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Annual Meeting of the Washington State Bar Association; Preface

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WASHINGTON LAW REVIEW

AND

STATE BAR JOURNAL

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ANNUAL MEETING OF THE WASHINGTON STATE BAR ASSOCIATION

PREFACE

The Annual Meeting of the Washington State Bar Association was convened in Tacoma on September 7 through 9, 1961. The Association of Superior Court Judges and State Judicial Council also convened for their meeting at the same time.

We are setting forth herein the program held in conjunction with the annual meeting. The legal institutes were prepared and conducted by the State Bar Association's Committee on Continuing Legal Education, Pinckney M. Rohrback, Chairman.

The proceedings which immediately follow the program are only those of the annual business meeting of the State Bar Association.

PINCKNEY M. ROHRBACK, *Editor*
Washington State Bar Journal

PROGRAM

ANNUAL MEETING

of the

WASHINGTON STATE BAR ASSOCIATION

Winthrop Hotel

Tacoma, Washington

Wednesday, September 6, 1961

A.M.

9:00 Meeting of the Board of Governors

P.M.

1:00 Registration

Thursday, September 7, 1961

A.M.

7:30 Breakfast—Washington State Association of City Attorneys

8:30 Registration

- 10:00 Legal Institute:
 LEGAL ETHICS—PROBLEMS MOST FREQUENTLY FACED BY THE PRACTITIONER
 Chairman: Ralph M. Rogers, Tacoma
 Speakers:
 1. Herbert M. Hamblen, Spokane
Conflicts of Interest Applicable to Attorneys in Public Employment
 2. Fred C. Palmer, Yakima
Representing Fiduciaries and Agents
 3. Joseph H. Gordon, Tacoma
Advertising—Direct or Indirect

NOON

- 12:00 Luncheon
 Speaker:
 Rear Admiral William C. Mott,
 Judge Advocate General of the United States Navy

P.M.

- 2:00 Legal Institute
 TORT CLAIMS AGAINST THE STATE
 Chairman: John J. O'Connell, Olympia
 1. John J. O'Connell, Olympia, Attorney General
Historical Development and General Nature
 2. John C. O'Rourke, Assistant Attorney General
Jurisdiction and Venue
 3. Delbert W. Johnson, Assistant Attorney General
Exempted and Assumed Liability—Governmental Acts
 4. Edward E. Level, Assistant Attorney General
Coordination with Other Laws Relating to Claims
 5. Herbert H. Fuller, Chief Asst. Attorney General
Processing the Claims and Processing the Judgments
- 2:00 Legal Institute
 MONEY TALK—PANEL ON FINANCING FOR BUSINESS CLIENTS
 Chairman: Robert F. Buck, Seattle
 Speakers:
 1. R. E. Daniel, President
 Pacific Northwest Company, Seattle
 2. John F. Henry, Vice President
 Pacific National Bank of Seattle, Seattle
 3. C. R. Kellerman, Vice President
 White & Bollard, Inc., Seattle
 4. E. D. Peterson, Acting Regional Director
 Seattle Regional Office
 U. S. Small Business Administration, Seattle
- 6:00 No-host Cocktail Party and Dinner Dance—Top of the Ocean

Friday, September 8, 1961

BREAKFASTS

A.M.

- 8:00 Phi Alpha Delta
 8:00 Delta Theta Phi
 8:00 Phi Delta Phi
 10:00 Legal Institute
 THE HOW, WHEN AND WHYS OF ARBITRATION
 Chairman: Cornelius J. Peck, Seattle
 Speakers:
 1. J. Tyler Hull, Seattle
The Washington Arbitration Statute
 2. Fred H. Johnson, Regional Manager
 American Arbitration Association, Los Angeles
American Arbitration Association Services and Procedures
 3. Charles Horowitz, Seattle
Observations on Commercial Arbitration

10:00 Legal Institute
 RESTRAINTS OF TRADE AND UNFAIR COMPETITION UNDER THE NEW CONSUMER
 PROTECTION ACT
 Chairman: Luvern V. Rieke, Seattle

Speakers:

1. DeWitt Williams, Seattle
Substantive Provisions of Anti-trust Character
2. Smithmoore P. Myers, Spokane
Control of Unfair Competitive Practices
3. Richard S. Sprague, Seattle
Problems of Investigation, Evidence and Procedure
4. Alvin J. Ziontz, Seattle
Enforcement, Exemptions and Informal Proceedings

NOON

12:00 Bench and Bar Luncheon

Speaker:

Hon. Robert C. Finley, Chief Justice

P.M.

2:00

Annual Meeting

Parliamentarian: John A. Petrich, Tacoma

Call to Order: Justin C. Maloney, President Washington State Bar Association

Invocation: Reverend J. V. Linden, S.J., Spokane

Address of Welcome: Ben Hanson, Mayor of the City of Tacoma

Address of Welcome: Arthur R. Paulsen, President Tacoma-Pierce County
 Bar AssociationResponse to Address of Welcome: DeWitt Williams, Member Board of
 Governors, Seattle

President of Superior Court Judges Association: Honorable Orris L.

Hamilton, Prosser

Report of President of the Washington State Bar Association: Justin C.

