

Local bar members:

I hope everyone is dealing with the grief that comes along with the end of summer. It's almost time to put away the 45 SPF, dust off the cardigans and get back to work. Vacation season is over, my friends, at least other than for yours truly, who will be gracing the shores of Kauai when I should be presiding at our first bar lunch of the new year on September 16th. Thank you to President-Elect Mark Peterson, who has agreed to preside at the September 16th lunch and give a lunch CLE presentation on water rights.

There are some important announcements in this month's newsletter, including updates from VAS and from the Chelan County Superior Court and Douglas County District Court. Please pay particular attention to some of the new procedures that are being adopted at the courthouses. We also have an update on the bar association talent show which has been postponed to January due to the fire at St. Joseph's School Gym. This newsletter also includes information about an upcoming CLE Blitz on November 12th and 13th that the Young Lawyers and VAS are sponsoring, as well as a conference on Protecting Our Seniors which will be held on September 16th at the Convention Center.

Congratulations to Judge Allan for being honored with the "Outstanding Judge Award" and to Ernest Radillo for receiving the "Courageous Award," both of which will be presented at the 2009 WSBA Annual Awards Dinner on September 24th. These are prestigious WSBA awards, so I hope everyone will congratulate Judge Allan and Mr. Radillo next time you see them.

Brian Huber

CHELAN-DOUGLAS COUNTY BAR ASSOCIATION NEWSLETTER - SEPTEMBER 2009

MONTHLY BAR LUNCHESES AND CLEs

The first Bar Luncheon and CLE will take place **Wednesday, September 16th** at noon at the Wenatchee Golf & Country Club, and the third Wednesday of each month until May (except November and December). See note regarding the November lunch and CLE below. **On September 16th your President-Elect Mark Peterson will be presenting this month's CLE entitled "Water Rights Basics and Recent Developments."**

I'm looking for anyone who might be interested in presenting a CLE, so please contact me if you have any interest in providing this valuable service to your local bar association. And remember, presenters receive CLE credits for time spent preparing to give the CLE!

SAVE THE DATES – CLE BLITZ NOVEMBER 12-13

VAS and YLD will be co-hosting a 2-day end of the year CLE BLITZ, on November 12 and 13 at the Convention Center. There will be a great array of topics and speakers. **The November bar luncheon will be held on one of those two days, so stay tuned for which day the luncheon will be held.** This should be a great opportunity to pick up a few ethics credits. Information will follow via email and snail mail.

Mark your calendars and save the date!

**FALL BAR PARTY AND TALENT SHOW
POSTPONED UNTIL JANUARY 2010!**

It's sure to be worth waiting for!

Attorneys, Staff and Guests are all invited to perform
Contact Fona (667-6210) to sign up your act!

NEW DATE AND LOCATION TO BE ANNOUNCED

**IMPORTANT NOTES FROM CHELAN COUNTY
SUPERIOR COURT JUDGES**

- Thanks to all of you who have volunteered to serve as pro bono arbitrators. We may be able to resurrect our arbitration program soon.
 - Due to a continued decrease in juvenile criminal filings, we have eliminated our regular juvenile criminal calendar on Friday mornings. Matters that were generally set on that calendar will be distributed between the remaining juvenile criminal dockets on Tuesdays and Thursday mornings. The attorneys who were affected by this change have been notified.
 - Our Family Law Program now includes special setting all pro se family law show cause hearings before the assigned trial judge.
 - Thank you for your cooperation as we limit ex parte orders in chambers to emergency ones only. Beginning September 1, you must drop off your ex parte orders in the box outside our door by 10:30 a.m. and we will have them in your box the clerk's office by 4:30 p.m. Anything dropped off after 10:30 a.m. will be available in your box in the clerk's office the following morning. If you would like us to send your documents to the Clerk's office for filing, please indicate the same on the cover sheet and we will be happy to do that. However, we cannot guarantee a time that they will be available on LibertyNet or (conformed copies) for pickup. By putting them into your box in the Clerk's office, you have control over when the documents are filed, as opposed to them being placed in the Clerk's box to be filed in their regular course of business. This change is necessary due to county budget cuts that reduced our front office staff by 25%.
 - See Attachment #1 for the Chelan County Superior Court's 2008-2009 Annual Report.
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VOLUNTEER ATTORNEY SERVICES
Message from Interim Executive Co-Director
Penney Radillo

