



MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION

1906

Lawyers associated for justice, service, professionalism, education and leadership for our members and our community.

April 2007 Volume 53, Number 4

Elden Rosenthal

By Tom Christ, Cosgrave Vergeer Kester.

The Bill of Rights to the federal constitution guarantees freedom of speech, religion, and privacy, as well as other freedoms. It's our main protection against governmental abuse of power. Few Oregon lawyers believe that so ardently as Elden Rosenthal. The Bill of Rights, he says, is what separates the United States from tyrannies abroad. And few have done so much as he to enforce those rights.



Elden Rosenthal with Gov. Roberts (far left), wife Margie and Dave Fidanque
Photo by James Hearn

Throughout his 35-year career in the law, Rosenthal has fixed action to conviction. In case after case, he has used his considerable legal skills to rectify government transgressions of one sort or another. Many of these cases have made newspaper headlines, including, most recently,



Elden and daughter Rachel
Photo courtesy of Rosenthal family

the case of Brandon Mayfield, a local lawyer who was detained on false accusations of complicity in a terrorist attack: the 2004 Madrid train bombing. Rosenthal helped Mayfield obtain a \$2 million dollar settlement and government apology. The settlement allows part of the case to continue as a challenge to the constitutionality of the US Patriot Act.

Over time, Rosenthal has developed the region's preeminent civil rights practice, complementing his successful personal injury practice. In recognition of that accomplishment, he was recently honored with the prestigious E. B. McNaughton Award, presented by the ACLU of Oregon to individuals

or groups that have, by particular act or long record of service, made outstanding contributions to the protection of civil rights and liberties. That award joins several others on his shelf, including the OSB's Award of Merit and the Public Justice Award, given by the Oregon Trial Lawyers Association.

Rosenthal was born in Iowa in 1947, the son of a rabbi whose family fled Germany in the 1930s to avoid religious persecution. His mother's family emigrated from Russian during earlier pogroms. Some of his relatives perished in the Holocaust. That fact made a deep and lasting impression on him and no doubt played a role in his later career choices.

Rosenthal was raised in Seattle and southern California. He went to college at UCLA, and then to law school at Stanford, graduating in 1972. He began his legal career as an associate at Pozzi Wilson & Atchison, at that time Portland's leading plaintiffs-side law firm. In 1975, he left to start his own practice. Five years later he formed a partnership with Michael Greene, a law school classmate and former MBA President. Rosenthal & Greene has been in practice for 27 years.

In addition to the Mayfield lawsuit, Rosenthal's newsworthy cases include a wrongful death action brought on behalf the estate of Mulugeta Seraw, an Ethiopian immigrant who was beat to death by racist skinheads linked to the White Aryan Resistance organization. Rosenthal and his co-counsel, Morris Dees, of the Southern Poverty Law Center, obtained a \$12 million verdict against the organization and its leader, Tom Metzger, putting them out of business.



Elden and wife Margie
Photo courtesy of Rosenthal family

Rosenthal has succeeded, time and again, in persuading courts to strike down unlawful government action. In one case, for example, he successfully argued that procedures used by the City of Portland to annex property in east Multnomah County infringed on the right to vote. In another case, he successfully argued that restrictions on leafleting at the Portland Airport violated the First Amendment.

Over time, however, Rosenthal came to believe that suits for damages can be as effective in changing government misconduct and preventing recurrences. As he said when accepting the McNaughton Award, "I've come to believe that in America, where justice is usually interpreted in dollars and cents, civil rights are best vindicated when money changes hands. When those guilty of efforts to take away our rights, pay for their misconduct. I've come to believe that bad actions and bad policies, are least likely to be repeated when there is a price tag placed on the misconduct."

It's not surprising, given these views, that Rosenthal is concerned about attempts to, as he puts it, "dismantle the civil justice system" by, among other things, restricting access to the courts, capping damages and

Continued on page 12



Photo courtesy of the Rosenthal family

MBA CLE

To register for a CLE, please see the inserts in this issue or go to www.mbabar.org.

April

Tuesday, April 10
Washington, Clackamas & Clark Counties Presiding Court Update

Hon. Thomas Kohl
Hon. Steve Maurer
Hon. John Nichols
Leslie Johnson

Wednesday, April 18
Multnomah County Presiding Court Update & Welcome Reception for New Judges
Time: 4-6 p.m.

Hon. Dale Koch and judicial guests

Wednesday, April 25
Annual Probate and Guardianship Update
Hon. Katherine Tennyson
Helga Barnes

May

Thursday, May 3
Disability: Reasonable Accommodation and Medical Marijuana
Caroline Guest
Scott Hunt

Tuesday, May 8
Juvenile Law: Representing Children's Interests
Hon. Susan Svetkey
Kate Lieber

Wednesday, May 9
Judges Trial Practices
Hon. Kathleen Dailey
Hon. Marilyn Litzenberger
Hon. Katherine Tennyson
Hon. Janice Wilson

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and
judges and members spring social

Monday, May 21
HILTON PORTLAND
Pavilion Room
5-7:30 pm

A fun evening of socializing, enjoying hearty hors d'oeuvres and listening to the Bobby Torres Ensemble. There will be a brief annual meeting, passing of the gavel and bylaws revision vote.

Invitations are being mailed separately.

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*or the preceding Friday, if on a weekend.

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NEW ON THE SHELF

By Jacque Jurkins, Multnomah Law Librarian.

OREGON GOVERNMENT LAW 2006: The final chapters - for now! Course materials from the Oregon Law Institute, October 20, 2006 program in Portland. (*KF 5300O7O73 2006)

ESTATE PLANNING FOR PROTECTED PERSONS WITH DISABILITIES. Course materials from the Oregon Law Institute, December 1, 2006 program in Portland. (*KF 750 O7O73ep 2006)

FROM GUANTANAMO TO GRESHAM: Permissible and impermissible representation in high profile cases and everyday life. Nineteenth Annual Ethics CLE. Course materials from the Oregon Law Institute, November 3, 2006 program in Portland. (*KF 311 O7O73)

LITIGATION STRATEGIES AND TIPS: Jury selection and presentation skills. Course materials from the Oregon Law Institute, November 17, 2006. (*KF 8972 O7O73)

PREPARING YOUR WITNESSES FOR TRIAL: The key to winning a close case. Course materials from the Oregon Law Institute, October 27, 2006 program in Portland. (*KF 8950 O7O73)

PREPARING WITNESSES, 3d ed. by Jonathan L. Rosner. Published by Thomson/West, 2006. (KF8950 R67)

A LITIGATOR'S GUIDE TO EXPERT WITNESSES by Cecil C. Kuhne. Published by the ABA General Practice, Solo & Small Firm Section, 2006. (KF8961 K84)

SECURITIES LITIGATION: A practitioner's guide edited by Jonathan C. Dickey. Published by the Practising Law Institute, 2006. (KF 1439 S46)

TOXIC TORT LITIGATION edited by D. Alan Rudlin. Published by the ABA Section of Environment, Energy and Resources, 2007. (KF 8925 T67 T69)

FORMS & SUBSTANCE: Specialized agreements for the construction project edited by Carina Y. Ohara. John I. Spangler and Michael D. Tarullo. Published by the ABA Forum on the Construction Industry, 2007. (KF 801 F67)

EXECUTIVE COMPENSATION AND RELATED-PARTY DISCLOSURE: SEC rules and

explanation by James Hamilton. Published by Commerce Clearing House/Wolters Kluwer Law & Business, 2006. (KF 1449 H35)

HANDBOOK ON ERISA LITIGATION, 3d ed. by James F. Jordan, Waldemar J. Pflepsen and Stephen H. Goldberg. Published by Wolters Kluwer/Aspen, 2007. (KF 3512 J67 2007)

A LAWYER'S GUIDE TO NETWORKING by Susan R. Sneider. Published by the ABA Young Lawyers Division and the ABA-CLE Resource Center, 2006. (KF 316.5 S64)

THE LAWYER'S GUIDE TO FACT FINDING ON THE INTERNET. 3d ed. by Carol A. Levitt, Mark E. Rosch. Published by the ABA Law Practice Management Sections, 2006. (KF 242 A1 L48 2006)

GUIDE TO FOREIGN AND INTERNATIONAL LEGAL CITATIONS. Published by the New York University School of Law, Journal of International Law and Practice, 2006. (*KF 78 G85)

CALENDAR

For a complete MBA calendar, please visit www.mbabar.org.

