

THE LEGAL BRIEF

A Publication of the Thurston County Bar Association

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President's Message By: Laura Murphy

Small Firms and Solo Practitioners in 2020

Is your firm prepared for a pandemic? Not many lawyers considered this question prior to March of 2020. As Washington State responded to the threat of COVID-19, the Board of the Thurston County Bar Association was presented with unique challenges. Like you, our first concern was the health and well-being of our members and the community. As a result, we postponed lunchtime CLEs, the Local Hero Awards Banquet, our Annual Meeting and Dinner and Section meetings. Our board meetings were held via Zoom and the election of board members conducted electronically. As we move forward, TCBA is planning an online judicial candidate forum. This will enable our membership to hear from the candidates prior to participating in the judicial bar poll.

Like the TCBA Board, our membership quickly adapted to electronic conferences and telecommuting. When I reached out to several firms regarding their response to the "Stay Home, Stay Healthy" order, I was impressed with how quickly and efficiently our membership transitioned to this new way of doing business. As Thurston County moves to Phase 2, our members are looking forward to meeting with clients and scheduling court hearings. However, as provided in Judge Schaller's article, our courtrooms and hearings will look very different in the coming weeks and months.

While we are practicing social distancing and providing limited service, now is a good time to address a business continuity plan. While some may question if adopting an emergency preparedness plan is akin to closing the barn door after the cows are out, I assume a more optimistic view. By preparing in advance, you are ensuring your clients and firm are protected in the event of a disaster. The Washington State Bar Association provides resources to assist lawyers with teleworking and preparing or responding to an emergency. Recently, they posted a link to *Surviving a Disaster; A Lawyer's Guide to Disaster Planning*. The article provides instructions and worksheets to help small firms and solo practitioners prepare for an emergency closure. Additional information is available through the WSBA webpage related to an employer's responsibility to provide a safe work environment, FMLA or emergency leave, and OSHA requirements.

In closing, I want to thank my colleagues for a wonderful year as your president. While the term presented unforeseen difficulties, I was inspired to see our members rise to the challenge. Moving forward, let's all look forward to a safe recovery and economic rebound.

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A View From the Bench

**By Judge Christine Schaller
Thurston County Superior Court**



STRANGE TIMES

While I am writing this article, most of you are probably starting your day working from home. Perhaps you are both working and managing your children and their many needs. It is a “strange time” and we are all trying to figure out how this temporary or permanent new normal is going to work.

From the Court’s perspective, we have been very appreciative of the lawyers’ patience and understanding as we have worked to create a schedule to conform with Governor Inslee’s “Stay Home, Stay Healthy” emergency order and the Orders from the Supreme Court of the State of Washington. The majority of our staff are working from home and we have tried to limit the number of people, including the judges, in both buildings at any one time. This has caused a huge disruption in our processing of cases.

As we plan for June 1st, we are trying to create calendars in both buildings that will start to address the backlog of cases. We are working to create a system that will keep staff, lawyers and the public as safe as possible when they access the Courts. As we create our calendaring, we are using where appropriate time specific calendars and allowing for telephonic or other virtual court appearances. This is all in an effort to limit the number of people that physically come to the courthouse.

You have all been to one or both of our courthouses and know that they were not built for physical distancing. Accordingly, one of our greatest challenges now is space. Our expertise is in the law, not in determining the number of people who can be in a courtroom or the courthouse itself staying 6 feet apart. We have reached out to people who have some expertise in these areas, but they have not yet been able to give us any guidance. Through our efforts with a measuring tape and looking at how furniture might be changed in courtrooms, we have created a guideline for occupancy in each courtroom at both courthouses as follows:

Main Campus

Courtroom	Bar	Gallery	Jury Box	Total not including Judicial Officer, Clerk, Court Reporter and witness, if needed
101	4	11	0	14
102	4	34	7(13 with additional Jury chairs)	45
201	4	6	6 (13 with Jury chairs)	16 (23 jury trial)
202	4	11	6	21
203	4	11	6	21
204	4	10	6	20

