



LIFE BEGINS

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Senior Lawyers Section

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Senior Lawyers Section Hosts Another Successful Seminar

by Thomas J. Greenan

On May 13, 2011, the Senior Lawyers Section hosted its annual CLE seminar at the Sea-Tac Marriott Hotel. Overall attendance was 185 – more than half of the Section membership – making this event quite successful, as have been those of years past. Attendees included 156 Section members, 19 standard tuitions (\$225) for non-members, one PowerPass, and nine presenters.

For lawyers who attended the entire program, the seminar provided 6.0 CLE credits, including 1.75 ethics credits and 4.25 general credits.

Egil (Bud) Krogh led off the morning session with a discussion of his career in the Nixon White House and his participation in events there which greatly affected his personal and professional life. Krogh’s presentation made extensive reference to the book that he and his son, Matthew Krogh, have written, entitled “Integrity: Good People, Bad Choices and Life Lessons from the White House.” Krogh served on the Nixon White House staff from 1969 to 1973, as a young and inexperienced lawyer. One of his several positions in that administration was as co-director of a secret White House investigations unit known as the Plumbers, charged with protecting classified information. His role in authorizing a break-in during the 1971 investigation of Daniel Ellsberg and the release of the Pentagon Papers – revealed during the Watergate investigation – led to his resignation from federal government service, a guilty plea to a federal felony and time in prison. In Washington state, he was disbarred due to the felony conviction and eventually reinstated to the practice of law. All in all, Krogh’s

presentation was fascinating and warmly received by the attendees.

Next on the program were reflections by former Chief Justice Gerry Alexander on Methods of Judicial Selection and the Independence of Judges. Justice Alexander discussed methods for selecting judges employed by various states. Those methods include merit selection through a nominating commission; gubernatorial or legislative appointment without a nominating commission; partisan election; nonpartisan election; and combined merit selection and other methods. Justice Alexander reviewed the number of judges (justices) on each level of the Washington Courts, the qualifications therefor, the method of selection of judges (nonpartisan election), how vacancies are filled, and the mandatory retirement provisions for judicial officers under Washington law.

Policing the Police

The morning session concluded with a vigorous panel discussion on the topic of “Police and the Community.” The panel discussion was chaired and moderated by Judge Terrence Carroll, ret. Following a career on the King County Superior Court bench, Judge Carroll was a co-founder of an alternate dispute resolution group and is now the Jurist in Residence at the Seattle University School of Law. The other panelists were Kathryn Olson, the Director of the Seattle Police Department’s Office of Professional Accountability;

continued on next page

In this Issue

Senior Lawyers Section Hosts Another Successful Seminar.....	1	Book Review: <i>Retire Right</i>	5
Section Dues Remain at \$20.....	2	Sagamore Hill and TR’s Grave: L.I. Side Trips are Worth the Extra Miles.....	6
Inherited IRAs: Newly Exempt Under Federal Law?.....	3	Over 60? Join the Crowd!.....	8

Senior Lawyers Section Hosts Another Successful Seminar from previous page

Seattle lawyer Michael McKay, a former King County Senior Deputy Prosecuting Attorney and a former U.S. Attorney for the Western District of Washington; and Lembhard Howell, long-time Seattle practitioner, who, among many other honors, has been named Trial Lawyer of the Year by both the Washington State Association for Justice (formerly WSTLA) and the Washington chapter of ABOTA. The panel discussed many aspects of issues arising at the confluence of police officers' professional responsibilities and the civil rights of citizens.

Following an excellent lunch that was included in the cost of the seminar, attendees reassembled for the afternoon session. The first afternoon speaker was Seattle practitioner David Allen on representing defendants on both sides of cases involving the use of force by police officers or by citizens who assault police officers.

Next came Stephen Crossland, the solo practitioner from Cashmere who is President-Elect of the Washington State Bar Association. His topic was "Obligations for Planning Ahead: Death, Disability, Impairment or Incapacity of an Attorney."

The afternoon session concluded with a discussion by Karen E. Boxx, associate professor at the University of Washington School of Law, where she teaches, *inter alia*, in the areas of trusts and estates, estate planning and community property. Professor Boxx spoke on what we know and don't know about the Federal Estate and Gift Tax after the most recent actions by Congress.

