

**WASHINGTON STATE  
BAR ASSOCIATION**

**Board of Governors Meeting  
Public Session  
Late Materials**

**July 27-28, 2018  
The Hilton  
Vancouver, Washington**



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Friday, July 20, 2018

Margaret Shane  
Washington State Bar Association  
1325 Fourth Ave., Suite 600  
Seattle, WA 98101-2539

RE: Proposed Bylaw Amendment to Art. IV (D)(3)

Dear Ms. Shane:

We write to you in opposition to the proposed Bylaw Amendment to Art. IV (D)(3). According to the language of the two versions of the proposed amendment, and the WSBA webpage, the proposed amendment to the Bylaws “would preclude governors, other officers, and the Executive Director from supporting or opposing candidates seeking a position on the Board of Governors.”<sup>1</sup>

This proposed amendment is an unconstitutional content based prior restraint (more on that below), and will only result in reduced information to the membership. Ironically, the members of the Board of Governors, are the very individuals most likely to have an informed opinion to share on candidates for the Board of Governors.

Also, such censorship is in opposition to the stated goals of the Association. In general, the Washington State Bar Association strives to: “Provide services to its members... (15) Disseminate information about the organization's activities, interests, and positions...” GR 12.2.

**1. THE PROPOSED BYLAW IS AN UNCONSTITUTIONAL PRIOR RESTRAINT.**

Prior restraints are “official restrictions imposed upon speech or other forms of

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<sup>1</sup> <https://www.wsba.org/about-wsba/who-we-are/WSBA-bylaws> (last viewed on July 20, 2018) (emphasis added).

expression in advance of actual publication.” *Bering v. Share*, 106 Wash. 2d 212, 243, 721 P.2d 918, 936 (1986) (*citing* The Doctrine of Prior Restraint, 20 Law & Contemp. Probs. 648 (1955)).

By the time the United States ratified the First Amendment, a consensus had developed in England that liberty of the press required the ability to put forth to the world what one wanted, as long as the printer was willing to accept the consequences of punishment for material considered illegal. **No administrative licensor or censor could preview work prior to publication, and no judicial orders could prevent what could be written for the future.**

Michael L. Meyerson, The Neglected History of the Prior Restraint Doctrine: Rediscovering the Link Between the First Amendment and the Separation of Powers, 34 *Ind. L. Rev.* 295, 311 (2001) (emphasis added).

This background provides context for Sir William Blackstone's famous description of free speech:

The liberty of the press is indeed essential to the nature of a free state: but this consists in laying no previous restraints upon publications, and not in freedom from censure for criminal matter when published. Every freeman has an undoubted right to lay what sentiments he pleases before the public: to forbid this is to destroy the freedom of the press...

Id. at 321 (citing 4 William Blackstone, Commentaries \*151-52 (1979)).

When the First Amendment was drafted, the English understanding of free speech meant, at a minimum, that administrators were not to take notice of writings intended for the press, and even in a time where punishment for truthful criticism of the government was permitted, “one element of liberty of the press was well-understood: **no governmental official-not licensor, not censor, not judge-should be involved in restricting expression before it is communicated.**” Id. at 313 (emphasis added).

a. THE UNITED STATES PROHIBITION ON PRIOR RESTRAINT

“From the very beginning of the legal debate over the true meaning of America's freedom of expression, there has been a powerful consensus that the starting point for such freedom is a ban on prior restraints.” Id. 314.

This was recognized by Chief Justice Parker of the Massachusetts Supreme Judicial Court in 1825 when he wrote:

[I]t is well understood, and received as a commentary on this provision for the liberty of the press, that it was intended to prevent all such *previous restraints* upon publications as had been practiced by other governments, and in early times here, to stifle the efforts of patriots towards enlightening their fellow subjects upon their rights and the duties of rulers.

*Commonwealth v. Blanding*, 3 Pick. 304, 313 (1825) (emphasis added).

In the American colonies, the concept of freedom of the press became a treasured ideal worth fighting for, as the colonial experience taught that assaults on the liberty of the press could come from any of the three branches of government. Meyerson, at 314.

During the debate around the constitutionality of the Sedition Act of 1798, there was “consensus on at least one critical principle: Liberty of the press must mean, at a bare minimum, no prior restraint...all appreciated that limitations imposed prior to publishing were simply unacceptable. Id. at 320-321.

In 1787 during the ratification of Pennsylvania's Constitution, James Wilson, who was later to serve as a Justice on the first United States Supreme Court, declared that “in any country-what is meant by the liberty of the press is, *that there should be no antecedent*

*restraint upon it.*” *Id.* at 321.<sup>2</sup>

In the late 1870s, Justice Joseph Story condemned prior restraints, whether they come from a licensor or a judge, as the liberty of the press is the right to publish without any previous restraint or license. *Id.* at 321-322.

From the beginning of this nation, there has been universal understanding that there could be no liberty of the press without a prohibition against previous restraints. *Id.* at 322.

In 1931, *Near v. Minnesota*, 283 U.S. 697, 51 S. Ct. 625 (1931), the United States Supreme Court made clear that the doctrine of prior restraint is an essential element of first amendment jurisprudence. *Meyerson*, at 336. This solidified that the doctrine of prior restraint has been an essential feature in American jurisprudence since the founding of this nation and through the expansion west to today.

In *Near*, the Supreme Court struck down as an unconstitutional prior restraint a state court injunction barring a local paper from distributing “any publication whatsoever which is a malicious, scandalous or defamatory.” *Near v. Minnesota*, 283 U.S. 697, 706, 51 S. Ct. 625, 627 (1931). Striking down the injunction, the Chief Justice wrote for the Court that “it has been generally, if not universally, considered that it is the chief purpose of the guaranty [of free speech] to prevent previous restraints upon publication.” *Id.*, at 713. The Court explained that prior restraints are permissible *only* in exceptional cases such as war, obscenity, and “incitements to acts of violence and the overthrow by force of orderly government.” *Near*, at 716.

In *N.Y. Times Co. v. United States*, 403 U.S. 713, 91 S. Ct. 2140 (1971), the United

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<sup>2</sup> Citing *Pennsylvania and the U.S. Constitutions: 1787-1788*, at 308-09 (John Bach McMaster & Frederick D. Stone eds., Da Capo Press 1970) (1888).

States Supreme Court specifically ruled that a prior restraint would be unconstitutional even when dealing with an improperly obtain “classified study.”

The Supreme Court recently emphasized First Amendment protections apply to all speakers, not just “the media.” In *Citizens United v. Federal Election Commission*, the Court held that “other speakers” hold the same rights as the “institutional press” when it comes to constitutional privileges. 558 U.S. 310, 352, 130 S. Ct. 876, 175 L. Ed. 2d 753 (2010) (cited affirmatively by *Obsidian Fin. Grp., LLC v. Cox*, 740 F.3d 1284, 1290 (9th Cir. 2014)). The Ninth Circuit agreed. “We draw no distinction between the media respondents and a non-institutional respondent.” *Obsidian*, at 1290. Every other circuit to consider the issue has held that the First Amendment applies equally to the institutional press and individual speakers.<sup>3</sup>

“The ‘First Amendment due process’ rule against prior restraints applies even to speech that's alleged to be constitutionally unprotected.” Mark Lemley & Eugene Volokh, *Freedom of Speech and Injunctions In Intellectual Property Cases*, 48 Duke L.J. 147, 150 (1998) (citing Henry P. Monaghan, *First Amendment "Due Process,"* 83 Harv. L. Rev. 518 (1970)).

b. THE WASHINGTON PROHIBITION ON PRIOR RESTRAINT

“Article I, section 5 of the Washington Constitution provides that every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.”

<sup>3</sup> See, e.g., *Snyder v. Phelps*, 580 F.3d 206, 219 n.13 (4th Cir. 2009), *aff'd*, 131 S. Ct. 1207, 179 L. Ed. 2d 172 (2011) (“Any effort to justify a media/nonmedia distinction rests on unstable ground, given the difficulty of defining with precision who belongs to the ‘media.’”); *Flamm v. Am. Ass’n of Univ. Women*, 201 F.3d 144, 149 (2d Cir. 2000) (holding that “a distinction drawn according to whether the defendant is a member of the media or not is untenable”); *In re IBP Confidential Bus. Documents Litig.*, 797 F.2d 632, 642 (8th Cir. 1986); *Garcia v. Bd. of Educ.*, 777 F.2d 1403, 1410 (10th Cir. 1985); *Avins v. White*, 627 F.2d 637, 649 (3d Cir. 1980); *Davis v. Schuchat*, 510 F.2d 731, 734 n.3, 166 U.S. App. D.C. 351 (D.C. Cir. 1975).

*Voters Educ. Comm. v. Pub. Disclosure Comm'n*, 161 Wash. 2d 470, 493-94, 166 P.3d 1174 (2007) (*internal citations omitted*). Thus, unlike the First Amendment, “article 1, section 5 categorically rules out prior restraints on constitutionally protected speech under any circumstances.” *Id.* “Prepublication restraints prohibit exercise of the right before any abuse of the right can be shown, thus imposing responsibility in contravention of the express language of Const. art. 1, § 5.” *Bering v. Share*, 106 Wash. 2d 212, 243, 721 P.2d 918, 936 (1986).

In *Ino Ino, Inc. v. City of Bellevue*, 132 Wash. 2d 103, 117, 937 P.2d 154, 163 (1997) (emphasis added), the Washington Supreme Court held that “the strict standard for evaluating prior restraints under the state constitution lies in the plain language of CONST. art. I, § 5 which ‘seems to rule out prior restraints **under any circumstances.**’” And in *O'Day v. King Cty.*, 109 Wash. 2d 796, 804, 749 P.2d 142, 147 (1988), the court held that “[b]ecause the Washington Constitution is less tolerant than the First Amendment of overly broad restrictions on speech, we must apply the standard of article 1, section 5.”

## **2. THE PROPOSED BYLAW IS UNCONSTITUTIONAL CONTENT RESTRICTION.**

Any restrictions on speech must be “content neutral.” *Ross v. Early*, 746 F.3d 546 (4th Cir. 2014). Government regulation of speech is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed. *Reed v. Town of Gilbert*, 135 S. Ct. 2218, 2227 (2015).

