program/2498/>**

**RETURN SERVICE REQUESTED**

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