Appreciating the Cost and CLE Credits

Many attendees at the seminar took the time to fill out evaluation forms at the end of the program. Attendees were asked to rate which of six factors (Subject; Faculty; Date; Location; Cost; Credits) influenced her or his decision to attend. Although each factor influenced at least several lawyers to attend, the two factors most often cited were "cost" and "credits." The annual Senior Lawyers Section Seminar offers approximately six CLE credits (including ethics credits) at each annual seminar at a reasonable price per CLE hour. The cost of the May 2011 seminar (which was priced the same as the previous year's), including an excellent lunch and a post-seminar reception, was less than \$25 per CLE hour, making it among the most affordable seminars available on the market.

Attendees who filled out the evaluation forms were overwhelmingly complimentary of the program, using terms such as "excellent," "very interesting," "knowledgeable," "great" and "informative" when rating the speakers and the content of their presentations. Many of the attendees at the Seminar had obviously attended prior Senior Lawyers CLEs, as was exemplified by comments such as: "I will at-

tend next year whether I need the credits or not"; "I enjoy this seminar each year"; "Facility and parking very good. Lunch quite good."; "The location and programs are historically excellent."; "All top notch! Amazing!"; and "One of the best WSBA seminars I have attended."

Each year the Section tries to find interesting topics and speakers that will appeal to its membership whose interests in legal topics are, to say the least, varied. *The Executive Committee of the Section welcomes suggestions and recommendations for next year's annual seminar, which will be held around the same time, perhaps again at the Sea-Tac Marriott. Please contact any of the Executive Committee (they are listed on page 7 of this issue) with your ideas for topics.*

We look forward to seeing you at the CLE seminar next year!

Section Dues Remain at \$20

The Senior Lawyers Executive Committee, at its June meeting, unanimously voted to retain annual Section membership at its current \$20 level.

Among the WSBA's 27 sections, the least expensive annual dues are \$15 (Health Law), \$18 (Real Property, Probate & Trust), and \$20 (Senior Lawyers and four other sections). Nine sections cost \$25, 5 cost \$30, 4 cost \$35, and International Practice costs \$40.

Article Ideas? Your Input Is Needed!

Life Begins, the Senior Lawyers Section newsletter which you are reading at this very moment, works best when Section members actively participate. We welcome your articles and suggestion regarding *your lives in or out of the law*.

Please contact Carole Grayson, editor, to submit an article, or if you'd like to write an article, or if you have ideas for article topics. Here's how to reach her: phone (206) 543-6486, email cag8@uw.edu, fax (206) 543-3808, or snail mail at UW Student Legal Services, Box 352236, Seattle, WA 98195.

Editor's note: This is an update of the article by the same title that originally appeared in the winter 2010-11 newsletter of the WSBA Creditor Debtor Rights Section. It appears with the permission of the author.

Inherited IRAs: Newly Exempt Under Federal Law?

by Ian McDonald – Nagler & Malaier, P.S. (with thanks to Wendy Goffe of Graham & Dunn, PC, for her contributions)

Introduction

In 2005, Congress revised the U.S. Bankruptcy Code, including provisions which exempt individual retirement accounts ("IRAs"), as defined by 26 U.S.C. 408(a) of the Internal Revenue Code ("IRC"), from the bankruptcy estate. This article analyzes the emerging trend toward exemption of inherited IRAs under federal bankruptcy law. It also addresses the open question of whether inherited IRAs are exempt from attachment or garnishment outside of bankruptcy under Washington state law.

The IRC considers an inherited IRA to be any IRA which has been transferred to a non-spouse beneficiary. See 26 U.S.C. 408(d)(3)(C)(ii). Prior to enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act ("BAPCPA"), and for several years afterward, a majority of appellate-level decisions from around the U.S. distinguished between IRAs and inherited IRAs for exemption purposes on the basis that inherited IRAs are relatively liquid assets distributed without regard to the retirement needs of the beneficiary.

However, once BAPCPA became law, debtors increasingly began to succeed in asserting an exemption of inherited IRAs based on a plain reading of the language of 11 U.S.C.A. 522(d)(12). Bankruptcy Code section 522(d)(12) provides that the following property may be exempted: "[r]etirement funds to the extent that those funds are in a fund or account that is exempt from taxation under section 401, 403, 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986."