This commonsense meaning of the phrase ‘content based’ requires a court to consider whether a regulation of speech ‘on its face’ draws distinctions based on the message a speaker conveys. Some facial distinctions based on a message are obvious, defining regulated speech by particular subject matter, and others are more subtle, defining regulated speech by its function or

purpose. Both are distinctions drawn based on the message a speaker conveys, and, therefore, are subject to strict scrutiny.

*Id.* (internal citations omitted). Again, the order violates BOG members' First Amendment Rights because it restricts the content of their speech.

"Laws burdening such speech are subject to strict scrutiny, which requires the Government to prove that the restriction furthers a compelling interest and is narrowly tailored to achieve that interest." *Citizens United v. FEC*, 558 U.S. 310, 312, 130 S. Ct. 876, 882 (2010) (internal quotation marks omitted). "Premised on mistrust of governmental power, the First Amendment stands against attempts to disfavor certain subjects or viewpoints or to distinguish among different speakers, which may be a means to control content." *Citizens United v. FEC*, 558 U.S. 310, 312, 130 S. Ct. 876, 882-83 (2010).

Here, the proposed Bylaw prohibits the speech of governors based on its content and restricts their ability to say what any other lawyer could. Ironically, sitting governors are likely in the best position to vet candidates and give endorsements to the members of their districts.

In *United States v. Playboy Entm't Grp.*, 529 U.S. 803, 120 S. Ct. 1878, 1893 (2000), the United State Supreme Court directly addressed content-based restrictions, and held that when the purpose and design of a speech restriction is to regulate speech by reason of its content, special consideration or latitude is not accorded to the government:

Basic speech principles are at stake in this case. When the purpose and design of a statute is to regulate speech by reason of its content, special consideration or latitude is not accorded to the Government merely because the law can somehow be described as a burden rather than outright suppression. We cannot be influenced, moreover, by the perception that the regulation in question is not a major one because the speech is not very important. The history of the



law of free expression is one of vindication in cases involving speech that many citizens may find shabby, offensive, or even ugly. It follows that all content-based restrictions on speech must give us more than a moment's pause.

*Id.*, at 826-827.

In the matter at hand, the rule attempts to restrict the “content” of the speech. The content of the speech is directly about matters related to regulation of the Association (a governmental agency) and is therefore speech which falls squarely under the protection of the First Amendment.

### CONCLUSION

It should be self-evident from our history, that free speech matters, as it is a bedrock principle of this State, Nation, and our self-governing association. Yet, “[t]hat men do not learn very much from the lessons of history is the most important of all the lessons that history has to teach.”<sup>4</sup>

The proposed Bylaw serves only to keep the members uninformed and disenfranchised while marginalizing their elected representatives. It is unconstitutional and wrong. It is also contrary to the stated goals of the association. It should not be adopted.

Respectfully,

  
D. Angus Lee  
WSBA #36473

CC: William D. Pickett | President  
Rajeev Majumdar | President-Elect  
William D. Hyslop | Immediate Past President  
G. Kim Risenmay | Governor, District 1

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<sup>4</sup> Aldous Huxley, Collected Essays.

Carla J. Higginson | Governor, District 2  
Kyle Sciuchetti | Governor, District 3  
Daniel D. Clark | Governor, District 4  
Brian Tollefson | Governor, District 6  
Paul Swegle | Governor, District 7 North  
James K. Doane | Governor, District 7-South  
Kim Hunter | Governor, District 8  
Dan W. Bridges | Governor, District 9  
Christina A. Meserve | Governor, District 10  
Athan P. Papailiou | Governor, At-Large  
Jean Y. Kang | Governor, At-Large  
Alec Stephens | Governor, At-Large

**WASHINGTON STATE**  
**BAR ASSOCIATION**  
 Board of Governors  
 William D. Pickett, President

TO: WSBA Board of Governors

FROM: William Pickett, WSBA President

RE: 2018-2019 Committee Chair Appointments

DATE: July 17, 2018

**Action:** Please appoint the 2018-19 WSBA committee and board chairs listed below.

Below is my proposed slate of WSBA committee chairs for the 2018-19 year. The candidates' resumes are attached. All eligible members of the committees listed below were encouraged to apply for the chair position.

Committee/Board	Recommended for Appointment
Board of Bar Examiners	Chair: Monica Wasson** Vice-chair: Laura Spradley**
Character and Fitness Board	Chair: Russell Hermes* Vice-chair: Lisa Marsh
Committee on Professional Ethics	Chair: Don Curran**
Continuing Legal Education Committee:	Chair: Wil (Douglas) Miller
Council on Public Defense	Chair: Daryl Rodrigues* Vice-chair: Travis Stearns
Court Rules & Procedures Committee	Chair: Jefferson Coulter
Editorial Advisory Committee	Chair: Ralph Flick
Judicial Recommendation Committee	Chair: Paul Crisalli* Vice-chair: Michiko Fjeld
Law Clerk Board	Chair: Ben Phillabaum**
Legislative Committee	Chair: Kyle Sciuchetti**
Pro Bono and Public Service Committee	Co-chair: Paul Okner**
WSBA Diversity Committee	Co-Chair: Ailene Limric**

\* Moving up from Vice-chair position

\*\* Reappointment

MONICA WASSON

Washington State Court of Appeals

Division III

500 N. Cedar St.

Spokane, WA

(509) 954-3107

I do not have a current, formal resume. I graduated from Gonzaga University School of Law in 1977 and have practiced continuously since passing the bar exam in October 1977. I first worked as a legal writing instructor at the law school. I then clerked for Judge Dale Green of the Washington Court of Appeals for two years. From there, I went to the Washington Attorney General's Office, where I worked for two and one half years in the office's Education Division. I represented several community colleges and Eastern Washington University. I returned to the Court of Appeals in August 1982, and I have remained employed there since that time. I have held various positions, including Staff Attorney, and, most recently, Court Commissioner.

I was first appointed to the Board of Bar Examiners in 1988. In 2013, I was appointed chair of the BOBE, after this State adopted the Uniform Bar Exam as its admission exam. During this latest tenure, I have attended national UBE seminars and participated in our development of a Washington law component online test for bar applicants and a redraft of the bar examiners' manual. I assign graders and attend all grading sessions for Washington's bar exam.

## LAURA SPRADLEY

Washington Bar # 21425  
644 West 20th Avenue  
Spokane, WA 99203

### EMPLOYMENT HISTORY

2007-present	Staff Attorney, Court of Appeals, Div. III
1995-2007	Clerkship with Hon. John Schultheis, Court of Appeals, Div. III
1993-95	Clerkship with Hon. Dennis Sweeney, Court of Appeals, Div. III
1991-93	Self employed, including dissolutions, wills, appellate briefs
1981-91	Researcher/consultant: various attorneys, including Guy Zajonc, Spokane, WA; Robert C. Randolph, Seattle, WA; Tom Crandall, Gonzaga law professor
1982-present	Household manager/mother/community volunteer
1980-82	Managing Editor, staff member: Gonzaga Law Review
1978-80	Career Resource Coordinator: Lewis and Clark High School, Jantsch High School, Spokane, WA
1977-78	Public Relations Specialist: Spokane Parks and Recreation Department
1975-77	Teaching Assistant: English Department, University of Missouri, Columbia, MO

### EDUCATION AND HONORS

- Member, Washington State Bar
- Member, Arkansas State Bar (inactive)
- J.D., Cum Laude, Gonzaga University School of Law, 1982
- Managing Editor, Gonzaga Law Review
- M.A., English Literature, University of Missouri, 1977
- B.A., English, Cum Laude, Hendrix College, Conway, AR, 1975

## EXTRACURRICULAR ACTIVITIES

- Vice Chair, Board of Bar Examiners
- Executive committee, UBE and Washington Component
- Bar Examiner, Washington State Bar Association, since 2004
- Gonzaga University School of Law Jessup Cup practice judge
- Gonzaga University School of Law Linden Cup competition judge
- University of Washington School of Law Judson A. Falknor Appellate Advocacy Competition judge

## PERSONAL REFERENCES

Larry A. Weiser

Attorney and former Director, Clinical Law Program, Gonzaga University School of Law  
921 W. 33<sup>rd</sup> Ave.  
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**EDUCATION**      **University of Puget Sound School of Law**      1986-89  
Juris Doctor Degree, 1989  
**Central Washington University**      1981-85  
BA Degree, Law & Justice Major, 1985

**EMPLOYMENT**      **Attorney/Principal:** Hermes Law Firm, PSC,  
Everett, WA 98201. 1999 – Present.  
**Attorney/PLLC Member:** Riach, Gese, Seather & Watts, PLLC,  
Lynnwood, WA 98046. 1989 - 1999

**PROFESSIONAL AFFILIATIONS**      **Washington State Bar Association:**      Admitted, 1989  
**U. S. District Court, W.D. Wash.**      Admitted, 1990  
**U. S. Court of Appeals, Ninth Circuit**      Admitted, 2007

**Professional Memberships:**      American Bar Association  
Washington Bar Association  
Snohomish County Bar Association

**PROFESSIONAL ACTIVITIES**      **Five Star Wealth Manager Recipient** – 2010, 2011, 2012, 2016  
**WSBA Fee Arbitrator** – 1998 - 2007

**MAR Arbitrator:**      King, Snohomish, and Skagit County Superior  
Courts  
**Author/Drafter:**      Senate Bill 5741, enacted into law May 16, 1997

**Published Litigator:** McMahan & Baker, Inc. v. Continental  
Casualty Company, 68 Wn.App. 573 (1993)  
**Legal Clinic Director:**      Ken Baxter Senior Citizens' Center,  
Marysville, WA 2000 – 2017.

**COMMUNITY ACTIVITIES**      **Social Member:**      Everett Golf and Country Club, 2004 – Present.  
**Past President:**      Camp Fire USA: Snohomish County Council, 1987  
- 1988. Past Vice President and Secretary; Board  
Member, 1990 - 1998.  
**Member:**      Everett Rotary Club 5050, Everett WA 2001-  
Present

# Lisa Marsh

Email: Lisa.Marsh@comcast.net | Call: 360-561-6314

Quasi-Judicial Officer and Executive Leader with experience managing operations of a large cabinet-level state agency.

- Skilled decision-maker, mediator and advocate.
- Managed thousands of employees and complex budgets as large as \$350 million.



## Focus Areas

- Significant leadership experience in leading teams to success.