For those whom I have not had the pleasure of meeting, my name is Penney Radillo. I am pleased to announce that Arianna Cozart and I are currently jointly serving as VAS Interim Executive Directors. I can be reached at 663-2778 or maryjvas@nwi.net.

Senior Clinic: Since February, I have been directing the Senior Clinic at Wenatchee Valley Senior Activity Center on the first Wednesday of each month. The Senior Clinic provides free basic legal advice and/or brief basic legal services to seniors on estate planning, probate administration, elder law, property disputes and other concerns. The demand for this monthly Senior Clinic was so great that I was booked solid for months in advance! Due to the demand and unmet need, I worked with VAS to implement bi-monthly Senior Clinics at the WVSAC on the first and third Wednesdays of each month. The Speidel Law Firm has graciously agreed to staff the Senior Clinic on first Wednesdays, and I will continue to volunteer to staff a full day on third Wednesdays.

**VAS appreciates all the hours donated by the volunteer attorneys
over the past month.**

**PROTECTING OUR SENIORS: A Community
Comes Together**

September 16th 9:00 a.m. – 4:00 p.m.
Wenatchee Convention Center

This conference is brought to you by the Chelan Douglas Elder Abuse Awareness Council and the Aging and Adult Care of CW.

See Attachment #2 for more information.

NEWS FROM DOUGLAS COUNTY DISTRICT COURT

Marcella Presler, the Court Administrator for Douglas County District Court, has asked us to pass along some information. Douglas County District Court is moving towards paperless files, and they are no longer building paper civil files. They use an imaging system to store the files. Paper documents are imaged and after six weeks are shredded. The court will continue to conform copies and return them as usual.

Eventually, e-filing will be standard, although that system has not yet been implemented. For copies of documents in the court file, please send a written request and the clerks will return the documents via email for 25 cents a page or faxed at \$3 for the first page and \$1 for additional pages and with a bill.

2009 WSBA Annual Awards Recipients to Be Honored

The Washington State Bar Association Board of Governors takes great pleasure in announcing the recipients of the 2009 WSBA Annual Awards. The awards will be presented at the WSBA Annual Awards Dinner in Seattle on September 24, 2009,

The **COURAGEOUS AWARD** is presented to a lawyer who has displayed exceptional courage in the face of adversity, thus bringing credit to the legal profession. The 2009 Courageous Award Recipient is:

ERNEST RADILLO of WENATCHEE

The **OUTSTANDING JUDGE AWARD** is presented for outstanding service to the bench and for special contribution to the legal profession at any level of the court. The 2009 Outstanding Judge Award Recipient is:

THE HONORABLE LESLEY ALLAN

**CONGRATULATIONS, ERNIE RADILLO
AND JUDGE ALLAN!**

July 2009



CHELAN COUNTY
SUPERIOR COURT

2008-09 Annual Report

Budget Pluses & Minuses

In 2008 your Superior Court received an unprecedented amount of grant monies. With those monies, we were able to hire our first staff interpreter (see Reinforcement Arrives!! on page 2). In addition, with the cooperation of our county commissioners, the court began planning implementation of its Family Law Program for those persons involved in family law cases who do not have an attorney (self-represented litigants). This program became possible when the court employed its first Senior Law Clerk, Ms. Shannon Feeney, on July 1, 2008. Rather than a recent law school graduate, the court now has an experienced attorney to assist us in legal research and writing, and administer our new Family Law Program. She monitors family law cases involving self-represented litigants and shepherds them through the court system. We

(Continued on page 4)

A Message from the Presiding Judge

The one unchangeable certainty is that nothing is certain or unchangeable.