Family & Juvenile Court

Courtroom	Bar	Gallery	Total not including Judicial Officer, Clerk, witness and Court Reporter, if needed
1	4	6	14
2	4	13	14
3	4	9	14
4	4	9	14
FJC Conf.	NA	TBD	TBD



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YOUNG LAWYER SPOTLIGHT

BY BROOKE FRICKLETON, YL CHAIR

BROOKE FRICKLETON
bfrickleton12@gmail.com
WSBA # 55580



- ◆ **Areas you practice:** real estate transactions, small business, land use, environmental, and municipal law.
- ◆ **The hardest part of being a young lawyer is:** When it feels like nearly every time a task is assigned a task, it's something I've never done before. I look forward to continuing to develop new skills so someday this is not the case.
- ◆ **If you weren't a lawyer what would you be:** a high school history teacher or general contractor.
- ◆ **Trait I admire in other attorneys:** Ability to explain complex legal principles to clients in an easily digestible way.
- ◆ **Law school activities:** President of Women's Law Caucus, Business Editor of Gonzaga Law Review, Admissions Ambassador.

- ◆ **Advice to first year law students:** Don't make your mind up about anything.
- ◆ **Best stress reliever:** Yoga and dog walks.
- ◆ **Three favorite places in Thurston County:** The Farmers Market, Priest Point Park, Quality Burrito.
- ◆ **Book I would recommend to others:** Better than Before by Gretchen Rubin.
- ◆ **Favorite song right now:** Lost in Yesterday - Tame Impala.
- ◆ **What you like about being a part of TCBA:** The monthly CLEs and Young Lawyer meet ups.
- ◆ **About me:** I am the new YL section chair and greatly looking forward to this opportunity to foster more connections in the Thurston County legal community! I was drawn to the position because I love finding commonalities between new people. I am originally from Des Moines, Washington, earned a B.S. in Natural Resources from Oregon State University, spent a few years living on Bainbridge Island and working as an indoor rock climbing instructor, and then attended law school at Gonzaga University graduating in 2019.

If you would like to be featured in the Young Lawyer Spotlight or know someone you would like your fellow lawyers to get to know, email Brooke at bfrickleton12@gmail.com.



**Thank you for volunteering
your time to serve on
the 2020-2021 TCBA
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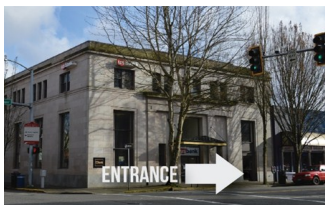
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"I can hardly see why all who are governed by law should not have a voice in making it."



-Daniel Bigelow Diary, 1 May 1854.

Pioneer Olympia lawyer and legislator D R Bigelow helped bring the rule of law to the Pacific Northwest and worked to ensure all had access to their rights.

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(Continued from page 2)

Strange Times By Judge Christine Schaller

As you can see, this level of occupancy creates significant issues in how calendars can be created and run to ensure we comply with physical distancing. In the past, most of our courtrooms have been completely full when we are hearing calendars and that can no longer occur. Also, when jury trials resume the week of July 6th, we will likely be limited to one jury trial at a time to ensure physical distancing of jurors.

Compounding our space issues is a lack of resources. The information from Thurston County leadership to all County departments/branches of government is that we should expect significant impacts to our budgets. This is not surprising, but greatly impacts how we can respond as we re-open. Our Court has been actively working with County leadership identifying our space concerns and our Constitutional mandates, including providing access to justice. The Court is hopeful that Thurston County will be able to help us with our space issues.

What can you do – you ask? First, regularly review our website. The website is the best place to find the most current information about our operations. Next, please continue to be patient and understanding as we resume somewhat normal operations in June. It will be a work in progress as we move forward. Finally, you are welcome to provide constructive feedback about our restructuring of calendars.

I will end with these final thoughts. As you know, we are so fortunate in Thurston County. We have an amazing Bar of lawyers. Lawyers who are committed to the law and providing vigorous and meaningful representation to clients. This has been my experience the last 24 years since I started here in 1996 fresh out of law school. We are also fortunate because our Board of Judges is incredibly hard-working. We have worked together to problem solve and come up with solutions in this unprecedented time. Our Board of Judges has been and will continue to be committed to our community and ensuring that our courts are open, accessible and provide access to justice for all.