It should be noted that the exemption controversy concerns only funds held in retirement accounts. Case law clearly establishes that funds distributed from an IRA or inherited IRA to a debtor lose their favorable tax status and therefore tend to be regarded as cash by bankruptcy trustees and creditors.

Bankruptcy Code Exemption

At present no controlling law exists in the Ninth Circuit on whether inherited IRAs are exempt by application of the Bankruptcy Code section 522(d)(12). In the past, bankruptcy trustees objected on two grounds: (1) funds in the account do not qualify as "retirement funds"; and (2) funds in an inherited IRA are not exempt from taxation under one of the specifically listed provisions of the Internal Revenue Code.

In May 2011, Western District of Washington Bankruptcy Court Judge Snyder furthered the recent trend toward exemption in the Ninth Circuit. *In re Johnson*, W.D. Wash.

Bankr., Case #10-48287, 2011)(unpublished); see also *In re Thiem*, 443 B.R. 832 (Bankr. D. Ariz. 2011) and *In re Weilhammer*, 2010 WL 3431465 (Bankr. S.D. Cal. Aug. 30, 2010).

Judge Snyder's thorough analysis, while not binding on other courts, sets out a clear blueprint by which future debtors, particularly Washington debtors in bankruptcy, may argue for the exemption of inherited IRAs. Judge Snyder notes at the outset that 11 U.S.C.A. 522(d)(12) was intended by Congress to expand the protection for retirement plans beyond the ERISA-qualified retirement plans excluded from bankruptcy estates by the Supreme Court's decision in *Patterson v. Shumate*. Accordingly, there is no reason to read into the statute a requirement that the "retirement funds" in the account be the debtor's retirement funds.

The various applicable provisions of the Internal Revenue Code prohibit a non-spouse beneficiary of an IRA from making contributions to the inherited IRA or rolling over the inherited funds into another retirement plan; and unlike a normal IRA, funds from an inherited IRA can be accessed without penalty. The Internal Revenue code also requires that beneficiaries make withdrawals or take disbursements from an inherited IRA without regard to retirement status.

After examining the legislative history of section 522(d)(12), a Texas bankruptcy court concluded that an inherited IRA did not qualify as "retirement funds" on the basis that funds not contributed by the debtor were distributed to the debtor as the beneficiary of the account without regard to the debtor's age or retirement status. *In re Chilton*, 426 B.R. 612 (Bankr. E.D. Tex. 2010). The court's focus on the tax and retirement attributes of the inherited IRA found favor in other decisions, e.g., *In re Ard*, 2010 WL 3400368 (Bankr. M.D. Fla. 2010). Significantly, *Chilton*, at the time the leading opinion in the non-exemption line of IRA case law, was overturned in *Chilton v. Moser*, 2011 WL 938310 (E.D. Tex. March 16, 2011).

Ard is one of the few cases that upheld an objection to exemption based on the post-BAPCPA Bankruptcy Code. Even though Florida exemption law was mentioned in support of the decision, the *Ard* court found that inherited IRAs could not be exempted under section 522(d)(12) due to the differentiation of tax exempt status between IRAs and inherited IRAs under section 408(d)(3)(c) of the Internal Revenue Code. The appellate court concluded that tax consequences of an inherited IRA make it a fundamentally different "fund or account." The *Ard* court did note that it felt compelled to adopt the logic of previous courts' denial

continued on next page

Inherited IRAs: Newly Exempt Under Federal Law? from previous page

of tax-exempt status to inherited IRAs. Like the *Chilton* court at the bankruptcy level, the *Ard* court did not address the trustee-to-trustee transfer provisions in section 522(b)(4)(C) and 522(b)(4)(D) of the Bankruptcy Code.

The Eighth Circuit Bankruptcy Appellate Panel in *In re Nessa*, 426 B.R. 312 (8th Cir. B.A.P. 2010), expressly relied on section 522(b)(4)(C) in reaching the contrary conclusion. This provision states: "a direct transfer of retirement funds from a fund or account that is exempt from taxation under section ... 408 ... of the Internal Revenue Code of 1986, ..., shall not cease to qualify for exemption under ... subsection 522(d)(12) by reason of such direct transfer."