- **John F. Kennedy**

As you will see in this year's annual report, the operation of your Superior Court has experienced dramatic changes these last several months. Fortunately, we have a number of dedicated persons who help us provide justice to all. Without their hard work and willingness to deal with all the changes, we would not be able to operate as efficiently as we have so far. It is important to acknowledge all of them individually and by name: Thank you Fona Sugg, Bart Vandegrift, Karen Komoto, Luanne Nelson, Loraine Hohnstein, Shannon Feeney, Denise Whiteley and soon to be leaving us, Lacey Skalisky. Thanks to our part-time court commissioners, too: Jill Wise, Doug Takasugi and Kyle Flick.

Despite the budget cuts, the number of court hearings continued to increase for the fourth year in a row. Additionally, the number of new court filings increased to the third highest in the history of the court: 4,120 new filings. Juvenile offender filings continued to follow the state and national trends downward, although domestic violence petitions increased for the first time since 2005. (See table on page 3)

While adult criminal filings constitute only 17% of the cases filed in 2008, they continue to dominate our calendars and constitute 47% of the number of hearings held in 2008. We also appeared to decrease the gap between the number of cases filed and the number of cases completed. In 2007 we completed 250 fewer cases than were filed. In 2008 we completed 157 fewer cases than were filed.

Please feel free to contact any of your Superior Court Judges if you have any questions or comments. It is an honor to serve you.

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Judges:

Lesley A. Allan

John E. Bridges

T.W. Small, Presiding

Court Commissioner:

L. Bart Vandegrift

Judicial Assistant:

Fona Sugg

Court Security – “Say Cheese!”

Campus Security Deputy Elgin Shaw continues to provide excellent service to Chelan County courts. His job may have gotten a little easier in the past month with the long-awaited addition of strategically placed security cameras on the 5th floor of the Law and Justice building. At the time the security station was installed there was a single point camera that recorded the comings and goings of those visiting offices on the 5th floor. The upgraded system adds cameras at the door to judges’ chambers. Once the project is completed there will also be live feeds of the entrance to the courtrooms and the back hall emergency exit and district court division of the prosecuting attorney’s office. Additionally, the cameras are now viewable on a monitor in judges’ chambers and recorded to a hard drive for more efficient storage.

This upgrade was a joint project funded by Superior Court, the Chelan County Safety Committee, and the Facilities Maintenance department. The court thanks everyone for the spirit of cooperation on this project!

5th FLOOR SCREENING UPDATE 2008 TOTALS

Knives	1648
Leathermen	237
Scissors	142
OC/Pepper Spray	58
Ammo	56
Firearms	1
Handcuff Keys	106
Misc. Items	3823
Total	6071

Also included in these totals are twenty-one containers of alcohol and three drug paraphernalia items.

Through June 2009 the screening station has secured 2337 dangerous items that would have otherwise made their way to the Clerk, Court or Prosecutor’s Office.

REINFORCEMENT ARRIVES!!

Until July 2008 Chelan County Superior Court (CCSC) did not have a staff interpreter. In 2007 CCSC spent nearly \$59,000 on interpreter services—almost exclusively on Spanish language services (with a small amount for ASL). Because we did not have the financial resources to employ a staff interpreter, we had to pay certified interpreters required minimums that usually exceeded the actual time spent interpreting in court. Additionally, we were paying for interpreters to cover our juvenile dockets. Welcome Denise Whiteley, our court’s first full-time certified court interpreter!