The TCBA Member Appreciation Barbecue is back by popular demand!

Bring your family and come join the fun
on August 8, 2020
at Burfoot park at 12:00 p.m.*



Free food and fun you won't want to miss!

*This event may be postponed if Thurston County has not entered phase 3 of the re-opening plan. Please check the TCBA web page for updated information.



**Congratulations to the new TCBA board members,
Matt Huot, Wayne Graham, and John Kesler III.**

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News from the Washington State Law Library

The State Law Library reading rooms are currently closed due to the [COVID-19 public health directive](#). While our doors may be closed, our services are still open and we are available to answer reference questions and provide research assistance. Two of our reference librarians are working remotely at this time and one librarian remains on site in the Temple of Justice to answer phone calls and provide legal research materials from the library collection. Here are a few important things to note while the library doors are closed:

- If you need assistance, please send an email to Library.Requests@courts.wa.gov or call 360-357-2136.
- While we do have a librarian on-site, we cannot provide curbside library service at this time.
- We are offering free shipping for WSBA members during the closure. If you need to check out a book, please call or email to arrange for delivery to your home or office at no charge. We can also scan pages or sections for you if you're short on time. You can search and request titles in our collection through the library's [online catalog](#).
- Don't worry about overdue books! We will continue to automatically renew checked out items for you until we re-open. However, if you need to clear some desk space, you can ship your books back via FedEx or UPS to Washington State Law Library, Temple of Justice, 415 12th Avenue SW, Olympia, WA 98501.
- We do not have a scheduled opening date, but will post any updates on our [website](#).

We look forward to seeing you back in the law library when we open our doors again.

Working from home? The law library [blog](#) has got you covered. Our librarians have [compiled a list of legal research tools to create your own remote home library](#), including links to trials of Lexis, Westlaw and Bloomberg Law. We've also identified [legal and government-specific COVID-19 resources](#). If you're doing Washington-specific research, check out the [recent post on finding Washington State Supreme Court cases online](#). If you're looking for a break, check out library staff recommendations for [leisure reading](#), [movies](#), [shows and podcasts](#).

Contributed by Washington State Law Library reference staff.

Are you receiving emails from the TCBA?

If not, please check your spam folder to see if the TCBA emails are going directly there and then ask your IT Staff to unblock the two TCBA emails addresses:

tcba.info@gmail.com and
info@thurstoncountybar.com

Looking for a new job opportunity or do you want to advertise a job opportunity at your law firm?

Check out the Employment Opportunities page on the TCBA website, www.thurstoncountybar.com.

There is no charge to post legal job opportunities.

Email Heather at tcba.info@gmail.com for more information.

Congratulations to the 2020 Daniel Bigelow Award Winner

LARRY JEFFERSON

The TCBA Board of Directors is proud to announce the 2020 Daniel Bigelow Award recipient, Larry Jefferson, for his outstanding dedication to the law profession and his community. Due to the COVID19 pandemic, we have had to postpone the TCBA Annual Meeting and Dinner where Mr. Jefferson would have been honored. Please join us in presenting the 2020 Bigelow Award to Larry Jefferson at the TCBA Holiday Luncheon on December 11, 2020.

Larry Jefferson is a lead attorney for the Superior Court Adult Felony team at Thurston County Public Defense. Throughout his twenty plus years in public service, Mr. Jefferson has been the personification of the TCPD Mission Statement. *“To defend and protect our clients’ Constitutional Rights, one person at a time.”*

In partnership with Wayne Graham, Mr. Jefferson spearheaded the First Look Program which provides alternatives to charges and incarceration for cases identified as low-level and non-violent. This assisted in reducing the rate of incarceration in our community.

In addition, Mr. Jefferson was instrumental in establishing the new Pretrial Services Diversion Program which is a low-cost diversion program. Over the course of two years, he worked with the Prosecuting Attorney’s Office and Pretrial Services in developing and implementing the program.

Mr. Jefferson was a critical team member of the Trueblood Diversion Program. He worked tirelessly to obtain the release from custody of mentally ill clients who then obtained treatment and evaluations within the community. The program is a model for the State of Washington and a basis for future requests to obtain peer support for clients in need of services.