April

3
Tuesday, MBA Board meeting

4
Wednesday, Pro Bono Fair

10
Tuesday, May *Multnomah Lawyer* deadline

Tuesday, YLS Board meeting

Tuesday, MBA CLE – Clackamas, Washington and Clark Counties Presiding Court Update
See insert or register at www.mbabar.org.

18
Wednesday, Presiding Court Update and New Judge Reception
See insert or register at www.mbabar.org.

25
Wednesday, Multnomah Bar Foundation Board meeting

Wednesday, MBA CLE Annual Probate Update
See insert or register at www.mbabar.org.

27
Friday, MBA Board Election Ballots due

April 30 - May 5
Monday-Saturday, Community Law Week
See details on p. 10.

May

1
Tuesday, MBA Board meeting

1-22
Tuesday-Tuesday, CourtCare Fundraising Campaign

3
Thursday, MBA CLE – Disability and Reasonable Accommodation
See insert or register at www.mbabar.org.

8
Tuesday, YLS Board meeting

Tuesday, MBA CLE – Juvenile Issues & Representing Children
See insert or register at www.mbabar.org.

9
Wednesday, MBA CLE Judges Trial Practices
See insert or register at www.mbabar.org.

10
Thursday, June *Multnomah Lawyer* deadline

16
Wednesday, MBA East County Annual Spring Social
See details on p. 4.

21
Monday, MBA Judges Social and Annual meeting
See details on p. 9.

24
Thursday, MBA Golf Tournament at Eastmoreland

28
Monday, Memorial Day
MBA closed

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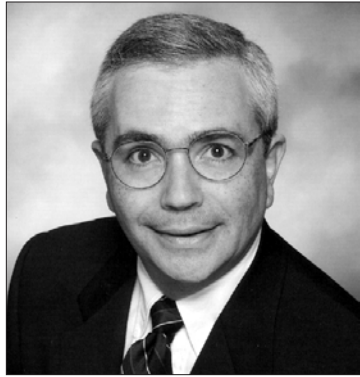
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Ethics Focus

By Mark J. Fucile, Fucile & Reising.

Welcome to Oregon: A Roadmap to Pro Hac Vice Admission



Black's Law Dictionary translates "pro hac vice" from its Latin origins: "for this occasion." Pro hac vice admission is the oldest kind of "multijurisdictional practice." It allows a lawyer licensed in another state to handle a case here and allows Oregon lawyers to do the same in other jurisdictions. Traditionally, pro hac vice admission was the sole province of the particular court where admission was sought. In recent years, however, many states, including Oregon, have formalized pro hac vice admission by specific court rule and bifurcated the admission process so that approval is now needed from both the state bar and the court concerned. Knowing the pro hac vice requirements is important because out-of-state associated counsel will be looking to you to guide them smoothly through the process. In this column, we'll look at the background, requirements and mechanics of pro hac vice admission in Oregon state trial court.

Before we get to Oregon state court requirements, a note on pro hac vice admission in federal court: admission to the US District Court here remains simply by motion under Local Rule 83.3. Application procedures and requirements are outlined on the District Court's Web site, www.ord.uscourts.gov.

Background. Pro hac vice admission in Oregon is governed primarily by ORS 9.241 and UTCR 3.170. The former confirms the Supreme Court's authority to regulate the temporary practice of law by out-of-state lawyers in both courts and administrative proceedings. The latter outlines the specific requirements and procedures for pro hac vice admission. ORS 9.241 and UTCR 3.170 were last substantively amended in 2001 as they relate to pro hac vice admission and created the current two-tier regulatory approval now necessary.

Requirements. Reflecting the two-tier structure created by ORS 9.241 and UTCR 3.170, there are now two sets of pro hac vice requirements - both of which must be met.

For the first tier, the out-of-state lawyer must obtain a temporary "license" from the OSB. There are quotation marks around the word "license" because it is technically just an acknowledgment by the OSB that the applicant submitted the background information required and certified to its accuracy. The OSB can issue an acknowledgment with comments to the trial judge highlighting any areas that appear to be deficient. To obtain the temporary license, an out-of-state lawyer must satisfy several specific criteria outlined in UTCR 3.170(1), including: the lawyer must be a member in good standing of his or her "home" bar; no discipline is pending against the lawyer (if there is, the lawyer must explain it in the application); the lawyer must have professional malpractice insurance substantially equivalent to the OSB's Professional Liability Fund (if representing private clients); and the out-of-state lawyer must associate with local Oregon counsel who "must participate meaningfully" in the matter involved. If the out-of-state lawyer is representing a private party in court, the lawyer must also pay the OSB a \$250 fee. The temporary license is good for one year and one case. It must be renewed after a year (with payment of another \$250) and a new license must be obtained for each case in which the lawyer seeks admission. There are no "firm admissions." Rather, each out-of-state lawyer appearing in a case must obtain an individual license. By seeking the temporary license, the lawyer involved is stipulating to the regulatory jurisdiction of the OSB and the Oregon Supreme Court and to personal jurisdiction in Oregon for any malpractice or other claims arising from the lawyer's work on the case involved.

For the second tier, the local counsel must present the temporary license by motion to the court in which the out-of-state lawyer is seeking to appear. The court then makes its own determination about whether the lawyer has met the criteria and whether he or she should be admitted. Although many such motions are granted routinely, courts can and do hold

ANNOUNCEMENTS

First Annual East County Spring Drop-In Social

If you live or work in East County, the MBA hopes you will join us for our First Annual East County Spring Drop-In Social. This meet-and-greet event will take place at Typhoon! of Gresham, 543 NW 12th St, on Wednesday, May 16 from 5:30-7 p.m. Appetizers will be provided with a no host bar. This will be a great opportunity to meet other East County members, share ideas and just enjoy yourself.

Information on MBA Web Site

The Generation Gap Survey results are posted on the front page of www.mbar.org. Directions for ordering the MBA's Professionalism Certificate are found by going to the News link on the left-hand side of the page.

MBA Noon Time Rides

Short fast bike rides with hills. Meet at SW Yamhill and Broadway, between 12-12:10 p.m., Mondays and Thursdays. Contact Ray Thomas 503.228.5222 with questions, or meet at the start.

OCDLA Seminars

The Juvenile Law Seminar, April 20-21, will be held at the Agate Beach Inn in Newport. The Annual Investigation and Trial Preparation Seminar, May 11-12, will be at the Hallmark Resort in Newport. For both seminars, additional details and registration information are available at www.ocdla.org.

Child Centered Solutions

On May 4, from 1-5 p.m., Dr. Joan Kelly will present a seminar for four hours of CLE

credit at the World Forestry Center, *Divorce and Children's Adjustment: Current Research and Implications*. For more information, call 503.546.6383 or see www.childcenteredsolutions.org.

Oregon Lawyers Against Hunger (OLAH) Elects New Board: 2007 Food Bank Drive Planned

Tim Calderbank of Bullivant Houser Bailey has been elected OLAH's President; Bethany Bacci of Stoel Rives has been elected Secretary; and Amber Hollister of Perkins Coie has been elected Treasurer. OLAH's 10th annual fundraiser will be from September 24 to October 5. For more information about OLAH, contact Tim Calderbank at 503.228.6351. Information about the Oregon Food Bank is available at www.oregonfoodbank.org.