Maloney, Spokane

Committee Reports:

Law Day: Elizabeth Evans, Seattle

Insurance Committee: Jack M. Whitmore, Seattle

Liason between West Coast Bar Association and Internal Revenue Service:
 Frank L. Mechem, Seattle

Committee on Real Property, Probate and Trusts: Harvey W. Clark, Spokane

Washington State Bar Foundation Fund: Philip D. Macbride, Seattle

Clients Indemnity Fund: Donald E. Spickard, Seattle

Legislative Committee: Theodore P. Cummings, Seattle

Corporation Law: Roger Henselman, Tacoma

Report of American Bar Association Delegate: Joseph Gordon, Tacoma

In Memoriam: Elias Wright, Seattle

Report of Resolutions Committee: Clarence J. Coleman, Everett, Chairman

6:00 Reception—Courtesy Tacoma-Pierce County Bar Association

7:00 Annual Bench and Bar Banquet

Saturday, September 9, 1961

BREAKFASTS

A.M.

7:30 University of Washington Alumni

7:30 Gonzaga University Alumni

7:30 Stanford Alumni

7:30 Yale Law School Alumni

10:00 Legal Institute

LANDOWNERS' AND OCCUPIERS' LIABILITY

Chairman: Howard P. Pruzan, Seattle

Speakers:

1. Howard P. Pruzan, Seattle
Business Premises
2. Robert C. Wells, Seattle
Private Premises

3. Riner Deglow, Spokane
Public Premises
4. Dwight A. Halstead, Prosser
A Broad Look at Possible Defenses

10:00 Legal Institute
GIFTS TO MINORS AND RELATED TAX PROBLEMS
Chairman: David E. Ellison, Seattle

Speakers:

1. G. Keith Grim, Seattle
Federal and State Tax Consequences
2. Donald G. Simpson, Vancouver
Direct Gifts to Minors
3. Eldon H. Reiley, Spokane
The Uniform Gift to Minors Act
4. David E. Ellison, Seattle
Gifts to Minors in Trust

JUNIOR BAR COMMITTEE PROGRAM

Saturday Afternoon, September 9, 1961

P.M.

12:15 Luncheon
Speaker: Kenneth J. Burns, Jr., Chicago, Illinois
Chairman of the Junior Bar Conference of the American Bar Association
Title of Address: *The Role of the Young Lawyer in the Organized Bar*

1:30 Business Session

2:00 Seminar

BASIC REAL ESTATE PRACTICE AND PROCEDURE
Chairman: Robert F. Brachtenbach, Selah

- (a) Earnest Money Agreements—Hugh R. McGough, Seattle
Real Estate Brokers' Commissions
Parties
Legal Descriptions
Encumbrances
Withdrawal
Performance
- (b) Real Estate Contracts—Donald H. Bond, Sunnyside
Terms
Collection
Forfeitures
- (c) Closing Procedure—Robert F. Brachtenbach, Selah
Escrows
Title Insurance
Signatures and Notarization
Proration of taxes, fire insurance and reserves
Compensating revenue, and excise taxes
Recording
- (d) Practical Suggestions and Check List—E. M. Murray, Tacoma

6:00 No-host Cocktail Party, Top of the Ocean

7:00 No-host Smorgasbord Dinner Dance, Top of the Ocean

ANNUAL BUSINESS MEETING

The Annual Business Meeting was convened by the president of the Association, Justin C. Maloney, at two o'clock, p.m., on September 8, 1961.

The Honorable Ben Hanson, Mayor of the City of Tacoma, and Arthur R. Paulsen, President of the Pierce County Bar Association,

were introduced and extended a warm welcome to the members. DeWitt Williams, member of the Board of Governors, responded.

The Honorable Orris L. Hamilton, President of the Superior Court Judges Association, addressed the members and described some of the recent work of the Association of Superior Court Judges.

REPORT OF THE BOARD OF GOVERNORS

AND

ADDRESS OF THE PRESIDENT

Justin C. Maloney

In 1933, the Legislature established the Washington State Bar Association. We are met at the 29th Annual Convention Meeting since the establishment of our Association. The State Bar is governed by the Board of Governors, which is charged by law with the executive functions of the State Bar, and the enforcement of the provisions of the State Bar Act. We have seven Congressional Districts in the State of Washington and the seven members of the Board of Governors listed in the order of Congressional Districts are: DeWitt Williams, First; Howard C. Graham, Second; Dale McMullen, Third; James I. Leavy, Fourth; Charles F. Scanlan, Fifth; Carl H. Skoog, Sixth; and George H. Bovingdon, Seventh.

The Board during the past year has met on the average of once a month in general meeting, with such special meetings interspersed as needed or emergency dictated. I am happy to report to you a sincere dedication and devotion to duty and responsibility on the part of each member of the Board and of the Executive Secretary and of the Counsel for the Association. Many local Bar Associations have seen fit to write to the Board requesting that one of the meetings be held in their city. These invitations are most welcome and are accepted with pleasure when the business and commitments of the Association and the Board permit. May I suggest to you that such invitations be encouraged, for the reason that it brings the work of the Association closer to the members, tends to enliven their interest, quicken their appreciation, binds us together more closely and provides the base for professional cordiality, confidence and friendliness.

During the past year, God, in His infinite wisdom, has called from among us two Past Presidents of this Association; Hilton Gardner, who served as such from 1959 to 1960; and F. A. Kern, who served as such from 1953 to 1954. Their contributions to this Association and