Includes Strategy Alignment, Performance Accountability & Improvement Recommendations

Includes People, Processes, Practices, Technologies, Tools, Methods, Standards & Metrics

Includes Risk Management, Performance Goals, Improvement Initiatives and Investments

## Areas of Strength

- Executive level leadership
- Lean governing
- Complex Legal Analysis
- Public policy
- Information technology
- Customer focus
- Change management
- Courtroom control
- Alternate dispute resolution

## Honors and Awards

- Governor's Distinguished Leadership Award
- Excellence in Government Leadership Award by Secretary of State
- Performance Excellence in Tax Operations by U.S. Department of Labor
- UI Innovation Award for Integrity by U.S. Department of Labor
- Workforce System Customer Service Award by International Association of Workplace Professionals
- James F. Walls Team Award by National Association of State Workforce Agencies

## Volunteer Experiences

- Executive Ethics Board Washington (past Chair) 2010 - present
- Hygiene for the Homeless 2010 - present
- National Association of State Workforce Agencies (Steering Committee member) 2013 to 2017
- Capital Lakefair (past President) 1994 to 2007

## Education

- Master of Laws (LL.M.), Taxation - University of Washington 1995 - 1998
- Juris Doctorate - Seattle University School of Law 1991 - 1994
- Bachelor of Arts, Society and Justice - University of Washington 1985 - 1987





# J. DONALD CURRAN

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J. DONALD CURRAN Partner in the firm of Delay, Curran, Thompson, Pontarolo & Walker, P.S. His practice is plaintiff's personal injury, elder law, and representing lawyers with ethics and disciplinary problems; has served as President of the WSTLA (now WSAJ) and Spokane County Bar Association; is a former member of the WSBA Disciplinary Board and served as its Chair in 1987; is an invited member to the American College of Trial Lawyers (1983-2011) and, since 1993, has been and is now listed in The Best Lawyers in America and has been listed in Spokane's "Best Lawyers"; was elected to the WSBA Board of Governors in 1988-1991; is a past Chair of the WSBA Disciplinary Committee, Character & Fitness Committee, a member of the 2001 WSBA Task Force on Lawyer Discipline leading to the adoption of the ELCs; is a former member of the WSBA Professionalism Committee and Judicial Recommendation Committee; has served as a Hearing Officer in disciplinary cases; frequent speaker at ethics oriented continuing legal education seminars including chair of the annual WSBA Ethical Dilemma CLE; is a past chair of the WSBA Rules of Professional Conduct Committee. Chair, WSBA Committee on Professional Ethics 2017-2018; recipient WSBA Professionalism Award 2017.

## Douglas Wilson "Wil" Miller



### Practice Emphasis

Family Law Litigation  
Collaborative Family Law  
Criminal Defense

Wil represents and counsels clients in all aspects of family law. He is an experienced litigator, but also trained in the collaborative family law process for those clients hoping to avoid litigation. Wil's practice also focuses on criminal defense – especially when criminal law issues affect families and family law cases. Wil joined Story Law in 2017 because of the firm's excellent reputation for resolving clients' cases in the most psychologically healthy and cost effective manner.

### Find us:

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[click here to email Story Law](#)

### Story Law attorney selected as "Super Lawyer" :

[Super Lawyers](#) honors the areas best attorneys and Loretta Story was chosen for 2012.

[read more about Loretta Story](#)

### Education

- Duke Law School, J.D., 1988
- Boston University, B.A. Germanic Language and Literature, cum laude, B.S. Communications, cum laude, 1984
- Collaborative Law Training – 2014
- Mediation Training, Pierce County Center for Dispute Resolution - 2014

### Awards and Recognitions

- Will is currently rated a perfect 10 out of 10 "Superb" by the lawyer rating site [www.AVVO.com](http://www.AVVO.com).
- In 2017, Wil was named one of the "10 Best Family Law Attorney's for Client Satisfaction" by the American Institute of Family Law Attorneys.
- Also in 2017, Wil was named one of the "Top 100 Lawyers for Criminal Defense" by The National Trial Lawyers.

### Memberships and Affiliations

- Washington State Bar Association (Family Law section)
- U.S. District Court of Western Washington
- King County Bar Association (Family Law and Collaborative Law sections)
- International Academy of Collaborative Professionals
- Collaborative Professionals of Washington
- King County Collaborative Law

### Professional and Civic Involvement

- Continuing Legal Education Committee – Washington State Bar Association
- Board of Directors – QLaw Foundation of Washington
- Board of Directors – Seattle Gay Couples
- Lawyers Assistance Program, Peer Counselor – Washington State Bar Association

### Publications

- Wil recently published a book entitled: "**When Your Son is Accused of a Sex Offense in Washington State: A Guide for Parents**" which is now available for Kindle download from [Amazon.com](http://Amazon.com). Complimentary e-copies can also be obtained by emailing Wil directly at [wmler@storylaw.com](mailto:wmler@storylaw.com).
- Wil also wrote the cover story for the June 2014 edition of *NW Lawyer Magazine*: "**Life After Meth – A Journey of Addiction and Recovery**" - which recounts Wil's personal story of addiction, recovery and reinvention. You can read it here: [http://nwlawyer.wsba.org/nwlawyer/june\\_2014?pg=1#pg1](http://nwlawyer.wsba.org/nwlawyer/june_2014?pg=1#pg1).

### Resources

- [Eastside Domestic Violence Program](#)
- [Washington Court Forms](#)
- [King County Collaborative Law](#)
- [King County Superior Court Clerk's Office](#)
- [International Academy of Collaborative Professionals](#)
- [Eastside Collaborative Family Law](#)

# Daryl A. Rodrigues, J.D., M.B.A., M.A.

300 High School Road NE #408, Bainbridge Island, WA 98110  
360-701-0306 Daryl@Rodrigues.us

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## Employment:

### ✦ **King County Department of Public Defense (KCDPD), Seattle, Washington**

#### **Managing Attorney, Northwest Defenders Division, Appointed 10/17-Present**

KCDPD consists of four divisions, each lead by Managing Attorneys to operate as legally independent defense firms under the policy and administrative direction of an appointed Chief Defender. Each division consists of a lawyer and non-lawyer staff of approximately 100. The Managing Attorney selects, nominates for hire, trains, supervises and mentors attorneys and other staff within the division to execute the Department's mission "*Upholding the Constitution one client at a time*". The Managing Attorney also serves as a member of the KCDPD executive leadership team participating and contributing to departmental policy and strategic litigation decisions. Northwest Defenders Division has offices in the Dexter Horton Building in downtown Seattle and in the Meeker Law Building near the Maleng Regional Justice Center in Kent, Washington.

### ✦ **Thurston County, Olympia, Washington**

#### **Director, Thurston County Public Defense (TCPD), Appointed 3/13-3/17**

As Chief Defender I provided leadership to an organization of approximately 50 in-house and independent lawyers defending indigent people charged with crimes, juvenile offenses or the loss of their children. During my tenure 2013 the department assumed defense for cases filed in the City of Tumwater, increased budget for operations by approximately 40% percent, added five new direct and administrative support positions, built robust social work and sentence mitigation capacity in-house, and transformed into a community oriented and client centered public defender office all of which are nationally accepted best practices or requirements of Washington's Standards for Indigent Defense. I established the strategic goal of developing the role of the public defender in the County to be that of a collaborator with local service providers, an educator, consultant and ambassador for local social justice groups, consumers and their families, and a presence in as many venues as necessary to give voice to the concerns and needs of our clients both directly and at the policy level. Defense cannot be effective from the client's perspective unless defenders also attend to the social, economic and systemic factors which drive people toward criminal justice system involvement and once involved keep them there. Finally, during my appointment I worked with the elected Sheriff, Prosecutor, Judges and County Commissioners and community on Thurston County's Innovative Justice Initiative (TCIJI). TCIJI is a strategic initiative which seeks to reduce jail population, and to divert mentally ill and substance addicted people from jails and into more appropriate treatment services. The initiative's work and advocacy prompted funding of a 10 bed forensic triage facility, implementation of a law enforcement assisted diversion program, creation of mobile crisis outreach services to help avoid escalation of situations and creation of diversion programs so that low level criminal conduct, particularly for young people, can be diverted from the criminal system entirely.

✦ ***Confederated Tribes of the Colville Reservation, Nespelem, Washington***

**Director, Office of Public Defense**

As head of the defense system I recruit, hire, train, supervise and mentor attorneys and other staff. I communicate with and prepare analytics for presentation to elected officials. I also ensure that the defense system operates in a fiscally efficient manner, operating within or under budget, and streamlining processes in order to continually reduce costs. In Spring 2012, collaborating with the state's three law schools, I hosted a symposium on Public Defense in Indian Country, bringing tribal leaders, judges and providers together to create a delivery model which both honors traditional values and honors constitutional imperatives.

✦ ***Whitworth University, Spokane, Washington***

**Adjunct Professor in Business & Economics.**

Adjunct Professor teaching Principles of Personal Finance and Investing while completing graduate studies at the University.

✦ ***Daryl A. Rodrigues, P.S. Spokane, Washington***

**Owner, President**

Owned and operated private legal practice. The practice composition was 30% Domestic Relations, 40% Criminal Defense, 20% Real Estate Closings, and 10% contracted services to a large local Internet Service Provider, Cutting Edge Communications, Inc.

✦ ***Michaelsen, Mix & Rodrigues, L.L.C. Spokane, Washington***

**Managing Partner**

Developed practice areas of domestic relations and criminal defense in an existing civil and commercial litigation practice. Formulated the firm's mission statement, business and marketing plans and developed a strong referral network for domestic relations and criminal cases.

✦ ***Contreras-Trejo & Trejo, P.S. Yakima, WA***

**Associate Attorney**

The firm practice composition was 40% Criminal Defense, both State and Federal, 40% Personal Injury and 20% Worker's Compensation cases. My responsibilities were primarily related to handling District Court criminal cases along with criminal motions practice in both Superior and Federal Courts.

✦ ***Benton & Franklin County Superior Courts Kennewick & Pasco, WA***

**Law Clerk / Bailiff**

Assisted the Presiding Judge by reviewing all motions for summary judgment and preparing memoranda for use by the bench. Assisted pro-se litigants by providing procedural counsel and advice. Supervised jurors and also provided armed Courtroom Security.