Lewis & Clark Law School Presents Harpole Award and Scholarship

Portland attorney Amy Holmes Hehn will be presented with the 2007 Joyce Ann Harpole Award for her positive contribution to the legal profession. She will receive the award during an event on Wednesday, April 4, at 5 p.m. The attorney award and scholarship presentation will be held at Portland Center Stage at the Portland Armory.

This is the ninth annual Harpole award and scholarship reception. At the same event, Lewis & Clark law student Cody Elliott will receive the 2007 Harpole scholarship. Susan Hammer will be the guest speaker. Hehn is the senior deputy district attorney currently heading the Domestic Violence Unit of the Multnomah County District Attorney's Office. Law student

Cody Elliott will be awarded the 2007 Harpole Memorial Legacy Scholarship. The \$4,000 scholarship acknowledges the recipient's ability to balance a dedication to legal studies with family and community. Elliott is a student in the evening program who works full time as the sales and marketing manager in the restaurant business. He is also a teaching assistant for first year legal analysis and writing.

Joyce Ann Harpole, who earned her JD from Lewis & Clark Law School in 1979, took delight in her legal career, her family and her community. She died in 1994.

Center for Dispute Resolution Conference to Examine Tension Between Partisanship and Centrism

The Willamette Center for Dispute Resolution has assembled a distinguished panel of experts to examine the tension between partisanship and centrism in a one-day conference at Willamette University College of Law. "Standing Your Ground or Finding Common Ground," will be held April 6 at the Truman Wesley Collins Legal Center on the Willamette campus. Registration will begin at 8:30 a.m.; the day's events will end at 4:15 p.m. Oregon Continuing Legal Education credits are pending.

For conference registration information call the center at 503.370.6046 or email Julie Gehring at jgehring@willamette.edu.

hearings on the adequacy of the application - especially when the OSB has highlighted apparent deficiencies, such as the lack of malpractice insurance. Other parties to the proceeding must be served with the motion and have standing to object. The court can also revoke a pro hac vice admission previously granted if the lawyer's status changes (for example, the lawyer loses the required malpractice insurance coverage), the court discovers that the information originally submitted was not correct or as a sanction for improper conduct. The local counsel is required to inform the OSB both whether the court granted the admission sought or revoked an admission previously granted.

Logistics. The two-tier structure under ORS 9.241 and UTCR 3.170 puts a greater premium on advance planning than in years past when getting an out-of-state lawyer admitted pro hac vice was simply a matter of introducing the lawyer to the trial judge. The OSB's pro hac vice application is available in the "forms" section of www.osbar.org. The application must be signed by the out-of-state lawyer and must be accompanied by a certificate of good standing from the licensing authority in the lawyer's home state and a certificate from the lawyer's insurance carrier attesting to coverage. Once the information has been submitted to the OSB along with the required fee, the OSB's acknowledgement must

then be submitted to the court involved in a motion seeking pro hac vice admission. The process must be completed before the out-of-state lawyer can begin participating in the case, whether at the outset or the first day of trial.

Mark Fucile of Fucile & Reising handles professional responsibility, regulatory and attorney-client privilege matters and law firm related litigation for lawyers, law firms and legal departments throughout the Northwest. His telephone and email are 503.224.4895 and mark@frllp.com.

Celebrating a Five Year Partnership

By Judy A. C. Edwards, MBA Executive Director.



both a professional and personal journey and it causes me to recall how I've spent my time during this current chapter of my life. These past five years have been part of my 22-year career in nonprofit management. As I think back through my time with the MBA, I can easily say that I am very happy to have spent it here, developing new relationships and working with members on many worthwhile projects.

Right from the initial job announcement, I knew the MBA and I would make a good fit. During the interview process, I was further convinced because I met several really welcoming lawyers who helped me understand more about an organization whose members could be adversaries in court, and professional colleagues at the same time.

April 1 marked my fifth anniversary with the MBA. This past half-decade has been

No matter how challenging, stressful or fulfilling a job is on a day-to-day basis, it is important to take a look at a job over a longer period of time. If you can say the same as I just did, then you must be in the right work place. It is nearly impossible to have a realistic perspective on one's job if you look at it day-to-day. Recalling how we've spent our time in the last year, or longer, helps us have a clearer picture of whether or not this is how we want to spend our lives. It's not a dress rehearsal as they say, we get one chance at it!

A big factor in making my MBA experience enjoyable has been the people - those I work with at the office and those I work for - our members. MBA volunteers are amazing. Their generous donation of time and money is inspiring. I thank you all for your time and involvement in the MBA, the Multnomah Bar Foundation and the legal and public communities.

Many of you show considerable compassion for low-income individuals who, without your pro bono legal services, would not have access to justice. It is a meaningful and needed way to give to our community. And thank you also for making Multnomah CourtCare such a success.

I am fortunate to have the opportunity to serve the nonprofit world outside the MBA as well. You may have heard me speak about the Children's Relief Nursery (CRN). Its purpose is to prevent child abuse and neglect. We work with over 150 children

ages 0-3 and their families during the course of a year. Our program provides developmental and therapeutic classrooms, parent training, respite care and mental health therapy if needed. CRN parents attest to the fact that had it not been for our programs, they likely would be in prison and their children in foster care. It feels good to be a part of breaking the cycle of family destruction.

Please celebrate with me on my fifth anniversary with the MBA and thank you for letting me serve as your executive director.

RICHARD G. SPIER ARBITRATOR & MEDIATOR



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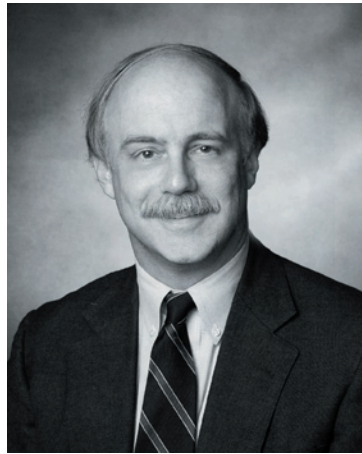
MBA Board Elects Officers

The following MBA Board directors will serve as officers for the term beginning July 1.

Thomas W. Brown advances to President, having been elected President-Elect in 2006. He is the managing partner of Cosgrave Vergeer Kester LLP, where he practices in the areas of appeals, insurance coverage opinions and litigation, professional liability defense, arbitration and mediation. He earned a BS at the University of Texas at Austin in radio, TV and film in 1974 and a JD at Lewis & Clark Law School in 1980.



Thomas W. Brown



Scott Howard

From 2001 to 2006, Thom served as program Co-Chair for the MBA Managing Partners Roundtable and is on the Board of Directors for the Classroom Law Project, which he chaired from 2003-2005, the Board of Visitors for the Lewis & Clark Law School and the Executive Committee for the OSB Appellate Practice Section, which he also previously chaired.

J. Michael Dwyer will be President-Elect of the MBA. A partner with Dwyer & Miller, his practice now focuses on mediation, family law, the representation of children and psychological torts. He migrated to Oregon in 1989 after working in Los Angeles in a large civil firm and then as a federal prosecutor; in Honolulu as a criminal defense attorney; and in San Diego in an insurance defense firm. In Portland he joined Cosgrave Vergeer Kester, became a partner in 1992, and later left to open his own practice.



J. Michael Dwyer

Michael has served on the MBA's Board of Directors, currently as Treasurer, and has also chaired various committees. He was a Master with the Owen M. Panner Inn of Court. He is a graduate of UCLA and Loyola of Los Angeles Law School.