Moreover, BAPCPA amendments further expanded exemption rights with the addition of section 522(b)(3)(C) which provides debtors in opt-out states the same retirement protections as debtors who are able to select federal exemptions. See *In re Diaz*, 2010 WL 2425960 (Bankr. E.D. Va.). As a result, Washington debtors in bankruptcy can likely exempt inherited IRAs under 11 U.S.C.A. 522(d) (12), regardless of whether state or federal exemptions are being asserted.

Washington State Exemption

With one notable exception, courts interpreting particular state exemption laws have routinely held that inherited IRAs are not exempt as IRAs under the Internal Revenue Code. These courts have relied on the Tax Code's differentiation in tax treatment pursuant to 26 U.S.C. section 408(d)(3)(C)(ii) for the proposition that an inherited IRA is a fundamentally different type of benefit plan from the tax-favored IRA. See, e.g., *In re Klipsch*, 2010 WL 2293957 (Bankr. S.D. Ind.); *In re Jarboe*, 365 B.R. 717 (Bankr. S.D. Tex. 2007). These and other states have construed their statutes to require a retirement purpose or direct contributions by an owner of the account in order for the state law exemption to apply.

Washington state allows debtors to assert either the federal or state set of property exemptions in bankruptcy. To date, no published decision has been rendered interpreting whether the Washington state exemption statute, which applies to debtors outside of bankruptcy in addition to debtors asserting state exemptions in bankruptcy, shields inherited IRAs as the statute does retirement accounts in general. The broad language of RCW 6.15.020, Washington's retirement account exemption, appears set to halt the state law trend toward precluding inherited IRAs from exemption.

Washington's statute may succeed where other state exemption laws have failed to protect inherited IRAs based on its striking similarity to an Idaho statute identical in all material respects to RCW 6.15.020(3), which has been interpreted to exempt inherited IRAs. RCW 6.15.030(3) protects rights accruing under any "employee benefit plan", and RCW 6.15.030(4) expressly defines "employee benefit plan"

as, *inter alia*, "an individual retirement account described in Section 408(a) [of the Internal Revenue Code]."

Bankruptcy Judge Pappas applied IC § 11-604A, the Idaho exemption statute, in *In re McClelland*, 2008 WL 89901 (Bankr. D. Idaho)(unpublished), to an inherited IRA over the trustee's contention that only retirement money held by an account owner was intended to be protected. Like IC § 11-604A, RCW 6.15.020 makes no distinction whatsoever between funds paid to the owner of an IRA account and funds inherited by a beneficiary, nor does it provide any basis for such a statutory construction. As the *McClelland* court noted, "[H]ad the [Idaho] legislature intended to limit the scope of this exemption to only those funds held by the person who contributed them to the account it certainly could have done so." *Id.* at 4.

To the extent that decisions of other bankruptcy courts have decided inherited IRAs are not exempt from administration by a bankruptcy trustee, they appear to be distinguishable based on the less inclusive language of the particular state laws under which the exemptions were claimed. See, e.g., *In re Kirchen*, 344 B.R. 908 (Bankr. E.D. Wis. 2006); *In re Taylor*, 2006 WL 1275400 (Bankr. C.D. Ill. 2006); *In re Sims*, 241 B.R. 467 (Bankr. N.D. Okla. 1999). For example, in *In re Kirchen*, the applicable statute [Wis. Stat. 815.18(3)(j)] required an IRA to *comply* with the Internal Revenue Code provisions on retirement accounts in order to be exempt. The Court found that the IRA, while meeting the definition of an IRA contained in section 408(a), did not qualify for tax exempt status because 408(d)(3)(c) disallows the tax exempt status of inherited IRAs. Washington's RCW 6.15.020 contains no such tax code compliance requirement. An IRA need only be defined as such by section 408(a) in order to qualify as an "employee benefit plan," and therefore, be fully exempt. See RCWs 6.15.020(3) and 6.15.020(4).

The language of RCW 6.15.020 appears to be the most expansive of any state which has ruled on the exemption of inherited IRAs in defining who qualifies for protection from creditors and what type of financial instruments can be exempted by debtors.