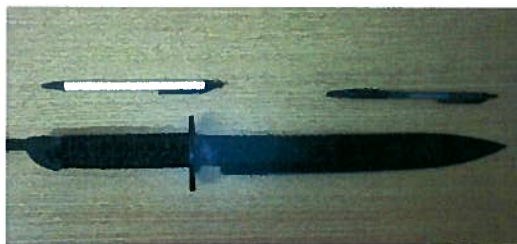
The flexibility of having a staff interpreter now allows us to cover nearly all adult and juvenile matters with one person—thanks to her willingness to *literally* run back and forth between courtrooms and buildings! The State has also relieved a portion of the financial burden. The county now receives reimbursement for 50% of the time she spends in

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What Are People Bringing to Court?



February 2009



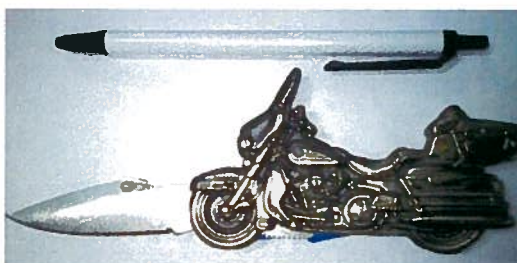
July 2009



June 2009



November 2008



May 2009



July 2009

1998-2008 Superior Court Statistics

Cases Filed											
(Types of Case)	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Adoptions/Paternities	198	179	123	165	156	123	90	103	88	98	117
Domestic Relations	650	643	566	545	594	579	543	698	689	635	585
Domestic Violence	183	188	263	216	229	245	201	209	194	178	203
Juvenile Offender	638	664	578	623	592	539	458	446	500	478	468
Juvenile Dependency	288	337	228	217	282	219	347	443	215	390	394
Civil **	952	884	889	1023	1210	1444	1220	1171	1080	1090	1313
Criminal	608	563	552	640	683	766	779	680	773	783	719
Probate/Guardianship	465	647	244	228	226	251	223	249	215	256	317
Mental Health	108	86	93	75	86	116	100	94	56	11	4
Total	4090	4191	3536	3732	4058	4282	3961	4093	3810	3919	4120

Hearings Held											
(Types of Case)	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Adoptions/Paternities	731	755	669	690	745	732	740	664	258	180	206
Domestic Relations	1795	2038	2133	1989	1902	2180	2161	2406	2696	2565	2263
Domestic Violence	230	267	334	283	271	270	279	237	249	225	282
Juvenile Offender	2514	3031	3007	3149	3442	3156	2711	2742	2963	2831	2871
Juvenile Dependency	767	967	914	816	917	669	936	1007	1255	1276	1313
Civil **	590	577	609	610	799	856	684	528	516	554	862
Criminal	4843	4923	5052	5110	5112	5818	5708	5823	6410	6960	7065
Probate/Guardianship	126	110	131	168	107	116	277	230	186	210	199
Mental Health	0	0	0	0	0	0	0	0	0	3	2
Total	10865	12668	12849	12815	13295	13797	13496	13637	14533	14804	15063

** exclusive of domestic violence cases and hearings.

Building Bridges in the Community and Across the River

In 2008, Chelan County was the recipient of a Family and Juvenile Court Improvement Grant aimed at improving outcomes for families and children in our community. One of the most exciting accomplishments made possible with the assistance of the FJCIP grant monies was a joint effort between our court, the County Clerk's office, DSHS and the Community Action Council. We are now able to offer caseworkers and the legal advocate at Community Action remote access to court files. This technology allows caseworkers to more

efficiently track any Chelan County Superior Court cases their clients may be involved in. They now have access to non-confidential documents in criminal matters, domestic violence protection actions, unlawful detainers, juvenile offender matters and any other non-confidential cases—all without picking up the phone or leaving their desk. It also allows the legal advocate to view the same documents via the Internet. This ability provides her valuable access to up-to-date and accurate information regarding the parties in order to help out with orders in

third party custody, dissolution, and modification actions. Additionally, it allows users to track proceedings by viewing clerk's minutes from every court hearing rather than having to rely on the self-reporting of the litigants or calling the clerk's office to have minutes read over the phone or faxed.