Through his employment, Larry Jefferson has served in work groups and committees such as Innovative Justice, The Opioid Task Force, Felony Leadership Improvement Project, and Cielo.

In addition to the committees and workgroups already mentioned, Mr. Jefferson contributes hundreds of hours of personal time in our local community. He has served as a board member for the Campaign for Equal Justice and former member of the Olympian Editorial Board and Disciplinary Advisory Round Table. In addition, Larry Jefferson served on committees for Olympia Beer and Justice which provides legal aid for low-income families. He was instrumental in resurrected the TCBA Criminal Law Section and in 2019, he and Mike Martinez introduced the TCBA Diversity and Inclusion Section.

Mr. Jefferson was active on the Thurston County Bar Association Board of Directors from 2009 to 2015. During that time, he served as an Officer and as President from 2013 to 2014. It is no surprise Mr. Jefferson was nominated and received the Washington State Bar Association Local Hero Award in 2018.

Although he is always busy with a new committee or workgroup, Mr. Jefferson finds the time to serve breakfast every week at the Salvation Army Community Kitchen in Olympia. Through his actions and dedication, Mr. Jefferson is an outstanding professional and leader in our community. It is an honor to award Larry Jefferson the 2020 Daniel Bigelow Award.

Congratulations on this well deserving award, Mr. Jefferson!



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TCBA & Other Upcoming Events

TCBA Annual Meeting & Dinner: Due to the COVID-19 pandemic, the TCBA Annual Meeting and Dinner scheduled for Friday, May 29, 2020 has been postponed to December 11, 2020 at 12:00 p.m. during the holiday lunch at the Olympia Golf & Country Club.

TCBA Bar Poll and Forum: The TCBA will be providing an online forum with the Thurston County Superior Court Judicial Candidates. You will be notified by email of the event and information will be posted on the TCBA web page. www.thurstoncountybar.com.

TCBA Member Appreciation Barbecue: The barbecue is on August 8, 2020 at Burfoot Park at 12:00 p.m. Bring your families!

September 2020 Issue of the Legal Brief: The deadline to submit articles and advertisements for the September 2020 Legal Brief is August 18, 2020. Please email them to Heather Ligtenberg at tcba.info@gmail.com.

Mark Your Calendars for the TCBA Member Luncheon and CLE Dates for Fall 2020: September 25, 2020, October 23, 2020, and November 13, 2020 at Hotel RL in Olympia at 11:30 a.m.

Save the Date: The Annual TCBA Holiday Lunch will be on Friday, December 11, 2020 at 12:00 p.m. at the Olympia Golf & Country Club.

Please refer to the "News & Events" section of our website for a full list of upcoming events: www.thurstoncountybar.com

Section/Committee Announcements...

Diversity and Inclusion Section

The next section meeting will be on June 3, 2020 via Zoom at 12:00 p.m.
Section members should have received information and the Zoom invite for the meeting.

Mike Martinez and Larry Jefferson are the Co-chairs of this section.
If you have questions, please contact Mike at Martinez.mike@hotmail.com or Larry at LarryJefferson@comcast.net

The section webpage is: <https://thurstoncountybar.com/diversity-and-inclusion/>

Criminal Law Section

Due to the COVID-19 pandemic, the next section meeting is to be determined.

Lindsey Trakel and Angela Colauita are the Co-chairs of this section.

If you have any questions, please contact Lindsey at Lindsey.Trakel@co.thurston.wa.us or Angela at Angela.Colauita@co.thurston.wa.us.

The section webpage is:
<https://thurstoncountybar.com/sections/criminal-law-section/>

Real Estate, Land Use and Environmental Law Section

Due to the COVID-19 pandemic, the next section meeting is to be determined.

Heather Burgess is the Chair of this section.

If you have any questions, please contact Heather at hburgess@phillipsburgesslaw.com.

The section webpage is:
<https://thurstoncountybar.com/land-use-section/>

Family Law Section

Due to the COVID-19 pandemic, the next section meeting will likely be in early June using a virtual format. Information will be emailed to the section members.

Meredith Gerhart is the Chair of this section.