Conclusion

While the weight of authority on the subject of inherited IRAs has historically favored non-exemption, prior opinions have been based almost exclusively on the language of particular state exemption statutes. In Washington state, Bankruptcy Judge Snyder's closely reasoned opinion gives every indication of being the new standard for exemption of inherited IRAs. Moreover, the broad language of RCW 6.15.020, which exempts "benefit plans" described in the Internal Revenue Code, appears to put Washington debtors in a uniquely strong position to exempt IRAs in or out of bankruptcy.

This book review was written by John Clyde and OAAP Attorney Counselor Mike Long, co-authors with Pat Funk of *Lawyers at Midlife: Laying the Groundwork for the Road Ahead* (Seattle: DecisionBooks, 2008). This book review originally appeared in the March 2011 "In Sight," the newsletter of the Oregon Attorney Assistance Program. <http://www.oaap.org>. The newsletter's full title is "In Sight for lawyers and judges: Improving the quality of your personal and professional life." This reprint appears with the permission of the authors.

Book Review: *Retire Right*

Are you on the verge of or considering retirement? Do you know what it takes to have a successful and satisfying retirement? Two doctors from Oregon, Frederick T. Fraunfelder, MD, and James H. Gilbaugh, Jr., MD, surveyed more than 1,500 of their retired patients (*The Retirement Docs' Quiz*) to identify why some retirees respond so well to the challenges of retirement while others seem to fall apart. Their research found that the most satisfied and successful retirees (the top 20% of the retirees surveyed) share eight key traits. The doctors identify and discuss these success traits in their book, *Retire Right: 8 Scientifically Proven Traits You Need for a Happy, Fulfilling Retirement* (Avery Publishing Group, 2009).

In the doctors' survey, the happiest retirees shared all eight of the following traits:

- An ability to plan ahead;
- A positive/optimistic attitude;
- The ability to accept change and to adapt;
- A wide and varied support network;
- A sense of purpose;
- A healthy lifestyle;
- Enjoyable leisure activities; and
- A belief/expression of spirituality (something greater than oneself).

The doctors divide retirement into four phases:

Planning for Retirement (average age 58): You're fully employed but starting to plan for a life after work. By the time you reach your mid- to late 50s, you should be actively planning for both the financial and non-financial aspects of life after your income-earning years. Highly successful retirees ranked planning as far and away the most important trait for achieving a positive retirement. The difference between moderately successful and highly successful retirees was the amount of time and energy that highly successful retirees devoted to non-fiscal planning.

Shifting into Semiretirement (average age 67): You're employed part-time. This phase may last a decade or longer for those who both enjoy and remain passionate about their work. Survey respondents with high incomes and/or high levels of education spent more time in semiretirement than in phases three and four.

Full Retirement (average age 72): You're fully retired and choose your activities with no health or financial restrictions. During this phase you may begin to feel some health issues related to aging, or you may have new care-giving responsibilities for a spouse or an aging parent.

Restricted Full Retirement (average age 78): In this last phase of retirement, you experience significantly more limitations due to health, age, and finances. Our society is constantly evolving and offering answers for the changing lives and needs of older adults. The important question is: "Do you have the flexibility and adaptability to avail yourself of society's resources?"

Other observations and facts the authors offer:

- Seventy percent of baby boomers say that their best years are yet to come.
- Once you meet a certain threshold of financial security, your happiness in retirement is not determined by how much money you have to spend, but by how fulfilling you find post-retirement work, relationships, well-being, and hobbies.
- After age 60, it is your lifestyle, not your genetics, that determines your longevity. The most central tenet of a successful retirement is a passionate commitment to staying healthy and active.
- Individuals with planned exercise programs have up to 70% fewer physical disabilities in the last year of their lives than those who don't.
- How you manage assisting and caring for aging parents can be one of the most challenging aspects of an otherwise successful retirement.
- The majority of unhappy survey respondents were people who had been forced into mandatory and involuntary retirement due to health issues, job loss, or various personal issues.

Retire Right is a helpful resource for both those planning for retirement and those who have already begun that phase of life. It is a good, easy read and may offer some significant insight into your own future and that of your mate.