Scott Howard, elected MBA Secretary, is a partner at Kivel & Howard where he practices business law, succession planning and estate planning. He graduated from Whittier College School of Law, has been a member of the

OSB since 1979 and is admitted to the California Bar.

Scott served on the MBA Continuing Legal Education Committee from 2002-2005, chairing it in 20905-06. For his work, he received the MBA's Award of Merit. He served on the MBA Judicial Screening Committee, where he is currently the MBA Board liaison. Howard chaired the OSB Client Security Fund and is a member of the OSB Real Estate Section Opinion Letter Subcommittee. He served on the Boards of Trustees for the Portland Center for the Performing Arts Advisory Committee, Oregon Symphony Orchestra and Oregon Ballet Theatre and is a Founding Trustee of The Park Academy, a school for learning challenged students. He also serves on the Portland State Foundation - Simon Benson Steering Committee.

Leslie Kay has been elected Treasurer. Leslie, Regional Director



Leslie Kay

for the Multnomah County Office of Legal Aid Services of Oregon, attended Harvard and Willamette Law Schools where she received her JD. She practices poverty and civil rights law.

Leslie is the MBA Board liaison to the MBA Equality Committee and sits on the MBA Budget and Finance Committee. She also is a member of the Executive Committee of the OSB Elder Law Section, the Tri County Domestic and Sexual Violence Intervention Network and sits on the State Advisory Council for the AARP money management program. Previously, she has been a member of the OSB House of Delegates, Chairperson of the OSB Affirmative Action Committee and Chairperson of the OSB Persons with Disabilities Committee. She also served on the OCDLA amicus brief review committee, and on the board of the Miracle Theater (Teatro Milagro).

Nominated for MBA Director

Three four-year director positions start July 1.

Please look for the election ballot inside this issue.

Sarah J. Crooks, Perkins Coie LLP, graduated from the University of Oregon School of Law in 1996. She practices in the areas of commercial and general litigation.



Sarah J. Crooks

Sarah has been a member of the MBA's CLE Committee since 2004 and is its current chair. She is a member of the Owen Panner Inn of Court's Executive Committee and its Program Chair. She is a volunteer attorney with Legal Aid Services of Oregon and serves as a board member and treasurer for the National Conference of Women's Bar Association. She also serves on the ABA TIPS Section, as a Vice Chair of the Technology Committee.

Michelle S. Druce, Wilshire Credit Corporation-Merrill Lynch, graduated from Willamette University College of Law in 1990. Her practice areas are residential mortgage lending and servicing, consumer credit and consumer financial services.



Michelle S. Druce

Michelle is serving as secretary of the OSB Business Law Section this year, and has been on the Executive Committee since 2005. She served as Chair of the OSB Business Law Section Financial Institutions/Commercial Finance Committee. She has been a commissioner on the ABA's Commission on Domestic Violence and chaired the MBA's CLE Committee, 2003-04. Michelle was president of the MBA YLS Board, 1997-98.

Lisa M. Umscheid, Ball Janik LLP, graduated from Willamette University College of Law in 1992. She specializes in employment law, litigation and government law.



Lisa M. Umscheid

Lisa has served on the MBA's Equality Committee since 2003, chairing the committee from 2004-06. She is on the OSB Leadership College Advisory Board and the OSB Affirmative Action Committee. Lisa is a member of the OSB Government Law Section Executive Committee and the Portland Center for the Performing Arts Advisory Committee.

MBA Member Only Discounts and Services

MBA Health, Life, Long and Short Term Disability Plans
Group insurance for MBA member employers. For more information, contact Steve Doty of Northwest Employee Benefits at 503.284.1331.

LexisNexis
Discounts on a wide range LexisNexis services. For more information, call 800.356.6548.

Bank of the Cascades
MBA members have access to a wide range of discounted and premier services for law firms, attorneys and non-attorney staff. Bank of the Cascades is recognized as a "Visionary Bank" by the Oregon Law Foundation for paying a minimum 3.15% interest on IOLTA accounts. To learn more, call Elise Bouneff at 503.499.5931.

The Bar Plan Court Bonds
MBA Members may now purchase Court Bonds through the Bar Plan Mutual Insurance Company. The Bar Plan specializes in court fiduciary and court judicial guarantee bonds. Contact Cathy Ahearn or Deborah Eller of The Bar Plan at 877.553.6376.

Canon Business Solutions
Discounts on document management solutions and digital imaging and scanning hardware. Call Michael Kiel at 503.227.1128.

Legal Northwest Staffing Specialists
Discounts on placement fees and a quality of service guarantee. Call Anneke Haslett at 503.242.2514.

Naegeli Reporting Corporation
MBA members receive a 15% discount for court reporting appearance fees, videographer appearance fees and videoconferencing hourly room rates, as well as a 24¢ per page discount on original transcripts. For more information, call Naegeli Reporting Corporation at 503.227.1544.

Office Depot
MBA members receive discounts on Office Depot office supplies. Call James Morris of Office Depot at 503.240.4516.

MasterCare Long-Term Care Insurance
Through a partnership with MasterCare Solutions, the MBA now offers members long term care

insurance. For more information, call the MBA's representative Mary Osborn at 503.473.8815.

Kimpton Hotels, including Hotel Monaco (formerly Fifth Avenue Suites), and Vintage Plaza
Discounts on meeting room space and hotel rooms at all Kimpton Group hotels in the US. Contact JoAnna Eisler at 503.412.6309.

MBA MasterCard from Bank of America
A percentage of all purchases supports the Volunteer Lawyers Project. Contact MBNA at 1.800.523.7666.

American Bar Association Publications
MBA members receive 20% off the price of publications available on

the ABA publications Web site. Simply visit the ABA Web store www.ababooks.org, select your publication and enter the MBA member discount code (PAB5EMUL) when you check out.

Oregon Ballet Theater
To purchase discounted tickets with no service fees before the general public, call Lisa Erenyi at 503.227.0977 x 251 and identify yourself as a MBA member.

Portland Opera and Broadway Series
MBA members save 10% and have access to tickets before they go on sale to the public. To order tickets to shows at the discount rate, log on to: www.broadwayacrossamerica.com/groupsales and enter the following password: mbaportland.

AROUND THE BAR

CONGRATULATIONS

To the following MBA members, who were named "2007 *Commerce Magazine* Rainmaker Finalists." **Keith A. Ketterling**, Stoll Stoll et al; **Brendan R. McDonnell**, K&L Gates; and **Jody Stahancyk**, Stahancyk Kent et al.

GARRETT HEMANN ET AL

J. Channing Bennett has been promoted to partner in the firm. Bennett focuses on employment law and litigation.

Two new attorneys have been hired. **Dennis Reese** will work with the firm's workers' compensation clients and **Joan Whipple Reese** with civil litigation clients.



B. Scott Whipple



Daniel L. Duyck

WHIPPLE & DUYCK

B. Scott Whipple and **Daniel L. Duyck** have opened their new law offices in downtown Portland, where the two represent businesses and individuals in a wide variety of civil litigation matters, including: business disputes; construction law; securities litigation; personal injury and tort claims; real estate disputes and employment disputes. They may be found at www.whippleduyck.com. Whipple's phone is 503.222.6004 and Duyck's is 503.222.6191.



Mark Trincherio

DAVIS WRIGHT TREMAINE

Mark Trincherio has been named chair of the telecommunications practice group for Lex Mundi, the world's leading association of independent law firms. DWT is the exclusive member firm of Lex Mundi in Oregon, Washington and Alaska. In his new role, Trincherio will host the group's Global Telecommunications Teleconferences, oversee updates to the group's Multi-Jurisdiction Regulatory Survey and gather data for a "reference compendium" from member firms regarding the nature of their telecommunications practices and clients.

Trincherio is a partner at the firm, where he practices telecommunications law and represents wireline and wireless service providers.