If you have any questions, please contact Meredith at (360) 350-6505 or Meredith@gerhartlegal.com

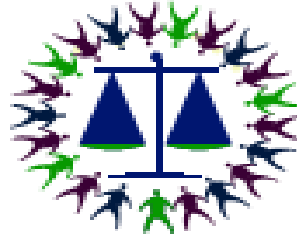
The section webpage is:
<https://thurstoncountybar.com/sections/family-law-section/>

Young Lawyer Section

Due to the COVID-19 pandemic, the next section meeting is to be determined.

Brooke Frickleton is the Chair of this section.
Her email address is bfrickleton12@gmail.com.

The section webpage is:
<http://thurstoncountybar.com/sections/young-lawyer-section/>



Thurston County Volunteer Legal Services

Spring Fundraising Campaign:

There's still time to give!

Due to COVID-19 restrictions, TCVLS moved our annual fundraising breakfast to an online campaign. While very appreciative of the funds raised, our donations were down \$15,000. If you have any room in your budget, please consider a donation to TCVLS.

www.tcvls.org

Special thanks to Justice Raquel Montoya-Lewis for being our featured lunchtime speaker on Wednesday, May 6th!

We owe special thanks to Patrick and Grace O'Connor for sharing their thoughts on donating to TCVLS and to David Sisk of Cap City Law for sharing his experience as a volunteer attorney.

The Righteous Mothers gave us permission to use one of their songs on our website called The Ballad of Lawyer Pride. I think you all will appreciate the sentiment! Enjoy!

You can see all these videos at our website:

www.tcvls.org

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THANKS TO THE THURSTON COUNTY BAR ASSOCIATION FOR SUPPORTING TCVLS!

“In Re: Travis Burns ”

By Michael Young

Name and year admitted to Bar: Travis Burns, admitted to practice 2005

Areas you practice in: Land use, environmental, administrative, general gov, appeals

I became a lawyer because . . . I wanted a seat at the table when important community decisions are being made.

The hardest part of being a lawyer is . . . Helping your client make those important decisions, especially when legal considerations seem “inconvenient.”

I would give this advice to a first-year law student: Don’t obsess over student loans. Figure out what you want to do and learn how to do it. Being a lawyer can and should be enjoyable.

Traits I admire in other attorneys: I always admire a very well written brief. I also admire lawyers who work hard for their clients, but understand how to practice with creativity and respect. Definitely some great examples out there. I also envy about 90% of what Abraham Lincoln did (hey, nobody is perfect).

If I were not practicing law, I would be . . . An unaccomplished engineer with a heavy penchant for skiing and river kayaking.

What is the first thing you will do when you retire? Spend as much time on the ocean, when I’m not recreating on our mountains and rivers.

If you could time travel, would you go to the past or the future? Why? If the movies from the 80s and 90s taught me anything, it is that time travel should be explored cautiously. Time Bandits, Back to the Future, Bill and Ted’s Excellent Adventure . . . all got a little too complicated for me.

What words of wisdom would you pass on to your childhood self? Fill your life with things you enjoy. And please set your alarm for the morning of your first law school exam.

What words of wisdom would you give to a young lawyer new to the profession? Our work may be important, but even the most important legal problems require humor to solve. Without a sense of humility and laughter, it’s all too easy to lose perspective and self-care.

Brief synopsis of you, your personal life, your work life, and any special awards or activities: I have lived and practiced law in Olympia for about fifteen years, working at the department of Ecology, Attorney General’s Office, and Thurston County Prosecutor’s Office. My practice involves litigation and client advice in the areas of environmental, regulatory and land use law. My wife, Brenda, and I enjoy exploring the cascades and our regional coastal parks with our two young boys, Hank and Maxwell. When I am not spending time with the family, I am likely planning my next outdoor outing, cooking, or restlessly checking the daily COVID count.

Contact information (work phone and email): burnst@co.thurston.wa.us



We are pleased to announce that Erin R. McCrillis has joined our firm.



Erin McCrillis was admitted to the Washington State Bar in 2018. Her areas of practice include estate planning, probate and estate administration, real estate law, contracts and leases. Erin has a passion for helping others. She works hard to advocate for her clients and represent their best interests.