Sagamore Hill and TR's Grave: L.I. Side Trips are Worth the Extra Miles

by Phil DeTurk

"No man is justified in doing evil on the ground of expediency." – T. Roosevelt

Edmund Morris, later also the author of *Dutch* about President Reagan, published the first volume of his opus trio about Theodore Roosevelt in 1979. Soon thereafter, I was hooked. I would eventually read all three books, the most recent one being from 2010, *Colonel Roosevelt*.

Throughout these books there is constant mention of Oyster Bay, located on the North Shore of Long Island. This is where Roosevelt was raised, after a sickly childhood in Manhattan, 35 miles to the west. In Oyster Bay one side of the Roosevelt family had owned land for a considerable time; the other branch was from Hyde Park, two hours north of Manhattan.¹ Later Teddy and his first bride, Alice Hathaway Lee Roosevelt, purchased 50 acres in order to build a ten bedroom home to be called Leeholm.

After Alice's death at the age of 22 from Bright's Disease within days after her daughter (another Alice) was born, Roosevelt took a complete cessation from society and memories of his beautiful young wife. (Roosevelt's mother died from typhoid the same day as his wife.)

Later on Roosevelt married Edith Carrow who had been a romantic interlude before his first marriage, and ultimately built the home now renamed Sagamore. With baby Alice (later of the Blue Gown) and his four sons and one daughter with Edith, the family settled into this waterfront Victorian type rambling structure located almost three miles from the small town of Oyster Bay.

Hale and Whitman, Too

I had often longed to see Sagamore. Over the years, especially when driving from the West Coast to the East and vice versa, I visited various presidential homes and memorials. Thus I saw the Lyndon Johnson ranch in Texas, the Harry Truman Museum and home in Independence, Mo., the Eisenhower property in Kansas, and others, including a visit to the Reagan Museum in California.

Even though I drive nearly every year from my home in North Carolina to visit a daughter in Connecticut and a college chum near Boston, I had never found the time to deviate to Oyster Bay.

In June 2011, I decided to rectify this deficiency. After picking up my daughter in Alexandria, Va., we drove north on Highway 95 until we reached Staten Island. Then a few turns here and there brought us to the usual congested traffic of Interstate 495 where at first we 'enjoyed' seeing parts of Brooklyn as well as views of its famous bridge.

Soon we were on the misnamed Long Island Expressway. Because of the lateness of the hour, we opted to spend

that Friday night just off the expressway in Melville. This was only a few miles from Bethpage, where the US Open in golf has been held twice, and the birthplace of Walt Whitman, whose humble house still stands.

A monument to Nathan Hale is nearby. He was captured thereby and soon thereafter executed while decrying his inability to provide but one life for his country. He was only 22, the same age as Teddy's first wife when she died.

On Saturday morning, we headed west on 495 for about ten miles, soon exiting at the Oyster Bay sign posts. A short and picturesque drive led to the home which now is close to 125 years old.

Bibliophile

The verdant property is maintained by the U.S. National Park Service. National Park Passports are accepted; they can be purchased at any park including the Klondike Gold Rusk National Historical Park in Seattle's Pioneer Square. However, even without the pass the cost to participate in a guided tour of the house was only five dollars.

Sagamore lies atop a hill. There is a slight climb to the wrap-around porch which adorns the muted colors of this former residence. It stands stately and alone on those 50 acres, alone except for a huge birch tree several feet from the house. It must have been a twig when it was planted at the time of the home construction.

Roaming around the inside of the home, one is overwhelmed by the books everywhere. Our 23rd President was a voracious reader so it is understandable that many of these works, mostly classics, once were his property. Not only were these volumes in his two dens, but everywhere else in the house.

The original dining room was quite small by the standards of famous men who had to entertain often. The dreary kitchen was also seemingly tiny for such events. We were told that in 1906 the house was added on to, giving it a very large living room where some of Teddy's hunting trophies are still evident.

The view was primarily of trees. The Roosevelts did not own any adjacent property so they could not control the natural growth of the foliage. The once magnificent view of Oyster Bay has been obliterated. Sitting on the porch was relaxing but without any admirable scenery.

Some publication states that Alice's room was better than her room at the White House. If so, she could not have enjoyed great splendor in D.C. since the Sagamore bedroom

continued on next page

Sagamore Hill and TR's Grave: L.I. Side Trips are Worth the Extra Miles from previous page

was relatively miniscule, as in fact were most of the other nine bedrooms.