Laura Takasumi

BULLIVANT HOUSER BAILEY

Laura Takasumi has joined the Portland office as a tax, business and estate planning attorney.

Takasumi, an associate, has experience in corporate law and exempt organizations.



Lynn Nakamoto

MARKOWITZ HERBOLD ET AL

Lynn Nakamoto, managing shareholder of the firm, was recently honored for her efforts to promote the advancement of diversity in Oregon. The John Grigsby-Jim Vegher Investments in Dignity Award was presented to Nakamoto at the Equity Foundation's 7th Annual Investments in Dignity Awards and Auction, held in Portland in February.

The award recognizes an individual who has made a significant contribution of time and energy to champion Equity

Foundation's mission to build communities that embrace the dignity and worth of all people. Equity Foundation is the state's only community foundation focused primarily on promoting equality for the "Gay Lesbian Bisexual Transgender Questioning" community.

Nakamoto concentrates her practice on civil appeals and business and employment litigation, representing both employees and employers.



Teresa Foster

STAHANCYK KENT ET AL

The firm received the Heritage Award for genealogical excellence for its Web site www.charlesbrowthouse.com for focusing on the history of its Vancouver office.

Teresa Foster, managing attorney of the Vancouver office, has been promoted to firm shareholder.

Karla E.M. Camac as a new associate in the Portland office.

CHILD CENTERED SOLUTIONS

Jennifer Gilmore has joined Child Centered Solutions as a staff attorney to represent children involved in high conflict dissolutions and custody cases.

GEVURTZ MENASHE

The firm has named **Saville Easley** a shareholder. Easley's practice focuses on divorce, child custody and parenting time, and domestic partnerships.



Deborah G. Trant

LANE POWELL

Deborah G. Trant has joined the firm as an associate in the intellectual property practice group.

THE HONORABLE JEROME LABARRE

Judge Jerome LaBarre has been appointed Chair of the Dispute Resolution Committee of the National Conference Of State Trial Judges, ABA Judicial Division. Judge LaBarre also serves on the International Courts Committee of the division.



Jim Francesconi

HAGLUND KELLEY ET AL

Jim Francesconi has become a partner. Francesconi was also appointed to the Oregon State Board of Higher Education. His practice emphasizes government relations, representation of small business and personal injury litigation.

The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. The deadline is the 10th of the month preceding publication or the previous Friday if that date falls on a weekend. All items are edited to fit column format and the information is used on a space-available basis in the order in which it was received. Submissions may be emailed to carol@mbabar.org.

CourtCare's 4th Annual Fundraising Campaign May 1 - May 22

The MBA is gearing up for its fourth annual CourtCare Campaign, to begin on May 1. Please give generously to this important program.

The campaign funds a drop-in childcare center for families who must go to court, at no cost to parents. While the program receives some public funding, it depends primarily on the financial support of the legal community.

For more information, contact campaign co-chairs, Susan Marmaduke, susan.marmaduke@harrang.com or Marshal Spector, mspector@gevurtzmenashe.com, or visit the CourtCare page, www.mbabar.org.



Volunteers of America®

MULTNOMAH CourtCare

In partnership with the Multnomah Bar Association, Multnomah Bar Foundation, Multnomah County and the State of Oregon

Renewing Your Membership? Don't Forget VLP...

The MBA thanks the following members, who gave more than the \$20 "check off" suggested donation to the Volunteer Lawyers' Project (VLP).

Please remember to look for the check off box on your membership renewal form, and be as generous as possible when donating to VLP.

Marinus Damm
Carol Dey Hibbs
Drake Hood
R. Erick Johnson
Charles Reynolds
Scott Sorensen-Jolink
Robert Repp
Jeffrey Wihtol
Steven Wilker
Michael Williams

Tips from the Bench

By Judge John A. Wittmayer, Multnomah County Circuit Court.

The record

By now you are all probably aware that only one of our judges has a court reporter in her courtroom. All the rest of us use electronic recording. The court reporters were laid off about four years ago because of budget cuts.

The electronic recording system is operated by the courtroom clerk and is recorded digitally on a computer system. When we had court reporters, of course, you would give your name to the reporter in advance of the hearing and the reporter would note in his/her notes the name of the person speaking. But with electronic recording, the computer does not know who you are.

The solution is that for every hearing, at the very beginning of the hearing, when the name of the case and the case number is recited into the record, each and every lawyer appearing should say aloud and spell his/her name and should say his/her bar number. If this is done, when the recording is later transcribed, the transcriptionist will know who is appearing and can recognize the speaker's voice, so the words can be accurately attributed to the correct speaker.

And, although I have said it before, it is always good to keep in mind that the court is not responsible for making your record. If you walk away from your microphone or have your witnesses in trial walk away from the microphone, there is always a risk the electronic recording system will not pick up your questions and your witness' testimony. Check with the clerk in advance or during a break to ask about the capabilities of the recording system in each courtroom.

Getting to the courtroom on time

With increased security in the courthouse lobby, lawyers, clients and witnesses often do not realize how long it actually takes to get into the courthouse. This is particularly a problem at 8:30 or 9 each morning and at 1:30 each afternoon, when the lines to go through security are very long.

And, although you may be aware of the problem yourselves and you get to court on time, your clients and witnesses are often



delayed because of the long lines waiting to get through security. This often results in delays getting started with your hearing or trial. On the criminal side, bench warrants are frequently issued for your clients when they do not appear on time. Many of these problems would be avoided if you would tell your clients and witnesses they should expect long lines and delays getting into the courthouse and they should allow extra time to be sure to get to the courtroom on time.

You should also tell your clients and witnesses that the entire security checkpoint process would move more quickly if everyone minimized the amount of metal jewelry, accessories and carry-through items they bring or wear to the courthouse.

Lose lips sink ships

As the years pass, fewer and fewer of us have heard this common warning from the World War II era. It means to be careful what you say and where you say it, because you never know who might inadvertently overhear your words.

This same warning is appropriate for lawyers, their clients and witnesses in and around the courthouse, especially in the elevators and the hallways. Judges, jurors and other lawyers' clients and witnesses are everywhere. You do not want others who might have an adverse impact on your case to overhear things.

Lawyers should remember to warn their clients and witnesses to not discuss anything about the case without you present, and you should be aware of who might overhear any such conversations in and around the courthouse.



By Stephen Madkour, Multnomah County Attorney's office and Court Liaison Committee member.

Presiding Judge's Report

Judge Koch reported on the Governor's appointment of four new judges to the Multnomah County Circuit Court - Tom Ryan, Diana Stuart, Ken Walker and Youlee You.

Judge Tom Ryan was a pro tem and has already been sworn in. He will assume the position vacated by retired Judge Welch.

The remaining judicial appointees will be sworn in shortly, or may have been by the time this newsletter reaches readers. Judge Stuart assumes the position vacated by retired Judge Beckman, Judge Walker in retired Judge Bergman's position and Judge You in Judge Johnson's. These appointees will appear on the next general election ballot.

Judge Koch reported the opening of two referee positions. These two positions must be filled by candidates who have been approved to sit as circuit court pro tem judges.

As a result of the recent vacancies and the new judicial appointments, a number of judges will be changing courtrooms. Eleven judges will move to different courtrooms. The right to occupy courtrooms is based on seniority; with each retirement, there are opportunities created for judges to improve their quarters. The same telephone and fax numbers will be retained for the relocated judges and an updated listing of assigned rooms will be posted on the court's Web site.

Another docketing change concerns the handling of pretrial motions in medical malpractice cases, which Judge Johnson had been handling. Those tasks have now been assigned to Judge Hodson.