## Education:

- ✦ **Master of Business Administration – Whitworth University, Spokane, WA.**  
Member of Business Plus. Business Plus is a networking group for students. Two students from the M.B.A. program are offered an invitation based upon the unanimous recommendation of every member of the school's faculty.
- ✦ **Juris Doctorate - Gonzaga University School of Law, Spokane, WA**  
Admitted as a Thomas Moore Scholar a scholarship designed to support students with a proven dedication to public service.
- ✦ **Master of Arts, Psychology - Seattle University, Seattle, WA**  
Thesis: Relation Will and Grace in Psychotherapy, Seattle University Graduate Press, 1986.
- ✦ **Bachelor of Arts, Psychology - Seattle University, Seattle, WA**  
Charter President of the Seattle University chapter of Psi Chi, the National Honor Society in Psychology.
- ✦ **Diploma International Marketing & Management – Stichting Nijenrode, Holland**  
Intensive program in International Marketing and Management Stichting Nijenrode is the Netherlands School of International Business. Situated in picturesque castle constructed in the late 1600's.
- ✦ **GCE O and A Levels – St. Edmund's College, Ware, Hertfordshire, England**  
England's oldest Catholic boarding school, established 1568 in Flounders France, moving to England in 1793 following institution of the Relief Acts.

## Skills / Affiliations / Licenses:

- ✦ Washington Defender Association – President 2016-2017
- ✦ Washington State Bar Association - Council on Public Defense – Vice-Chair
- ✦ Washington State Supreme Court – Capital Qualifications Committee – Member
- ✦ American Council of Chief Defenders – Member since 2013
- ✦ Washington State Bar Association since 1994 – Member 24127
- ✦ Admitted United States District Court, Eastern District of Washington 1995
- ✦ Admitted United States Bankruptcy Court, Eastern District of Washington 1995
- ✦ Spokane Tribal Bar Association - Admitted
- ✦ Colville Tribal Bar Association - Admitted
- ✦ Spokane County Bar Association, Volunteer Lawyers' Program – Board Member 1994-98
- ✦ Samaritan Counseling Services Spokane, Inc. – Board Member 1996-1998
- ✦ Psi Chi, the National Honor Society in Psychology – Life Member since 1985 / Charter President, Seattle University Chapter.

# Travis Stearns

6238 3rd Ave, NW Seattle Washington 98107 | 206-617-5514 | travisdstearns@gmail.com

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## EDUCATION

**The George Washington University Law School**, Washington D.C.

J.D., 1993

- Public Interest Fellowship Recipient
- National Student Trial Lawyers Association

**The University of Colorado at Boulder**, Boulder, Colorado

B.A., *magna cum laude*, History, 1990

- Dean's List (all semesters)
- Rhodes Scholar Designate for the University of Colorado
- Phi Alpha Theta Honors Society
- University of Colorado Rugby Club

**The University of London**, London, England

Study Abroad Program, 1989

- Study Abroad Scholarship Recipient

## LEGAL EXPERIENCE

**Washington Appellate Project**, Attorney (2015-present)

Argue cases for indigent persons convicted of crimes, held subject to civil commitment, and who have lost parental rights in Washington Supreme Court and Court of Appeals. Active in state and national criminal justice reform. Submit amicus briefs in state and federal court for ACLU-WA, NLADA and other organizations.

**National Legal Aid and Defender Association**, Director, Appellate Defender Training Program (2016-present)

Lead NLADA's national appellate defender training program. Create agenda, recruit and train faculty for program which focuses upon improving appellate advocacy skills for public defenders who specialize in post-conviction representation.

**Seattle University School of Law**, Adjunct Professor (2010-present)

Teach and oversee summer externship program for students who work with prosecutors and public defenders. Lecture on issues relating to ethical representation and prosecution.

**Washington Defender Association**, Deputy Director (2008-2015)

Oversaw legal and training departments. Testified before state legislature and submitted amicus briefs to state and federal courts. Collaborated with bar associations, public defense organizations, legal service agencies and law schools. Created and implemented state-wide training program. Supervised attorney staff dedicated to criminal defense issues. Designed website that is used as a research and advocacy tool by indigent defenders. Wrote and published training and advocacy manuals.

**Whatcom County Public Defender**, Training Director (2006-2008); Supervisor (2003-2006); Attorney (1999-2008)

Represented persons in Superior, District and Juvenile Court on cases involving homicides, serious felonies, third strike cases, juvenile delinquencies, and civil matters. Conducted jury and bench trials; oversaw investigations; prepared and argued motions; researched legal issues and argued memorandum of law. Taught office-wide training program and drafted training manuals. Created student investigator program. Supervised Juvenile Court attorneys and staff.

**The Legal Aid Society, Criminal Defense Division**, Attorney (1993-1999); Law Clerk (1992)

Counsel for clients accused of felonies and misdemeanors in Manhattan Criminal and Supreme Court. Developed student investigator program, supervised law clerks, trained lawyers on issues relating to trial strategy, criminal law and procedure. Computerized motion bank that continues to be the primary motion writing tool for the office.

**D.C. Law Students in Court**, Student Attorney (1992-1993)

Defended persons accused of misdemeanors in the District of Columbia Superior Court. Responsible for all aspects of their cases, including investigations, legal research and writing, hearings, negotiations and trials.

**The Department of Justice, United States Attorney's Office**, Law Clerk (1992)

Researched legal issues and drafted motions and responses in felony trial cases. Performed the primary research on the re-drafting of pattern jury instructions.

#### **COMMISSIONS and COMMITTEE MEMBERSHIPS**

*American Council of Chief Defenders (ACCD)*, Member (2008-present)

*National Alliance of Indigent Defense Educators (NAIDE)* Chair, Vice Chair, Financial Officer (2011-present)

*National Association of Criminal Defense Lawyers (NACDL)*, Member (2008-present)

*National Association of Public Defenders (NAPD)*, Training Committee Member (2013-present)

*National Legal Aid and Defender Association (NLADA)*, Amicus Committee Chair (2008-present)

*Seattle Municipal Court Conflict Oversight Committee*, Ombudsman (2008-present)

*Washington State Bar Association Council on Public Defense*, Member (2008-present)

*Washington State Bar Association*, Rule 9 Task Force (2009-2010)

*Washington State Legislature Task Force on Juvenile Justice*, Commissioner (2014)

*Washington State Legislature Working Group on Domestic Violence*, Participant (2010-2011)

*Washington State Supreme Court Minority and Justice Commission*, Commissioner (2013-present)

*Washington Association of Criminal Defense Lawyers (WACDL)*, Member (1999-present)

*Washington Defender Association (WDA)*, Member (1999-present)

## SELECTED TRAININGS

*Life of a Case* (2018) Seattle University School of Law  
*Oral Advocacy* (2018) Colorado Alternative Defense Counsel  
*Storytelling in Legal Writing* (2018) Northwest Innocence Project  
*Developing a Theory and Theme of Defense* (2018) King County Department of Public Defense  
*Written Advocacy* (2018) King County Department of Public Defense  
*Legislative Budget Advocacy* (2018) Washington State Office of Public Defense  
*Developing a Theory of Appeal* (2018) King County Department of Public Defense  
*Writing your first Appellate Brief* (2018) University of Washington School of Law  
*Record Preservation in Dependency Cases* (2018) Washington State Office of Public Defense  
*Making a Record on Appeal* (2018) King County Department of Public Defense  
*Amicus Advocacy* (2018) National Legal Aid and Defender Association  
*Writing an Appellate Brief* (2017) WSBA Access to Justice Conference  
*Preserving a Record on Appeal* (2017) Seattle University School of Law  
*How to PowerPoint* (2017) National Legal Aid and Defender Association  
*Plea Bargain Advocacy* (2017) University of Washington School of Law  
*Developing your Leadership Style* (2017) National Defender Leadership Institute, National Legal Aid and Defender Association  
*Defending Youth in Decline Hearings* (2017) Washington State Office of Public Defense  
*Visual Aids to Animate your Presentations* (2017) National Legal Aid and Defender Association  
*Prosecutorial Discretion* (2017) Minority and Justice Commission, Seattle University School of Law  
*The Reasonable Child Standard in Washington State* (2016) Western District Juvenile Defender Center, TeamChild, University of Washington School of Law  
*Bail Reform* (2016) Seattle University School of Law  
*Establishing an Ethical Practice* (2016) Seattle University School of Law  
*Trial Advocacy: Rule 9 Program* (2016) King County Department of Public Defense  
*Appellate Advocacy in Lower Courts: RALJ Appeals* (2016) Snohomish County Public Defender Association  
*Plea Bargaining Advocacy* (2016) University of Washington School of Law  
*Challenging Forensic Science* (2016) University of Washington School of Law  
*Cash Warrants and other Financial Barriers to Reentry* (2016) Public Defender Conference, Seattle University School of Law  
*Resources for Reentry* (2015-2016) Washington State Office of Public Defense  
*Effective Case Resolution* (2016) Seattle University School of Law  
*Cash Bail Reform* (2016) Public Defender Conference, Seattle University School of Law  
*Communicating with your Client* (2013-2015) Northwest Innocence Project  
*Train the Trainer: PowerPoint Presentations* (2015-2017) Colorado Public Defender/Alternative Public Defense Counsel of Colorado  
*Thinking about Criminal Justice Reform* (2015) Seattle University School of Law  
*What Attorneys Can Do to Help Their Clients Post Conviction* (2015) Seattle University School of Law  
*Defending a Forensic Science Case* (2015-2017) University of Washington School of Law  
*Criminal Law 101* (2014) Seattle University School of Law



*Advanced Trial Advocacy: Communication and Case Settlement* (2014-16) University of Washington School of Law

*Legislative Process* (2014) Seattle University School of Law

*Legal Financial Obligations* (2014) Spokane County Public Defender

*Leadership and Management Skills* (2014) Washington Defender Association

*JLWOP Legislative Changes* (2014) Columbia Legal Services

*Developing Theme and Theory in Your Trials* (2014) Snohomish County Public Defender

*Train the Trainers: Evaluating and Planning Future Training Programs* (2014) National Legal Aid and Defender Association

*Jury Selection and Batson Challenges* (2014) Municipal and District Court Judges Association

*Visual Aids in Closing Arguments* (2014) Washington Defender Association

*Fulfilling the Promise of Gideon by Reducing the Burden of LFOs* (2014) Washington State Office of Public Defense