To an Athlete Dying Young

Teddy's original den was large, allowing him the now suppressed view of the Bay. He wrote many of his articles and books here. Other than politics, his life was one of publishing stories of his adventures on his hunting expeditions as well as treatises as to how the country should be run, preferably by him and with firmness.

As is usual in these memorials to the lives once led there, the house was full of articles from the era. Thus it is easy to relive those days before WWII as lived by the Roosevelts (Teddy died in 1919; Edith in 1948).

There is also a memorial in front of the house to Quentin, the son shot down by the Germans in July 1918 while flying a plane in France. He was to have married a Whitney who often visited this family home. Quentin's death must have hastened the elder Roosevelt's early demise six months later at the age of sixty.

We left Sagamore to head into Oyster Bay. En route we stopped at Youngs Memorial Cemetery. Here Edith and Theodore, as well as their son, Archie and daughter Edith, are buried with their respective mates. This cemetery is a humble place on the side of a hill with perhaps slightly over 100 graves. It featured no large signage, no fee, no guide--although a man who helps keep the graves tidy did explain to my daughter where the other Roosevelt family were buried near the larger marker of Theodore--and few flowers. The Youngs, who owned the land, settled in the area around 1640 and subsequently controlled most of Cove Bay.

Gold Coast

Oyster Bay, the town, is a typical older Long Island community. With less than 7000 people, it has a small marina, an established downtown, and several restaurants.² The town lacks adequate lodgings, although a resort is nearby in Glen Cove. For those of you who have read Nelson DeMille's adventures including *Gold Coast* and *Gate House*, this was the scene of some meetings between the hero and bad guy, who wanted to buy the Roosevelt building.

The Moore Building provided the "Summer White House" and is now on the National Register of Historic Places. In the early 1900s when Roosevelt was president, transportation to and from NYC was by train which connected with OB. From there the Sagamorians would travel by carriage to their home high above the Bay. Other buildings still extant in the village include the First Presbyterian Church where Theodore worshipped as a child.

continued on next page

2010-2011 Senior Lawyers Section

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Sagamore Hill and TR's Grave: L.I. Side Trips are Worth the Extra Miles *from previous page*

Methods to use getting away from the area described include taking a ferry to Bridgeport, Ct., across the Long Island Sound. This is what I planned to do at one time in an effort to continue north to see my other East Coast daughter. Because we were attending a function outside of NYC, this did not prove feasible.

You can rejoin I-495 at some place west of Oyster Bay meandering along two lane roads on Long Island. This brings you to I-295 and the Throgs Neck Suspension Bridge (1961) crossing the East River and Long Island Sound with entry into the Bronx, as well as the George Washington Bridge which eventually crosses the Hudson River and deposits you in New Jersey. But that's for another day.

- 1 Teddy's brother was the father of Eleanor, who married Franklin, of the Hyde Park Roosevelts.
- 2 Note from editor, who grew up clamming in Oyster Bay (long after the oysters had been depleted) and worked at TR Jr.'s house at Sagamore Hill her senior year in high school: Oyster Bay's first European settlers were the Dutch and the English in the mid-1650's, including Quakers fleeing religious persecution. The town today has echoes of New England. A natural well downtown has been there for centuries. Raynham Hall Museum is housed in a building from the 1770's. Lovely architecture

abounds. Louis Comfort Tiffany's estate was one mile from Sagamore Hill as the crow flies.

Over 60? Join the Crowd!

"The Board's Work" in the April 2011 Bar News contained this nugget of relevance to Senior Lawyers:

"Also at the January [2011 Board of Governors] meeting, the Board received a report from Peter Roberts, manager of the WSBA Law Office Management Assistance Program, which offers low-cost help to WSBA members, including education and advice regarding all areas of office and career management.

Roberts noted that, since 2001, the number of WSBA members over 60 years old has increased by 309 percent. Consequently, LOMAP is offering additional services to help senior lawyers transition out of their careers and plan for succession of their practices, if necessary.

He also noted that the economic recession has led the program to broaden its services to provide additional help for lawyers seeking to start their own practices or small firms, after losing their jobs with larger firms that have downsized."