Erin grew up in Enumclaw, WA. She earned her bachelor's degree from Saint Martin's University where she studied abroad in Galway, Ireland. She earned her law degree from the University of Idaho, College of Law. While in Law School, she again studied abroad, this time in Florence Italy. She also served as elected President for the Student Bar Association, competed on the National Bankruptcy Moot Court team, and won the school's 2018 Outstanding Student Service Award.

Erin loves to travel and as a white-water raft guide, backpacker, kayaker, marathon runner, soccer player (and coach), she is happiest when she's being active in the outdoors. Erin's proudest accomplishment is hiking the historic Camino de Santiago with her father, covering 508 miles in 33 days, and living out of a backpack with two changes of clothing.

We are thrilled to have her joining Lifetime Legal to expand our areas of practice and we look forward to her involvement in the Thurston County legal community. Please join us in welcoming Erin R. McCrillis!

DEDICATED

Sharonda has been serving Thurston County for 12 years, with strong conviction, because she believes a community is only as strong as the people in it.

DIVERSE

Sharonda's broad legal background, extensive community service, and 22 years with the US Army will make her an accomplished and experienced judge, who reflects the community she serves.

DRIVEN

Sharonda is committed to providing a voice for marginalized groups in the community. She has advocated for restorative justice principles to be included within the juvenile justice system. Sharonda believes in fair and objective decision making.

Paid for by the Committee to Elect Sharonda Amamilo
PO Box 120 #126, Olympia, WA 98501
WWW.ELECTSHARONDAAMAMILO.COM



Join your friends in endorsing Sharonda for Thurston County Superior Court Judge!

"Our youth desperately need an advocate on the bench, and our county desperately needs a judge who has extensive family and juvenile court experience. That person is Sharonda; she is the only candidate who has the extensive experience and diversity of background necessary to reflect the community that she will serve with equity and compassion. I wholeheartedly support her for judge."
-Derek Harris, CEO, Community Youth Services

"Sharonda brings the experience and sound judgement needed to be effective on day one. She has my enthusiastic support."
-Steven Drew, Thurston County

Vote Sharonda Amamilo for Thurston County Superior Court Judge:

Primary: August 4, 2020
General: November 3, 2020

Elected Officials

- Justice Steven González – Washington State Supreme Court
- Justice Helen Whitener – Washington State Supreme Court
- Beth Doglio – Washington State Representative, 22nd LD
- Judge Sabrina Ahrens – Pierce County Superior Court
- Judge LeRoy McCullough – King County Superior Court
- Johnathan Lack – King County Superior Court Commissioner
- Judge Edirin Okoloko, Snohomish County Superior Court
- Steven Drew – Thurston County Assessor
- Joe Downing – Port Commissioner
- EJ Zita – Port Commissioner
- Corina Pfeil – Kenmore City Councilmember
- Malcolm Miller – Lacey City Councilmember
- Michael Steadman – Lacey City Councilmember
- Jessica Bateman – Olympia City Councilmember
- Lisa Parshley – Olympia City Councilmember
- Leatta Dalhoff – Tumwater City Councilmember
- Elizabeth Cameron – Centralia City Councilmember
- Jim Bambergener – Director, WA State Office of Civil Legal Aid

Former Elected Officials

- Sandra Romero – Former Washington State Senator, 22nd LD
- Karen Fraser – Former Washington State Senator, 22nd LD
- Karen Valenzuela, Former Thurston County Commissioner
- Marilyn Strickland – Former Mayor of Tacoma
- Lynda Zeman – Former Lacey City Councilmember
- Daryl Rodrigues – Former Director, Thurston County Public Defense

Local Businesses and Organizations

- Tumwater Pawn Brokers Taildragger Coffee Steadman Properties
- Court Reporters United Washington

Community Members

- | | | | |
|---------------|-------------------|-------------------------|---------------------|
| Mary Hall | Amelia Watson | Katrina Wynkoop-Simmons | Rev. Carol McKinley |
| Bob Jones | Evangelist Obenwa | Cherie Reeves Sperr | Christopher Desmond |
| Steve Simpson | Sharon McKellery | Rosalind Williams | Sarah Beth Huot |
| Dawn Schweib | Dr. Karen Johnson | Angela Guzman-Tucker | Katherine Gulmert |

"She is an unsung hero, fully committed in mind, body, and spirit to helping change in ways outside of work; at the end of the day, she doesn't clock out."