*Consequences of a Conviction* (2013) Society of Counsel Representing Accused Persons, Seattle University School of Law

*Trial Advocacy Program* (2013) Washington Defender Association

*Legal Financial Obligation* (2013) Columbia Legal Services

*Strategic Management for Public Defenders* (2013) Washington Defender Association

*Legislative Updates* (2013) Washington State Office of Public Defense

*Interviewing Skills and Protocols* (2013) National Defender Investigator Association

*Effective Client Communication* (2012) The Defender Association, Society of Counsel Representing Accused Persons

*Creating and Defining a Client Centered Practice* (2012) Washington Defender Association

*Working with Interpreters* (2012) NLADA

*Victim Defendants: Building an Advocacy Partnership* (2012) Domestic Violence Coalition

*Identifying, Rewarding, and Building Attorney Skills* (2011) Washington Defender Association

*Standards and Certification for Indigent Defenders* (2011, 2012, 2013) Washington Defender Association, Snohomish County Public Defender Association, Spokane County Public Defender, Yakima County Public Defender, Washington State Office of Public Defense

*Race and (In) Justice: Challenges of Client Communication and Potential Solutions* (2011) University of Washington School of Law

*Felony Sentencing* (2011) Associated Counsel for the Accused

*Crimmigration: How Immigration Enforcement Is Being Merged into the Criminal Justice System & Its Impacts on Our Communities* (2011) Gonzaga Law School and Seattle University School of Law

*Discretionary Decline Hearings: Success in the Courtroom* (2011) Columbia Legal Services

*Legal Financial Obligations in Washington State* (2011) University of Washington School of Law

*High Profile Cases in the Press: Why Messaging Makes a Difference* (2011) Washington Defender Association

*Direct and Collateral Consequences: Ineffective Assistance and the Right to Competent Counsel* (2010) WDA

*Trial Advocacy Program* (2010) WDA

*Effective Use of Investigators* (2011) Washington State Office of Public Defense

*Examining the Effectiveness of Batterer's Treatment for DV Offenders* (2010) Washington State Superior Court Judicial Conference

*Pleas and Consequences, Post ANJ* (2010) Washington Defender Association

*Advocacy for Addressing Legal Financial Obligations* (2010) Seattle University School of Law

*Reform through Advocacy: The Role of Juvenile Defenders* (2010) TeamChild

*Voir Dire and Cross Examination: How to Speak to Jurors and Witnesses about Misconduct* (2010) WDA

*Building and Maintaining a Strong Attorney Client Relationship* (2009) Washington Defender Association

*Trial Advocacy Program* (2009) Washington Defender Association

*Ethics: Misconduct and Ineffective Assistance of Counsel* (2009) Washington Defender Association

*Ethics: Focus on the Client* (2008) Washington Defender Association

*Indigent Defense Advocacy* (ongoing from 2006-2008) Whatcom County Public Defender

*Intensive Trial Advocacy* (2006) Washington Defender Association

*Intensive Trial Advocacy* (2004) Washington Defender Association

#### **SELECTED PUBLICATIONS and TRAINING MANUALS**

*Appellate Advocacy*, National Legal Aid and Defender Association (2016, updated 2018)

*The Reasonable Child: Applying JDB v. North Carolina in Washington State*, Publication Pending (2016)

*Objections in Trial Court*, Washington Association of Criminal Defense Lawyers (2015)

*The Kids Are Alright: Getting Courts to Sentence Youth Fairly*, National Association of Public Defenders (2014)

*Juvenile Justice*, Washington Defense Magazine (2014)

*Legal Financial Obligations: Understanding the Impact and Developing an Advocacy Strategy*, National Association of Public Defenders (2014)

*It's Time to Start Treating Kids like Kids, Regardless of What They Did*, National Association of Public Defenders (2014)

*Legal Financial Obligations: Fulfilling the Promise of Gideon by Reducing the Burden*, Seattle Journal for Social Justice (2013)

*Intimately Related to the Criminal Process: Examining the Consequences of a Conviction after Padilla v. Kentucky and State v. Sandoval*, Seattle Journal for Social Justice (2011)

*A Public Defenders Guide to Legal Financial Obligations in Superior Court*, Washington Defender Association (2010)

*Domestic Violence*, Washington Defense Magazine (2010)

*Washington Defender Association Trial Advocacy Program Training Manual*, Washington Defender Association (2010, republished 2013)

*Challenging Prior Sentences in Third Strike Cases*, Washington Defense Magazine (2010)

*Building and Maintaining a Strong Attorney Client Relationship*, Washington Defender Association (2009)

*Flaws in the System: Eyewitness Testimony, Informants, Forensic Evidence and False Confessions*, Washington Defender Association (2009)

*Adult Sentencing in Washington State*, Washington Defender Association (2009)

*Defending a Domestic Violence Case*, Washington Defender Association (2008)  
*Whatcom County Investigators Manual*, Whatcom County (2007)  
*Whatcom County Trial Advocacy Manual*, Whatcom County (2006)  
*Whatcom County Juvenile Court Trial Manual*, Whatcom County (2003)  
*Student Investigator Training Manual*, The Legal Aid Society (1996)  
*Omnibus Motion for Suppression Hearings and Discovery*, The Legal Aid Society (1994)

#### **AWARDS**

*Appreciation Award*, Washington Defender Association  
*WSBA Supreme Court Pro Bono Publico Honor Roll*, Washington State Bar Association  
*Extern Supervisor of the Year*, Seattle University School of Law  
*Golden Door*, Northwest Immigration Rights Project  
*Appreciation Award*, National Defender Investigator Association

#### **ADMITTED**

Washington State Bar, Ninth Circuit Court of Appeals, U.S. District Court for the Western District of Washington, New York State Bar

# Jefferson Coulter, J.D.

## Legal Experience

- Attorney Northwest Justice Project, Spokane, WA 2014 - Present
- **Litigation**—Represent clients in civil court proceedings involving private and subsidized landlord-tenant, family law, education, income security, individual rights, and consumer protection matters. Represent clients in LFO collection cases. Successfully litigated a recent LFO case through the Washington Supreme Court as co-counsel. See *City of Richland v. Wakefield*, 186 Wn.2d 596, 380 P.3d 459 (2016). Represent clients in administrative proceedings in denial of benefits, termination of benefits, barriers to employment matters, and department of health proceedings.
  - **Statewide Advocacy**—Collaborate with colleagues inside and outside of NJP on strategic advocacy for persons with disabilities, health care access, debt imprisonment, and the criminalization of mental illness and homelessness. Work on statewide plans for the delivery of civil legal aid, expanding access to isolated LGBTQ+ populations, and prioritizing treatment over incarceration in criminal justice involvement. Work on projects to identify and eliminate the structural preferential treatment of debt collectors.
  - **Management**—Managed the delivery of legal services in Southeast Washington. Managed Pasco field office and Walla Walla satellite office. Developed, implemented, and monitored office workplans and staff performance plans. Directly supervised 3 attorneys and 2 legal assistants.
- Attorney Allen Brecke Law Offices, Kennewick, WA 2013 - 2014
- **Litigation**—Managed all phases of pre-trial discovery. Supervised attorneys and paralegals. Conducted depositions of defendants and medical experts. Prepared and argued discovery and summary judgment motions. Represented clients in superior and district courts, in mediation and arbitration. Prepared witnesses for trial. Negotiated settlements. Prepared trial materials, trial motions, and jury instructions.
- Attorney Coulter Martin Smith PLLC, Seattle, WA 2008 - 2011
- **Litigation**—Represented clients in intellectual property, business and unfair competition matters in State and Federal courts. Track record of finding most cost-effective settlement or litigation strategy for each client. Successfully vacated patent injunctions, dismissed causes of action for trademark infringement, and obtained summary judgments in infringement, business tort, and predatory lending matters.
  - **Discovery Management**—Worked with clients, colleagues and outside vendors to manage production, evaluation and use of discovery. Used technological solutions such as Concordance and CaseMap to evaluate discovery strengths, weaknesses, and omissions. Conducted discovery management conferences and discovery motions practice.
- Attorney AXIOS Law Group PLLC, Seattle, WA 2004 - 2008
- **Litigation**—Provided representation in Washington and Federal courts. Represented clients in business, unfair competition, and consumer protection matters. Track record of finding most cost-effective settlement or litigation strategy for each client. Successfully argued before the Court of Appeals for the Federal Circuit in *A G Design v. Trainman Lantern Company* (Fed. Cir. 2007-1481).
  - **Management**—Oversaw budgeting and accounting. Managed team of four associate attorneys, three paralegals, and four general and administrative staff members. Implemented uniform personnel, review, document management and retention policies.

Associate                      Chaires & Associates, Washington, DC                      2001 - 2002

- **Intellectual Property**—Advised clients on mark usage and selection. Prepared and prosecuted trademark and copyright applications and assignments.
- **Contracts/Transactional**—Negotiated, structured, drafted and reviewed agreements, domain name transfers, domain name escrow, trademark co-existence, and copyright and trademark licensing.

Counsel                      Commerce One Global Services, Arlington, VA                      2000 - 2001

- **Intellectual Property**—Advised on registration of copyrights, trademarks and protection of trade secrets. Educated clients on acquisition, use and protection of intellectual property through counseling, "brown bags" and writing articles for distribution. Managed intellectual property portfolio.
- **Corporate/Transactional**—Negotiated, structured and drafted e-commerce and technology agreements with clients. Advised project managers and executive management on contract interpretation.

Staff Attorney                      National Wildlife Federation, Reston, VA                      1999 - 2000

- Responsible for all areas of licensing, trademarks and copyright.

### **Regulatory Experience**

*PAI Consulting, Alexandria, Virginia*

Senior Regulatory Analyst                      2011 – 2013

Regulatory Analyst                      2002 – 2004

- **International Treaty Compliance** — Worked on a multi-year project to draft civil aviation regulations for a foreign government.
- **Regulatory Drafting/Rulemaking** — Supported the Federal government by overseeing rulemaking projects enacting safety and training statutes. Provided regulatory analysis and drafting services to U.S. Government Agencies.
- **Project Management** — Drafted and produced proposals for private sector and government contracts. Served as primary point of contact on a number of large, multi-year contracts. Interacted with internal and external clients to facilitate ontime completion and efficient use of resources.