Simply having a focused effort on improving outcomes for families has significantly increased the communication

(Continued on page 4)



**CHELAN COUNTY
SUPERIOR COURT**

401 Washington Street
P.O. Box 880
Wenatchee, WA 98807-0880

Phone: 509 667-6210

Fax: 509 667-6588

Email: superiorcourt.judge@co.chelan.wa.us

Justice Delayed Is Justice Denied

**[We are on the web:
www.co.chelan.wa.us]**

Your Chelan County Superior Court is a court of general, or unlimited jurisdiction. Three Superior Court judges preside over criminal and civil cases including crimes against persons, property crimes, divorces, juvenile crimes, probate of estates, personal injury actions, adoptions, mental illness and matters of domestic violence.

Chelan County is also served by one full time court commissioner, who handles most juvenile matters and certain family law and other matters as requested by the court. He is assisted on an as needed basis by three part-time court commissioners.

Building Bridges, *(continued from page 3)*

between the key players in our court community. The spirit of cooperation has even crossed county lines. Chelan and Douglas Counties recently entered into an agreement whereby judicial officers in each county have the ability to view the other county's court files via LibertyWeb. Chelan County judges can now view domestic violence protection orders and criminal no-contact orders that have been entered in Douglas County and vice versa. Because the vast majority of Douglas County residents file their family law matters in Chelan County, this access will be extremely valuable for both courts. We are two counties, but one community. This new agreement offers our courts an additional tool as we strive to make the best decisions possible for some of our most vulnerable citizens.

Budget Pluses & Minuses *(continued from page 1)*

also secured funding that allowed us to adopt the Superior Court Judges Association's Unified Family Court Principles. Consequently, we are now able to limit hearings in family law cases to the assigned judge and our Family Law Court Commissioner. Limiting the number of judicial officers who will preside over hearings in a particular case, provides consistency for the family and efficiency for the court.

However, in 2008 your Superior Court was also required to cut its 2009 budget by 2.5%. We were only able to accomplish this sizable cut by elimination of our rotating law clerk position after August 31 of this year.

Now due to a continued decrease in revenues, the County Commissioners have asked us to cut another \$32,000 from our budget by the end of this year! The total cuts (\$58,819) must be sustainable through 2010.

Thankfully we were able to use money that had been accruing in our Trial Court Improvement Fund, which was to be spent on court improvement projects, to cover the additional cuts. However, the only way we could make the cuts sustainable without further loss of court staff was by taking the following actions:

- Continue to operate with only one senior law clerk/bailiff

- Eliminate the Court's mandatory arbitration program
- Eliminate non-emergency ex parte presentments in Chambers
- Limit the use of our part-time court commissioners
- Limit the monies spent on county pay Title 11 GAL's

Hopefully, we will be able to restore our lost staff position sometime in 2010. In the meantime, we appreciate the hard work of all of our remaining employees as they share the duties of our lost employee.

Interpreter *(Continued from page 2)*

court interpreting. The court staff and litigants also enjoy the added benefits of almost immediate access to a certified interpreter who assists court users who are often here through no fault of their own (seeking to protect themselves and/or their children) and attorneys who represent indigent criminal defendants. Her ability to communicate in the Spanish language is invaluable when questions arise or additional information is required. Ms. Whiteley also translates for our Family Law Program. Criminal defense attorneys report that they are able to get more and better information from their clients at counsel table because of Ms. Whiteley's interpreter skills and her ability to communicate culturally as well as linguistically with the clients.

This conference is brought to you by the Chelan Douglas Elder Abuse Awareness Council. Our mission is to promote a greater understanding of elder abuse and provide a network to facilitate the care and protection of the vulnerable elderly.

Elder abuse is a community problem and requires the actions of concerned citizens who are willing to get involved.