Court Facilities Update

Judge Koch and Doug Bray reported on the status of county court facilities. Progress is being made on the selection of a site in East County to accommodate the

new courthouse, which is slated to be a multiuse government facility accommodating the courts, the sheriff's office and the City of Gresham. The proposed sites are in the Rockwood area of the county, close to the MAX line.

Subcommittee Reports

Jury Verdicts

Doug Bray informed the committee that the list of jury verdicts for 2005 and 2006 is nearing completion and will be sent to the MBA for posting to the Web site.

OJIN/Email

Doug Bray mentioned that the OJIN update is still in the planning stages.

Judicial Practices

The judicial practices survey has been distributed to all judges. The surveys are intended to be included as handouts for the May 9 CLE.

Judicial Update CLE Classes

The MBA is hosting four judicial update classes in April and May.

On April 10 the MBA presents the **Presiding Courts Update for Washington, Clackamas and Clark Counties**. This CLE seminar is designed for attorneys of all levels and will provide basic information and forms for navigating the Washington, Clackamas and Clark County courts. Our panel includes **Judge Thomas Kohl**, Washington County Presiding Judge, **Judge Steven Maurer**, Clackamas County Presiding Judge and **Judge John Nichols** from Clark County, Washington. Our panel will be moderated by **Leslie Johnson** of Kent & Johnson, LLP.

On April 18, we will host our **Annual Presiding Court Update**, which will be followed by a one-hour reception for members to meet some of the new Multnomah County Circuit Court judges. This one-hour update session features Multnomah County **Presiding Judge Dale Koch** and members of the court staff, who will discuss the 2007

Supplemental Local Rules for Multnomah County Circuit Court and other issues unique to practicing in Multnomah County. This seminar is designed for attorneys at all levels of experience and questions are strongly encouraged. In addition, several of the new Multnomah County Circuit Court Judges will be introduced. Registration fee includes one drink ticket, available after the class.

The **Annual Probate Court Update** will be held April 25. This year's probate seminar will discuss what will change and what will stay the same with the addition of our new Chief Probate Judge. Join **Judge Katherine Tennyson** and **Helga Barnes**, Probate Supervisor, as they discuss recent changes in courthouse procedure and other developments. Every attorney who practices probate or guardianship law in Multnomah County will benefit from this program.

On May 9 the MBA will hold its annual **Judges Trial Practices** seminar, which provides direction

on jury and trial court processes in Multnomah County. In this two-hour CLE class, judges will provide guidance on both the jury and court trial processes. They will discuss the innovative practices in Multnomah County as well as comment on different judges' preferences and expectations. Motion practice, jury selection, briefing, jury instructions, making and arguing objections, managing witnesses and exhibits, handling presentation media and other procedural and practical issues faced by trial lawyers will be addressed. Join **Judges Kathleen Dailey, Janice Wilson, Marilyn Litzberger** and **Katherine Tennyson** for this informative discussion. The written materials for the class include the annual compilation of *Multnomah County Judges' Trial Practices* on CD-ROM.

For more information on these programs, as well as other MBA CLE classes, see this month's CLE insert or visit www.mbar.org

Profile – Judge Leslie Roberts

By Doug Bray, Multnomah County Circuit Court Administrator and Court Liaison Committee member.

Leslie Roberts was born in 1947, to Frank and Mary Roberts. Her father was one of the founding faculty of Portland State University, serving from its inception as Vanport Extension Center in 1946 to his retirement in 1982. Leslie grew up in West Linn, and graduated from West Linn High School in 1965.

Leslie attended Reed College in Portland and earned her Bachelors of Arts in History in 1969. She was elected to membership in Phi Beta Kappa. Following Reed, she attended Yale Law School, entering in the fall of 1969 and graduated with a Juris Doctor degree in 1972. Others in the group of approximately 20 women who matriculated in that class included Kris Olson, former US Attorney for Oregon; Susan Graber, Judge of the 9th Circuit Court of Appeals; and Senator Hillary Clinton.

In the fall of 1972, following the OSB Exam, Leslie began a clerkship for the late Arno Denecke. Justice Denecke, a former judge of the Circuit Court of the State of Oregon for

Multnomah County, served on the Oregon Supreme Court from 1963 to 1982, and as its Chief Justice from 1976 to 1982. Leslie served as his clerk until the fall of 1974.

Following the clerkship, Leslie began the practice of law. Over the years, she practiced in a two person partnership, Lyon & Roberts, and then with Kell Alterman & Runstein, which she joined as a partner in 1975. In 1985, she joined the newly formed firm of Josselson, Sullivan, Roberts, Johnson & Kloos, emphasizing real estate and land use issues. She continued with that firm, which became Josselson, Potter & Roberts, until assuming the bench in January 2007, after her election to the circuit court in November 2006. During her later practice years, she focused on litigation in contract, business and securities. She also provided representation to municipal government special districts.

During her years in practice, Leslie served on the Multnomah County Circuit Court Arbitration Commission, Multnomah

County Rural Fire Protection District 10 as a Director, and as a member of the US District Court mediation panel. She is a former Co-Chair, Multnomah County Small-Firm Committee, of the Campaign for Equal Justice; a member of the Court Appointed Special Advocates Association; a former Board Member, American Civil Liberties Union, national board and Oregon affiliate board; and a former president of Northwest Environmental Defense Center. She chaired the Arbitration and Mediation Section, the Health Law Section, and the Ethics Committee of the OSB, served on the Disciplinary Board and was an editor for the OSB CLE, Arbitration and Mediation, from its first publication in 1996.

Judge Roberts' term of office began on January 1. She started her judgeship with an immersion in the court's largest workload, its criminal cases. For January and February, she was assigned to the Justice Center conducting preliminary criminal proceedings. The daily volume of this work often required her to be on the bench into the

evening hours. On January 16, when most court operations closed at 3 p.m. due to the snow storm, Judge Roberts continued to preside until 7 p.m. to finish all of the felony arraignments for the arrests over the preceding three day weekend. In March, she began trial work and moved into her courtroom and chambers on the fourth floor of the courthouse.

A biographical statement about Judge Roberts cannot be complete without focusing briefly on her marriage and family. In 1984, she married Rex Armstrong, who was also practicing at Kell Alterman & Runstein. He was elected in 1994 to a vacancy on the Oregon Court of Appeals, following the retirement of Judge Kurt Rossman, and has continued to serve on that court since taking office. Judge Armstrong and Judge Roberts have two children by birth, ages 21 and 17, and six others (ages 6 through 11) by adoption. All of the adoptions have been of children from the Peoples Republic of China and occurred from 1996 through 2006. Most of the children have



Judge Leslie Roberts

been able to accompany Rex and Leslie to China for each adoption. "China is endlessly fascinating," Judge Roberts says. She speaks enough Mandarin to get by in China, but her constant concern is that the adopted children retain their native language as well as learn English. She comments that children are "chameleons for language" at the young ages of the adoptions and pick up English with amazing ease; but constant work is required to be sure they retain their native Cantonese or Mandarin.

Judge Roberts and Judge Armstrong are active in the adoption community. They are also active in Families with Children from China, a nondenominational organization of families who have adopted children from China.

Historical Photos from the Archives of the Oregon Historical Society

Reprinted with permission



Multnomah County Judges, 1963



Portland Law Association, 1866



Multnomah County Courthouse, 1916



Hon. Betty Roberts and Hon. Jean Lewis, 1982



Multnomah County Courthouse, 1934

MBA Annual Meeting

May 21, 2007
HILTON PORTLAND
921 SW 6th AVE
Pavilion Room

The meeting will be held during the spring social, at approximately 6 p.m.

Agenda

- Report from the MBA president and treasurer
- Bylaws revisions regarding timing of the annual meeting and addition of new member category.

Details may be found at www.mbabar.org and in the May *Multnomah Lawyer*.

Please contact Judy Edwards at 503.222.3275 if you have questions.