### **Education**

J.D. 1998, Gonzaga University School of Law, Spokane, WA

B.A. 1996, West Virginia University, Morgantown, WV

### **Bar Admissions (Washington State)**

Eastern and Western Districts of Washington, Ninth Circuit Court of Appeals, Federal Circuit Court of Appeals

### **Memberships**

QLAW Foundation, Board Member; Chair of Clinic Expansion Committee

Washington State Bar Association, Committee Member Court Rules and Procedures and Steering Committee for the Statewide Plan for the Delivery of Civil Legal Aid.

### **Languages**

Conversational French (B2) and Spanish (B2)

# RALPH W. FLICK

## HOME:

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GIG HARBOR, WA 98335  
(253) 509-0626  
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## BUSINESS:

4423 PT. FOSDICK DR. NW, SUITE 100-7  
GIG HARBOR, WA 98335  
(253) 235-3218  
[RWFLICK@RWFESQ.COM](mailto:RWFLICK@RWFESQ.COM)

## FACULTY:

PACIFIC LUTHERAN UNIVERSITY  
MCLT 332  
(253) 535-7306  
[FLICKRW@PLU.EDU](mailto:FLICKRW@PLU.EDU)

## HIGHLIGHTS

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- Tenure-track management faculty at AACSB accredited institution
- Transactional attorney with over 20 years of in-house, private practice and business experience.
- Experience with transactions, management, tax, and finance in large and small corporate environments.
- Master's of Business Administration from AACSB accredited institution.
- Undergraduate and graduate teaching experience in business law, finance, and business management.
- Licensed to practice law in Washington and California.

## PROFESSIONAL EXPERIENCE

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**December 2013 – Present** **Rivergrade Corporation** Gig Harbor, WA  
*Business Consultant*

Provide outsourced business executive services including part-time Chief Financial Officer and Chief Operating Officer for smaller growth businesses with strategic finance and operational needs. Current clients operate in spirits manufacturing and distribution and private equity finance. Functional responsibilities range from strategic and corporate finance to operations, human resources and compliance. Clients typically range from start-up to sales in excess of \$1 million and approximately 10 full-time employees.

**June 2009 – Present** **The Law Offices of Ralph W. Flick, P.S.** Gig Harbor, WA  
*Attorney in Private Practice*

Private solo practice limited to general counsel services for businesses in California and Washington including corporate formation and maintenance, general contracts, real estate, labor and technology as well as business succession, estate planning and taxation. Current clients operate in financial services, technology services, manufacturing and construction industries. Clients range in size from start-up businesses to \$50 million in sales and over 50 full time employees.

**May 2007 – September 2011** **O'Melveny & Myers LLP** Los Angeles, CA and  
*Contract Attorney* Gig Harbor, WA

Contract attorney focused primarily on large corporate transactions including structured finance and securitization. Responsible for reviewing, negotiating and drafting legal documents for structured finance transactions, including securitization of non-traditional assets, for clients of the firm.

**March 2005 – May 2007** **Fidelity Bancorp Funding, Inc./EverBank** Westminster, CA  
*Chief Operating Officer and General Counsel*

Responsible for all non-production functions of the company including corporate administration, legal, finance, human resources and information technology. During tenure, was responsible for helping to prepare the Company for sale, executing the sale and assisting in the transition to new ownership after which all of the non-production functions were absorbed by the new owner.

**March 2003 – March 2005** **New Century Financial Corporation** Irvine, CA  
*General Counsel, NC Capital Corporation*

Served as General Counsel to the capital markets division of the Company responsible for coordinating and providing all legal services relating to warehouse financing in excess of \$12 billion, securitization transactions, whole loan sales and related public company reporting. Involved in the development of one of the first independent commercial paper backed lending facilities secured by sub-prime mortgages. Also oversaw attorneys and paralegals responsible for the review and management of general corporate contractual obligations.

### PROFESSIONAL EXPERIENCE (CONTINUED)

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**June 2001-March 2003** **Guess?, Inc.** Los Angeles, CA  
*Corporate Counsel*

Responsible for all corporate legal functions including securities, finance, Securities and Exchange Commission and New York Stock Exchange compliance. Served as Corporate secretary for the Board of Directors and primary liaison with external corporate counsel, the Securities and Exchange Commission and the New York Stock Exchange. Managed successful defense of shareholder class action litigation and unique securitization of royalty receivables.

**September 1996 - June 2001** **Aames Financial Corporation** Los Angeles, CA  
*Counsel, Senior Counsel*

Served in various positions with increasing responsibility within the Legal Department for publicly traded Company ranging from legal and mortgage loan compliance to securities and corporate administration. Developed expertise in structured finance and public corporate governance.

### TEACHING EXPERIENCE

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**September 2016 - Present** **Pacific Lutheran University** Tacoma, WA  
*Assistant Professor*

Teaching five sections of undergraduate Business Law and Ethics (BUSA303) and one section of Legal, Ethical and Social Responsibility (BMBA510) during the 2016-2017 academic year. Serving as chair of the Undergraduate Committee responsible for review of undergraduate curriculum in connection with accreditation.

**March 2009 - Present** **Tacoma Community College** Tacoma, WA  
*Adjunct Faculty—Corporate Education* **Invista Performance Solutions** Lakewood, WA

Member of the Corporate Education Department responsible for teaching classes on-site with corporate partners in the areas of finance, strategy and business law.

**March 2009 - 2014** **Brandman University** Lacey, WA  
*Adjunct Faculty*

Taught multiple sections of Business Law, Organizational Leadership and Employment Law.

**March 2009 - 2014** **University of Phoenix** Tukwila, WA  
*Adjunct Faculty*

Taught multiple sections of business law, introductory finance, economics, accounting and other business courses at undergraduate and graduate levels. Also served as Area Chair for business courses.

**Summer 2010** **Shoreline Community College** Shoreline, WA  
*Adjunct Faculty*

Taught two sections of BUS210 (Business Law) in online format.

## EDUCATION

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<b>June 2004</b>	<b>University of Southern California</b> <ul style="list-style-type: none"><li>▪ M.B.A. (Executive M.B.A. Program)</li><li>▪ Graduated with Honors</li></ul>	Los Angeles, CA
<b>June 1994</b>	<b>Loyola Law School, Los Angeles</b> <ul style="list-style-type: none"><li>▪ J.D.</li></ul>	Los Angeles, CA
<b>June 1991</b>	<b>California State University, Long Beach</b> <ul style="list-style-type: none"><li>▪ B.A., Economics.</li></ul>	Long Beach, CA

## LICENSES

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- California State Bar Association
- Washington State Bar Association
- Washington Notary Public

## COMMUNITY SERVICE

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- Gig Harbor Mid-Day Rotary Club (President, 2011-2012)
- Harbor Heights Elementary School Parent Teacher Association (President, 2011-2012)
- Prison Pet Partnership Program (Director, Treasurer, 2011-2012)



## PAUL M. CRISALLI

2523 Warren Ave. N., Seattle, WA 98109 (206) 819-6367 paul.crisalli@gmail.com

### EXPERIENCE

**Washington Attorney General's Office, Assistant Attorney General** | Seattle, WA | 2012-Present

Litigate cases representing the Department of Labor and Industries (L&I) before the Board of Industrial Insurance Appeals, superior courts, and the Court of Appeals; Superior Court program advisor for L&I Division; member of the L&I Division appellate team; member of the L&I complex litigation team; member of the AGO Ethics Committee

**Washington Court of Appeals, Division II, Judicial Clerk to Judge Joel Penoyar, Commissioners Aurora Bearse & Eric Schmidt** | Tacoma, WA | 2012

Assisted appellate judge and commissioners in researching, editing, and drafting opinions, rulings, and memoranda.

**The Masters Law Group, PLLC, Associate Attorney** | Bainbridge Island, WA | 2011-2012

Represented clients in civil appeals by researching and writing briefs for Washington Court of Appeals and Supreme Court on property, estate, personal injury, employment, family law, contract, and constitutional issues.

**The Lawless Partnership, LLP, Associate Attorney** | Seattle, WA | 2009-2011

Met with clients; drafted contracts, wills, trusts, demand letters, and discovery requests; researched property and estate planning issues; argued before Washington Court of Appeals.

**Justice Mary E. Fairhurst, Washington State Supreme Court, Judicial Clerk** | Olympia, WA | 2008-2009

Assisted Supreme Court Justice in researching, editing, and drafting opinions and memoranda.

**Oregon Department of Justice, Trial and Appellate Divisions, Law Clerk** | Salem, OR | 2006-2008

Drafted appellate briefs to state and federal courts regarding criminal and family law issues; argued before Oregon Court of Appeals; drafted trial memoranda and prepared for death penalty post-conviction cases.

**Oregon Supreme Court Justice Paul J. De Muniz, Judicial Extern** | Salem, OR | 2002-2005

Drafted memoranda regarding petitions for review; conducted legal research for opinions and law review articles.

**U.S. Senate, Office of Senator Gordon Smith, Intern** | Washington, D.C. | 2003

**Speaker of the Oregon House of Representatives, Intern** | Salem, OR | 1999-2002

### EDUCATION

**University of Oregon School of Law** | Eugene, OR | 2005-2008

Juris Doctor; 3.54 G.P.A.; ranked 38th of 181 students

- JOURNAL OF ENVIRONMENTAL LAW AND LITIGATION, Executive Editor
- Regional A.B.A. Negotiation Moot Court; Regional A.C.S. Moot Court
- Orlando and Miriam Hollis Scholarship in Civil Procedure, 2007
- Prosecution Clinic, Lane County District Attorney's Office

**Willamette University** | Salem, OR | 2001-2005

Bachelor of Arts in Economics, Politics; *cum laude*, 3.79 G.P.A.