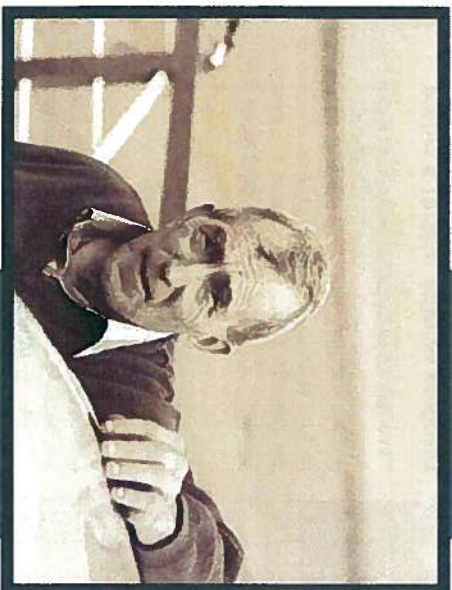


If you, or someone you know, would like to become a member of the Elder Abuse Prevention Council or have any questions contact: Valerie Graber or Erin Nelson at 1-800-572-4459.

Aging & Adult Care of CW
50 Simon Street SE
East Wenatchee, WA 98802

Phone: 509-886-0700

**Protecting Our Seniors:
A Community Comes Together**
September 16, 2009
9 am-4 pm
At the Wenatchee Convention Center



**Register
Now!**

Scheduled Speakers . . .



Therese Murphy
Deputy Prosecuting Attorney
Yakima County Prosecuting
Attorney's Office

In 2006, Therese became the designated Deputy Prosecuting Attorney for all elder abuse cases in Yakima County. Since that date, Therese has successfully prosecuted elder abuse cases. In order to have a successful prosecution, many obstacles had to be overcome. As an active member of the Elder Abuse Task Force, Therese has had the privilege to speak to various groups including elders, caregivers, family members, and law enforcement.



Sgt. Dave Helvey
Douglas County Sheriff's Office

Dave has been in law enforcement since 1989 and has worked for the Douglas County Sheriff's Office for the past 18 years. He has been in the investigations division of the Sheriff's Office for the past 15 years and has been the Detective Sergeant since 2001.



Jan Quinttrall, President/CEO
Better Business Bureau

In January of 2002, the BBB of the Inland Northwest, under Jan's leadership, acquired the Better Business Bureau of Central and SE WA. In January, 2004, your BBB began servicing the state of Montana for the first time in BBB history. Through this growth, the BBB has gained a greater service outreach and expansion in its accredited business base.



Patrick Stickel,
Adult Protective Services

After 10 years of work in the field of juvenile rehabilitation and 2 years working as a case manager for disabled adults, Patrick joined Adult Protective Services as an investigator in January, 2001. He became the supervisor of the Spokane APS unit in December of 2003 and is currently the Region 1 APS Program Manager.

CONFERENCE AGENDA

9:00 – 9:45 Registration

9:45 – 10:00

Welcome & Orientation
 Bruce Buckles, Executive Director,
 Aging & Adult Care of Central WA

10:00 – 11:00

Keynote Speaker – Therese Murphy

Yakima County Prosecuting

Attorney's Office

11:00 – 11:15 Break

11:15 – 12:00

Sgt. Dave Helvey

Douglas County Sheriff's Office

12:00 – 1:00 Lunch Provided

1:00 – 2:00

Jan Quinttrall

Better Business Bureau

2:00 – 2:45

Patrick Stickel

Adult Protective Services

2:45 – 3:00 Break

3:00 – 4:00

Panel Discussion

REGISTRATION FORM

Cost (includes lunch) \$30

\$10 for those 60+

(please enclose check payable to

AACCW)

Name

Address

City/State/ZIP

Phone number

Affiliation, if any

Vegetarian Lunch? Yes No

Please enclose check payable to AACCW,

attn: Tammy Hauff 50 Simon St. SE, East

Wenatchee, WA 98802.