-2018 Womxn & Business of Achievement

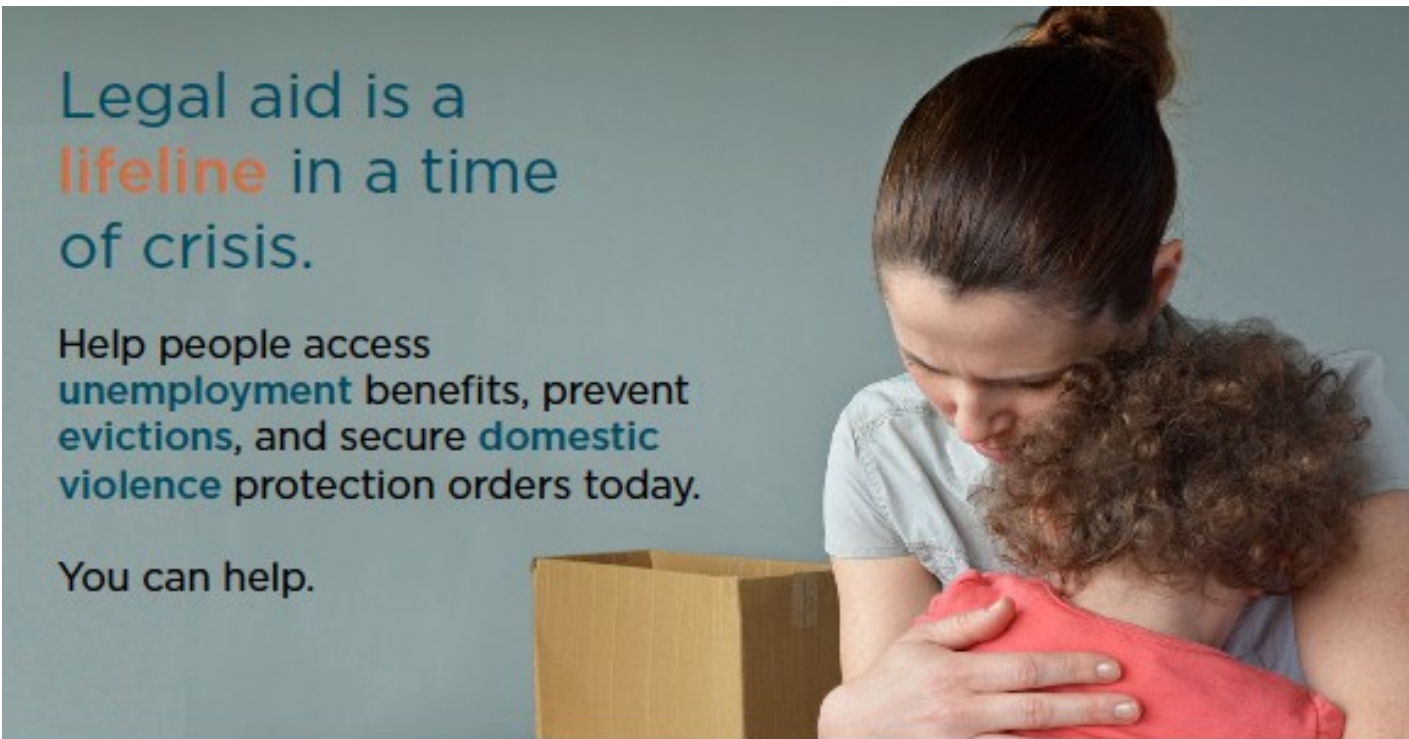
Vote Sharonda Amamilo for Thurston County Superior Court Judge:

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"Is among those select individuals who have demonstrated the high standards of integrity, moral character, professional competency and selflessness, and who have contributed significantly to the promotion of the military intelligence corps."

-Knowlton Award, Military Intelligence Corps

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-Gail Mautner
Shareholder, Lane Powell PC

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