- Varsity Speech and Debate, 2001-2005
- Varsity Golf, 2001-2005
- National Italian American Foundation's Gift of Discovery Scholarship, 2003
- American University, Washington Semester Public Law Program, 4.0 G.P.A., 2003

### PROFESSIONAL INVOLVEMENT

- King County Bar Association, Membership Committee, Chair 2015-Present
- King County Bar Association, Appellate Section, Chair 2013-2014
- WSBA Judicial Recommendations Committee, 2014-Present
- WSBA Court Rules and Procedures Committee, 2010-2014
- Author, *Reverse Mortgages: A Golden Ticket or Mistake for Your Client*, AMERICAN BAR ASSOCIATION GPSOLO MAGAZINE, Vol. 17, No. 1 (2011)
- Washington State Bar Association, Bar No. 40681

**PAUL M. CRISALLI**

2523 Warren Ave. N., Seattle, WA 98109 (206) 819-6367 paul.crisalli@gmail.com

**REFERENCES**

Justice Mary Fairhurst, Washington State Supreme Court – 360-357-2054

Greg Lawless, The Lawless Partnership, LLP – 206-782-9535

Anastasia Sandstrom, Office of Attorney General for the State of Washington – 206-464-6993

Brian Dew, Office of Attorney General for the State of Washington – 206-389-2186

## E. MICHIKO FJELD

### Work

824 North Monroe  
Spokane WA, 99201  
Phone: 509-835-5957  
Email: mfjeld@spokanecity.org

### Home

217 W. 36<sup>th</sup> Avenue  
Spokane, WA 99203  
Phone: 509-869-4861  
Email:  
michiko.davis07@gmail.com

### Qualification Summary:

Recognized as a community leader, legal advocate, dedicated public defender, and advocate of healthy living through conscious movement. Organized, focused, and persistent with excellent interpersonal and communication skills. Statewide perspective having been raised in Central Washington (Yakima), educated in Western Washington (Western Washington University), and currently residing in Eastern Washington (Spokane). Committed to social, economic, and environmental justice with an emphasis on Equal Access to Justice. Spokane Public School volunteer, and mentor to students of color and future attorneys. Longtime teacher of yoga for all ages, physical abilities, and economic backgrounds.

### Educational Experience

#### **Gonzaga University School of Law** • Spokane, Washington

*Jurist Doctorate, Cum Laude* • May 2005

- **Diversity Scholarship**
- **Academic Achievement Scholarship**
- **Moot Court Counsel** • 2002-2005
- **Client Counseling Competition** • 1<sup>st</sup> Place
- **Jessup Cup International Moot Court Competition** • 2004-2005
- **Across Borders** • Gonzaga University School of Law International Legal Journal • *Editorial Staff*, 2003 – 2004 • *Editor of Special Events and Vested Member*, 2004-2005
- **Gonzaga Law's Chapter of Amnesty International** • 2002-2005

#### **Fairhaven College** • Bellingham, Washington

*Bachelor of Liberal Arts* • *Law and Diversity* • December, 1999

- **Minority Achievement Scholarship**

### Work Experience

#### **City of Spokane Public Defender's Office** • Spokane, Washington

*Assistant Public Defender* • 2005- Present • Represent indigent criminal defendant • Write and argue appeals

#### **Federal Defenders of Eastern Washington and Idaho** • Spokane, Washington

*Legal Intern* • 2003-2005 • Managed cases • Legal research • Wrote and argued motions and appeals

#### **University Legal Assistance** • Spokane, Washington

*Legal Intern* • 2002-2003 • Managed cases • Wrote and argued motions and appeals • Prepared a successful sentence commutation, argued before the Governor's Clemency and Pardons Board • Initiated a prisoner's rights case

**Move More Spokane (formerly, Spokane Yoga Shala)** • Spokane, Washington

*Yoga Instructor* • 2005- Present • Provide instruction in the practice of mindful movement

### **Volunteer Experience**

**Washington State Bar Association Judicial Recommendation Committee** • Seattle, Washington

*Committee Member* • Review applications, check references, and meet with candidates seeking governor appointments to appellate courts

**River Run** • Spokane, Washington

*Volunteer Coordinator* • 2016 – present • Coordinate volunteers for annual foot race which benefits Spokane Public Schools A.P.P.L.E. students

**The Alliance for a Greater Well-Being** • Spokane, Washington

*Secretary* • 2010-2011 • Board Member

**Washington Women Lawyers** • Spokane, Washington

*Public Defender Liason* • 2009-2014 • Board Member

**Center for Justice** • Spokane, Washington

*Volunteer Attorney* • Representing indigent client on a criminal appeal

**Street Law** • Spokane, Washington

*Volunteer Attorney* • Free legal advice, information, and resources to community members

**Womencare Shelter** • Bellingham, Washington

*Domestic Violence Advocate* • 1997-1999 • Resident's advocate in a confidential shelter for women and children • Fundraising

### **Extracurricular Activities**

Board member, Washington Women Lawyer's, Spokane Chapter (2009-2014)

Gonzaga Law alumni mentoring program (2012-present)

Volunteer, American Law & Justice Workshop for Refugees

Volunteer, Gonzaga Law – Brown bag discussion on criminal defense and prosecution (2012-present)

Volunteer, City of Spokane Public Schools (2014-present)

### **Fellowship and Award**

2010 Graduate Fellow, WSBA Washington Leadership Institute, Certificate of Achievement

2013 John R. Clark Loan Repayment Assistance Program, inaugural recipient

## Ben Phillabaum

9023 N. Sundance  
Spokane, WA 99208  
(509) 220-6738  
bphillabaum@gmail.com

Education: BA in Business Administration. Washington State University, Pullman WA; Completed Washington State APR 6 Law Clerk March 2014, successful completion of the July 2014 Bar Exam

### Work Experience:

#### Associate Attorney

Phillabaum, Ledlin, Matthews, & Sheldon October 2014 – to Present

- Drafting, editing, and executing all manner of real estate transactions
- Drafting, editing, and execution of Will, Trusts, Probates, and associated planning
- Representing local financial institution in the collection of commercial and consumer debt

#### Law Clerk

Phillabaum, Ledlin, Matthews & Sheldon, PLLC March 2010 - October 2014

- Drafting pleadings as assigned
- Researching various issues
- Assisting firm attorneys with special projects
- Presenting Order's Ex Parte

#### Commercial Lender

Mountain West Bank February 2009 – March 2010

- Maintain and manage commercial loan portfolio of 10 Million dollars
- Met and maintained loan and deposit goals
- Analyzing credit and collateral for possible commercial loans
- Underwriting of commercial loans
- Meeting with customers to review financial statements

#### Credit Analyst

State Bank Northwest July 2008 – January 2009

- Analyzing credit and collateral for possible commercial loans
- Underwriting of commercial loans
- Meeting with customers to discuss financial statements banking needs
- Maintain & manage commercial loan portfolio
- Review of existing loans for possible modification, extension, or restructure
- Requesting and tracking of customers financial information
- Actively tracked and made recommendations for workout on classified credits and past dues accounts

#### Professional Involvement

- Member of the Washington State Bar Association October 2014 – Present
- Chairperson of the Washington State Bar Association Law Clerk Board 2017 – Present
- Licensed to practice before all State and Federal court in Washington and Idaho
- Licensed to practice in the Kalispel and Coeur d'Alene Tribal Courts
- Law Clerk Board Member October 2016 – present
- Member of the Spokane County Young Lawyers

#### Community Involvement

- Member of Rotary Club #21 2009 – Present

## Kyle D. Sciuchetti

14505 NW 52<sup>nd</sup> Ct., Vancouver, WA 98685

[sciukp@comcast.net](mailto:sciukp@comcast.net)

360.695.3912

### SUMMARY OF QUALIFICATIONS

I serve as outside general counsel to many businesses throughout the Pacific Northwest. My practice includes civil litigation, with an emphasis in complex construction disputes and business disputes in Washington, Oregon and Idaho. I have significant trial experience representing owners, developers, trade associations, and businesses in state and federal court and before government agencies on the federal, state and local level.

### WORK EXPERIENCE

#### **BULLIVANT HOUSER BAILEY, PC - Shareholder;** Portland/Vancouver; 2007 to Present

- Civil practice focusing on business in Washington, Oregon and Idaho
- Serves as outside counsel to businesses throughout Pacific Northwest
- Represents businesses in trial, arbitration, mediation and appeals

#### **LANDYE BENNETT BLUMSTEIN, LLP – Associate Attorney;** Portland; 2003 to 2007

- Civil practice focused on business litigation, construction defect and products liability
- Counseled business clients in employment law, including employment and severance agreements
- Experienced in all levels of trial practice including motions practice, jury trials and appeals

#### **HALL & HOLLAND - Attorney;** Vancouver; 2001 to 2003

- Provided advice to business clients on real estate, contracts, lease agreements, corporate governance, purchase and sale agreements, employment litigation and other issues
- Negotiated use of U.S. Dept. of Energy power-line easement for operation of quarry conveyor

#### **PUBLIC POWER COUNCIL, Inc. - Senior House Counsel;** Portland; 1999 to 2001

- Represented Public Power Council in the United States Court of Appeals for the Ninth Circuit, U.S. district Court Western District of Washington and the U.S. District Court of Oregon
- Negotiated complex power sales agreements on behalf of member utilities
- Advised Executive Committee on wide range of issues including corporate structure, multi-million dollar purchase and sale agreements, litigation strategy and regulatory compliance
- Represented Public Power Council before numerous administrative hearings and proceedings

#### **CITY of SPOKANE - Assistant City Attorney;** Spokane; 1997 to 1999

- Prosecuted jury and bench trials in district court for the City of Spokane
- Managed full docket of cases requiring daily appearances in court
- Provided legal counsel to City on law and procedure

#### **WASHINGTON STATE LEGISLATURE – Session Attorney Code Reviser’s Office;** Olympia; 1997

- Drafted over 500 bills, amendments and resolutions during the 1997 legislative session
- Counseled elected officials and business representatives on legislation concerning business, sales, construction law, real property issues and other matters

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## **BAR ADMISSIONS**

Washington State Bar Association – 1996  
Oregon State Bar Association – 1996  
Idaho State Bar Association – 2015  
United States District Court, Western District of Washington – 1999  
United States District Court, Eastern District of Washington – 2006  
United States District Court, District of Oregon – 2000  
United States District Court, District of Idaho – 2015  
United States Court of Appeals for the Ninth Circuit – 2000  
United States Supreme Court – 2000