Nominated for YLS Director

Three three-year positions start July 1. Please look for the ballot insert inside this newsletter.

Klarice A. Kolbe graduated from University of North Carolina School of Law and was admitted to the OSB in 2003. She is with Abbott & Paris and practices in the areas of construction defects, products liability, professional liability and insurance defense. Klarice has been a member of the YLS Service to the Public Committee since 2003. She currently oversees that committee's Imprint Program, which she implemented in 2004.

Justin D. Leonard graduated from Lewis & Clark Law School and was admitted to the OSB in 2003. He is with Ball Janik and practices in the areas of bankruptcy and creditors' rights and complex litigation/insurance recovery. Justin serves as chair of the YLS Service to the Public Committee and is also an inaugural member of that committee's YOUthFILM Project subcommittee. He chaired the YLS Community Law Week's Fundraising subcommittee in 2004-06 and the publicity subcommittee in 2004-05. He is a volunteer with the MBA YLS Imprint Program and a mentor with Lewis & Clark Law School.



Klarice A. Kolbe



Justin D. Leonard

Justin also serves on the OSB House of Delegates, as president of the Mt. Tabor Neighborhood Association and as commissioner for the Oregon Health Resources Commission.

John V. McVea graduated from Willamette University College of Law and was admitted to the OSB in 2005. He has his own personal injury and criminal defense practice. John has been a member of the YLS Service to the Public Committee since 2005 and is co-coordinator of the committee's Dropout Prevention Program. This is his second year chairing Community Law Week's Tell it to the Judge event. He also volunteered for St. Andrew Legal Clinic in 2005-06.



John V. McVea

YLS Board Elects Officers

The following YLS Board members will serve as officers for the term beginning July 1.

David I. Bean will advance to the position of YLS President, having been elected President-Elect in 2006. He graduated from Lewis & Clark Law School and was admitted to the OSB in 2001. He practices family law and general litigation at Meyer & Wyse LLP. Bean has been a member of the YLS Board since 2004 and served on the Pro Bono Committee. He chairs the Legal Aid Services of Oregon - Oregon Law Center Board of Directors' Pro Bono Committee and serves as communications director of the Multnomah County Family Law Group. He fundraises for both the Campaign for Equal Justice and Lewis & Clark.



David I. Bean

Andrew M. Schpak was elected YLS President-Elect. He graduated from Cornell Law School and was admitted to the OSB in 2004. He is with Barran Liebman and practices in the area of employment and labor law. Schpak has been on the Board since 2006 and served as chair of the YLS Membership Committee in 2005-06. He chaired the MBA Fun Committee this year, which raises money for CourtCare through the WinterSmash event. He was a member of the ABA-YLD Planning Committee for the 2006 Spring Meeting that took place in Portland and he is the Vice-Chair of the ABA-YLD Labor and Employment Committee. He also serves on



Andrew M. Schpak

the Board of Directors of Film Action Oregon and is a graduate of the Art of Leadership Program of Northwest Business for Culture and the Arts.

Cally Korach will serve for a second year as the YLS Secretary. She graduated from Willamette University College of Law and was admitted to the OSB in 1999. She is with Hoffman Hart & Wagner and practices in the area of professional liability defense. Korach has been a member of



Katie A. Lane



Cally Korach

the YLS Board since 2005 and served as chair of the YLS CLE Committee in 2004-05. She is also a member of the Oregon Association of Defense Counsel and the Defense Research Institute.

Katie A. Lane will serve as the YLS Treasurer. She graduated from Lewis & Clark Law School and was admitted to the OSB in 2003. She is with the Multnomah



YLS Profile: Cashauna Hill

By Katie Lane, Multnomah County Attorney's Office and YLS Board Member.

As Cashauna Hill sits down across from me, the somewhat dark and smoky bar we've chosen as the site of our interview suddenly seems brighter and more comfortable. Cashauna is able to simultaneously present an air of calm and liveliness even though she's been forced to fit me in between a jury trial, opinion briefing and moving across town to a new apartment. But serving as a clerk to Judge Ronald Cinniger of the Multnomah County Circuit Court since October 2005, Cashauna has learned the art of balance.



Cashauna Hill

Born and raised in Portland, Cashauna's family moved to Atlanta, Georgia, before her freshman year of high school when her father was relocated for his job with UPS. She attended high school in a predominately white suburb and began her freshman year without a cadre of friends from middle school or insider knowledge of the region's trends. I ask if it was culture shock to have so many changes at once. She admits it was at first, but I have no problem believing that Cashauna soon found her stride; she is easy to talk to, bright, warm and the kind of person you want to get to know better.

In her senior year of high school, a history teacher covered the civil rights movement, a topic not on the regular curriculum. Up until that point Cashauna had committed herself to becoming a doctor. After learning about the legal backbone of the struggle for fair and equal treatment of African Americans in the United States, and the leadership of women like Constance Baker Motley, Cashauna knew she

would become a lawyer. After high school, she attended the prestigious all-women's school, Spelman College, graduating, cum laude, in political science and being inducted into the Phi Beta Delta and Pi Sigma Alpha honors societies.

From Spelman, Cashauna had a difficult decision to make: return to Portland and attend Lewis & Clark or extend her stay in the south a bit longer to attend Tulane Law School in the "city like no other" of New Orleans. Cashauna knew she eventually wanted to return to Portland, but the pull of New Orleans, a city she'd regularly visited with her parents for Mardi Gras and football games, proved too strong. But because she chose Tulane for law school, she began visiting Portland more regularly, in part to see family, but also to familiarize herself with the local legal community.

After moving to Portland and while she was studying for the bar exam, she began meeting with attorneys and members of the MBA, like Kellie Johnson, Deputy District Attorney for Multnomah County and the current President of Oregon Women Lawyers. Johnson remembers thinking that Cashauna was "fun, intelligent and sincere," a first impression that was underscored when the two worked together on the Owen Panner Inns of Court Jefferson High School Mock Trial Committee. Johnson was so impressed with Cashauna's support of the program and her commitment to making sure young students of color receive the best in training and encouragement, she recently recommended Cashauna to the board of OWLS.

County Attorney's Office and focuses on library law and client outreach and training. Lane has been on the board since 2006 and served as chair of the YLS Service to the Public Committee in 2005-06. She is a member of the MBA Generation Gap Committee and volunteers with the YLS Imprint Program. She chaired Community Law Week in 2005 and serves as a mentor for the Lewis & Clark Law School First-Year Mentor Program.

Continued on page 11

Community Law Week: A Preview and Call for Volunteers

By Jennifer Durham, Bodyfelt, Mount et al and Community Law Week Chair.

Community Law Week is an annual effort of the YLS Service to the Public Committee designed to provide legal education, access and assistance to the public. Every year, the committee organizes and hosts a week of activities centered around ABA's Law Day, held annually on May 1. The theme for this year's Community Law Week is *Liberty under Law: Empowering Youth, Assuring Democracy*. This theme prompts us to listen to the voices of young people and consider how the law can better serve their needs and interests. It also encourages us to assure that our youth are equipped with the knowledge and skills necessary to effectively make their voices heard within our democracy.

Keeping with this theme and the goal of reaching out to local youth, the committee, in collaboration with the Classroom Law Project, is sponsoring The YOUthFILM Project. This is a student filmmaking contest that we hope will give students an opportunity to express themselves creatively, while learning more about our government and justice system. Students can enter by producing a short film or video about a "Youth in Democracy" topic. Top films will be screened for the public at the Hollywood Theatre in Northeast Portland on May 1, at 6:30 p.m. Prizes will be awarded at that time by honorary guests, including Oregon Supreme Court Chief Justice, Paul J. De Muniz. For information on registration and further contest details visit www.heyouthfilmproject.org.