## **PROFESSIONAL ACTIVITIES**

Washington State Bar Association, Board of Governors, Governor, District 3 – 2017 to 2020  
Board Member and Past President, Clark County Food Bank – 2007 to 2016  
Board Member, Humane Society of Southwest Washington – 2006 to Present  
Washington State Bar Association Legislative Review Committee – 2003 to Present (Chair 2016 to 2018)  
Washington State Bar Association Legislative Committee for the Board of Governors – 2017 to Present  
Board Member, Committee on Mission Performance & Review, WSBA – 2017 to Present  
Trustee, Board of Trustees, Washington State Bar Foundation – 2017 to Present  
Washington State Bar Association Liaison to Committee on Professional Ethics – 2017 to Present  
Washington State Bar Association Liaison to Alternative Dispute Resolution Section – 2017 to Present  
Washington State Bar Association Liaison to Corporate Counsel Section – 2017 to Present  
Washington State Bar Association Liaison to Filipino-American Legal Assoc. of Wash. – 2017 to Present  
Washington State Bar Association Liaison to World Peace Through Law Section – 2017 to Present  
Metropolitan Business Association; Board of Directors – 2017 to Present  
Multnomah County Bar Association – 2000 to Present  
Washington State Bar Association; Practice of Law Committee – 1998 to 2001, 2002 to 2003  
Oregon State Bar Association, Corporate Counsel Section – 2000 to 2001  
Certificate of Appreciation, Bonneville Power Administration – 1996  
American Bar Association, 1994 to Present  
A.B.A. President/Representative, Lewis & Clark, Northwestern School of Law – 1995 to 1996  
A.B.A. 12<sup>th</sup> Circuit Lieutenant Governor, Public Interest Division – 1994 to 1995  
A.B.A. Membership Chair – 1994 to 1995

## **EDUCATION**

J.D. – Lewis & Clark College, Northwestern School of Law; Portland, Oregon – 1996  
Dean's Fellowship/Scholarship awarded for academic achievement  
B.A. – Political Science, University of Washington; Seattle, Washington – 1992  
Academic Honors, University of Washington  
B.A. – Psychology, University of Washington; Seattle, Washington – 1992  
Psi Chi, National Psychology Honors Society

## **REPORTED CASES**

*Kaiser Aluminum & Chemical v. Bonneville Power Admin.*, 261 F.3d 843 (9<sup>th</sup> Cir. 2001).

*Waxman v. Waxman & Assoc.*, 224 Or.App. 499, 198 P.3d 445 (2008).

*Abraham v. T. Henry Const., Inc.*, 230 Or.App. 564, 217 P.3d 212 (2009)



# Paul T. Okner

## Experience

- Fremont Law Group PLLC** – Seattle, WA 2012 - Present  
*Principal*  
Provide legal counsel to small business and individual clients in transactional matters related to commercial and residential real estate, business formation and operations, debt and equity financing, and other business activities.
- Fremont Property Group LLC** – Seattle, WA 2012 - Present  
*Principal*  
Provide full-service real estate development, brokerage, legal and investment advisory services, with recent projects encompassing adaptive re-use, ground-up development, and commercial brokerage.
- The Toba Group** – Seattle, WA 2010 – 2012  
*Asset Manager and Counsel*  
Led development and leasing efforts for 35,000 sf retail/office building in Fremont. Coordinated renovation and tenant improvement activities. Negotiated and drafted leases, vendor and construction contracts. Managed relationships with tenants, vendors, contractors, property management, and the city of Seattle. Performed due diligence for potential property acquisitions.
- Perkins Coie LLP** – Seattle, WA 2008 – 2012  
*Discovery Attorney*  
Drafted privilege logs based on final privilege review during discovery in large-scale commercial litigation. Performed project-based second-level and final discovery review for responsiveness and privilege.
- Various Law Firms** – New York, NY 2006 – 2007  
*Litigation Support Attorney*  
Performed project-based second-level and final discovery review for responsiveness and privilege in large-scale commercial litigation.
- Starr Associates LLP** – New York, NY 2006  
*Associate Attorney*  
Represented developers of luxury condominium, cooperative and timeshare projects throughout New York and abroad. Drafted comprehensive offering plans for filing with New York State Attorney General's office. Advised clients with respect to compliance with Attorney General's requirements and restrictions. Reviewed title documents. Negotiated sales contracts with purchasers' attorneys on behalf of developers.

## Pro Bono

- |                |   |
|----------------|---|
| 2016 – Present | Member: WSBA Pro Bono and Public Service Committee  |
| 2014 – Present | Volunteer Attorney: Seattle Housing Justice Project |
| 2013 – Present | Board Member: Mark Torrance Foundation              |

## Education

- Boston College Law School**, Chestnut Hill, MA  
*Juris Doctor*, May 2005  
Focus in Business, Real Estate and Tax Law  
2005 International Consulting Project Team (Beijing)
- Vanderbilt University**, Nashville, TN  
Bachelor of Arts in Economics and Russian, *cum laude*, May 2002  
Dean's List  
Study Abroad in Moscow, Russia, Fall 2000  
*Omicron Delta Epsilon*, *Phi Eta Sigma* and *Alpha Lambda Delta* Honor Societies

## Bar Admission

- Admitted to practice law in Washington State.

## Ailene M. Limric, JD, MBA

16928 120<sup>th</sup> Avenue East, Puyallup, WA 98374  
(253) 864-4862 home | (253) 209-6006 mobile | ailene.limric@yahoo.com

### KEY SKILLS & QUALIFICATIONS

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- Admitted to Washington State Bar June 30, 2010
- Juris Doctor, Seattle University School of Law
- MBA, Seattle University Albers School of Business
- Litigate before administrative agencies & state courts
- Conduct discovery, depositions, witness interviews
- Prevailed in 5 of 5 superior court jury trials
- Proficient legal research & concise legal writing
- Mediations, prehearing motions & conferences
- Timely & effective client communication
- Effective case management skills
- ERISA & Pension Administration experience
- Familiar with Administrative Procedures Act and Rules of Appellate Procedure

### EMPLOYMENT HISTORY

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#### **In-House Senior Claims Counsel** | McKinstry, Co., LLC Seattle, WA: 05/14 – current

Hired to take over and manage all workers comp and general liability insurance issues for mid-sized construction and engineering company with nearly 2,000 employees nationally. Responsible for managing claims with goals of avoiding risk, minimizing liability, and controlling claim costs while remaining compliant with applicable law.

- Subject matter expert for all issues involving workers comp and general liability insurance.
- Responsible for managing claim process in all states, primarily Washington and Oregon.
- Handle suits on litigated claims, including collaborating with and overseeing outside counsel.
- Counsel management on employment issues that impact claims and insurance costs.
- Manage claims process from initial incident report to claim closure.
- Participate in negotiations, mediations, arbitrations, settlements and litigation.
- Oversee workers comp claim administration of Third Party Administrator, Eberle Vivian.
- Maintain professional working relations with insurance broker, HUB International, LLC.
- Work with outside counsel and provide settlement authority when defending McKinstry in litigation involving workers comp, general liability, and motor vehicle accidents.
- Confer with management, Human Resources and Labor Relations to resolve claim issues.
- Develop standard processes for managing workers comp and property damage/loss claims.
- Work closely with Safety Department to investigate/document reported incidents.
- Develop insurance trainings and deliver to management and employees.
- Maintain knowledge of coverage, legislative and industry-related initiatives and judicial trends.

#### **Assistant Attorney General** | WA State Attorney General's Office Tumwater, WA: 09/11 – 05/14

Assigned to serve the Department of Labor and Industries (Department) and the citizens of the state by providing quality legal advice and strategic representation. Represented the Department in litigation of industrial insurance involving workers compensation and building trades cases.

- Litigated industrial insurance appeals before the Board of Industrial Insurance Appeals (BIIA).
- Represented the Department in appeals of BIIA decisions to superior court.
- Evaluated for possible settlement opportunities and negotiated agreeable settlement terms.
- Performed all aspects of discovery, including depositions, preparation of interrogatories, requests for production, requests for admissions, and answering discovery requests.
- Prepared pre-hearing and post-hearing briefs, pre-trial and post-trial briefs and motions.
- Conducted perpetuation depositions of medical experts, vocational experts, and lay witnesses.
- Represented the Department before the Office of Administrative Hearings (OAH).
- Litigated appeals involving Contractors Registration Act, and compliance with state electrical laws, elevator laws, plumber certification law, and Factory Assembled Structures laws.
- Effectively managed case load of 35 – 45 cases at differing stages of litigation.



# WASHINGTON STATE BAR ASSOCIATION

## PRESIDENT-ELECT SELECTION WORK GROUP CHARTER

*(Adopted by the WSBA Board of Governors on May 18, 2018)*

### Purpose

1. Assess the continued need for the Eastern Washington provision in the current WSBA Bylaws and consider the expansion of provisions to guarantee geographic diversity of WSBA Presidents in addition to the Eastern Washington provision.
2. Consider proposals regarding the election of the President-elect, including but not limited to enhancing geographic, racial, and gender diversity of the President-elect candidate pool.
3. Consider methods for electing the President-elect.
4. Consider limiting candidate eligibility to those who are not currently members of the BOG unless a sufficient number of candidates do not come forward for election.
5. Examine efforts to recruit diverse candidates for election.
6. Solicit and collect input from WSBA members and others, both before and after determining whether to recommend Bylaw amendments regarding the election of WSBA President-elects.
7. After considering relevant materials and input, submit a final report to the BOG, including, as appropriate, draft amendments to Section VI.2 of the current WSBA Bylaws.

### Timeline

- Begin meeting no more than four weeks after appointments are completed.
- Complete work and submit a final report not later than the September 26-27, 2018 BOG meeting, unless the timeline for completion is extended by the BOG.
- If the task force recommends Bylaw amendments, first reading for such amendments would take place at the September 26-27, 2018 BOG meeting.
- Provide updates on the work of the Work Group as requested by the BOG.

### Work Group Membership

The Work Group shall consist of the following voting members:

- A current member or officer of the BOG who shall be appointed to serve as Chair;
- Three current (one from each class) and two former members or officers of the BOG (including the Chair);
- Four at-large members of the WSBA, representing 1 member from King County, Western Washington north of King County; Western Washington south of King County, and Eastern Washington.
- In making appointments, the WSBA President shall make every effort to have a geographic, racial, and gender diverse work group.

The Executive Director will designate a WSBA staff liaison.

In accordance with WSBA Bylaws Art. IX(B)(2)(a), the members and the Chair of the Work Group will be appointed by the WSBA President subject to being accepted or rejected by the BOG.