As in the past, community law week will also include other community outreach events. These events, made possible because of the efforts of many YLS volunteers and volunteers throughout our legal

community, enhance the public's understanding of the legal system and celebrate the important role that lawyers and judges play in American democracy. I hope you'll join us in celebrating our local youth, community civic education, and the YLS, this Community Law Week, April 30-May 5, by volunteering your time to any one of the projects listed below. You may contact the individuals listed below or sign up to volunteer for any of these at www.mbar.org/community-law-week. You can also view project details and other volunteer information.

Legal Information Centers - Legal information centers will be set up in various locations in Multnomah County, April 30-May 5. Volunteers are needed to interact with the public at these legal information centers (don't worry - volunteers won't be giving legal advice, merely listening to citizens and informing them about legal services). Contact Angela Engstrom at ale@all-lawyer.com or 971.244.0080.

Tell it to the Judge - Join judges at the Lloyd Center Mall on May 5, from 12-3 p.m. and encourage citizens to speak with the judges about their questions or opinions regarding the courts and legal system. Volunteers are needed to facilitate public interaction with the judges. Contact John McVea at j@mcvealaw.com or 503.223.1708.

Dress for Success - Donate clothes or become a firm captain for this clothing drive that benefits low-income women by providing suits and professional outfits for qualifying women who seek to develop their careers. Volunteers are also needed to help collect the donated clothing. Contact Trung Tu at trungt@mcwengisvold.com or 503.226.7321.

The YOUthFILM Project - Students participating in The YOUthFILM Project will submit short films on selected "Youth in Democracy" topics. On May 1, at the Hollywood Theatre in Northeast Portland, we will screen top student films and honorary guests (like Chief Justice De Muniz) will award prizes to winning teams. Volunteers are needed at this event from 5:30-8:30 p.m. to help with set-up, clean-up and to serve as ushers. Contact Lainie Dillon at lmdillon@stoel.com or 503.294.9496.

Community Law Week would not be possible without our generous sponsors. It's never too late to become a sponsor or volunteer! If you or your organization is interested in sponsoring this year's Community Law Week, please contact Jeff Hern at jhern@schwabe.com or 503.796.2919.

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And be sure to look for the Community Law Week light post banners in downtown Portland from April 2 to May 8. The banners were provided by Barran Liebman LLP and Cosgrave Vergeer Kester LLP in 2005.

Hill Profile

Continued from page 10

Judge Cinniger has also been impressed by Cashauna's significant commitment to serving the community so soon after returning to Oregon. "When I selected Cashauna to replace my departing clerk, I believed that she would be a very good courtroom clerk. But to have found out that she is such a good clerk, such a quick study and such a pleasant and fine person, has been beyond my expectations and a great credit to her," he says.

In addition to mentoring students on the Jefferson High School Mock Trial team, Cashauna has also been instrumental in many of the programs that serve young people organized by the YLS

PRO BONO VOLUNTEERS

Thanks to the following lawyers, who recently donated their pro bono services via the Volunteer Lawyers Project, the Senior Law Project, Community Development Law Center, law firm clinics, the Oregon Law Center, the Nonprofit Project and Attorneys for Youth. To learn more about pro bono opportunities in Multnomah County, check out the Pro Bono Opportunities in Oregon handbook, available at www.mbar.org/docs/ProBonoGuide.pdf.

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John R. Sapp, the Managing Partner of a large Midwest law firm, has written this new, third edition with input from three additional partners who added their broader perspective on marketing, technology, life/work balance issues and more. Whatever your partnership goal, this book will show you how to manage your opportunities and tip the scales to your advantage. In short, the book gives you what you need to be selected as the obvious candidate for partner when the time comes - and how to anticipate the opportunity before it arrives.

The MBA member price for this publication is **\$47.96**, regularly \$59.95. To purchase this book or to see what others have said about it, log onto www.ababooks.org and enter your member discount source code PAB5EMUL. Your member discount applies to these or any publications featured on the ABA Web site.

Service to the Public Committee. Last year she helped organize and produce the Drop-Out Prevention Program and this year she's serving as a classroom liaison for the Imprint Program. Iaysha Smith, an associate with Crispin & Associates, worked with Cashauna on the Drop-Out Prevention Program and believes kids respond to Cashauna's personality and energy. "She is just a really fun person with a lot of interests and a great sense of humor!"

She is, indeed, and a fantastic addition to the MBA, YLS and Portland's legal community.

Annual YLS Judges Social & CourtCare Fundraiser

The YLS will be hosting its annual Judges Social and CourtCare fundraiser on April 19. The social will be held at Jax from 5:30-7:30 pm. Please join fellow young lawyers and federal and state court judges for this casual opportunity to network and socialize.

The YLS will also be sponsoring a raffle drawing at the event to benefit CourtCare at the Multnomah County Courthouse. CourtCare is a free, on-site drop-in childcare center for families who must bring children with them to the courthouse. Raffle tickets will be on sale at the event. They can also be purchased beforehand at the MBA office or from YLS Membership Committee members. You do not need to be present at the drawing to win.

What: YLS Judges Social & CourtCare Fundraiser
Where: Jax, 826 SW 2nd Ave
When: Thursday, April 19 from 5:30 - 7:30 pm

Please mark the date and spread the word. See you there!

Elden Rosenthal

Continued from page 1

curtailing jury trials. He warned of this in his McNaughton Award acceptance speech and exhorted fellow lawyers to preserve the system as a means of promoting social justice.

Rosenthal is also concerned about indirect threats to the system through overdependence on alternative forms of dispute resolution, including mediation. He worries that young lawyers are not getting the opportunities to try cases and thus develop the skills necessary to use the law, as he has, to vindicate civil rights and liberties. Here, again, Rosenthal has put his beliefs into action. He has spent countless hours imparting his wisdom to the next generation of lawyers. He is a regular speaker at CLEs on civil rights, torts and employment law, and has lectured at three law schools on those and other topics. Since 1988 he has been an adjunct professor at Lewis & Clark Law School, teaching torts and trial practice.

In his speech accepting the McNaughton Award, Rosenthal professed to be "a lucky man:"

"I live in a time and in a place where I was given the freedom to grow and develop as a person, the freedom to choose my profession, and the freedom to speak my mind. I have been

empowered as a lawyer to pursue cases that I believed were important, and have been blessed with the support of my wife, family, law partner and friends while taking on these battles. It has been my honor to represent the clients who have trusted me with their causes. It is amazing to me to receive an

award for simply doing what I've always wanted to do as a lawyer. And what I intend to keep on doing."

His clients must think that they've been lucky too - lucky to have had him to represent them.

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Last year the MBA surveyed its members about the perceived "Generation Gap." The survey final report is now available for members' viewing at the MBA's home page, www.mbabar.org. The report includes information on the generations' job satisfaction levels, their commonalities and differences, what the different generations appreciate about each other and what they would like from one another. It also includes recommendations for follow-up work within your firm.



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Multnomah Bar Foundation Volunteer Spotlight: Jim Westwood

Constitutional lawyer Jim Westwood began volunteering with the Classroom Law Project “We The People” civics education program as an attorney coach six years ago, when his children were on constitution teams at Grant High School. He decided to stay involved in the program after they graduated because he saw how much kids learn through the program and he wanted to continue to help them to be better citizens. Grant has always had a top performing team with

lots of enthusiastic volunteers, so Westwood volunteered his time to help launch the new program at Parkrose High School. Parkrose is one of the four schools to expand their “We the People” civics education program through a grant from the Multnomah Bar Foundation 100th Anniversary Community Gift Fund. Westwood became the coach for the team that covers the historical foundations of the constitution.

“I’ve seen the program change lives for the good,” said Westwood, when asked why he volunteers. He went on to describe one young woman in particular. “This girl came from a single parent household and that parent was a victim of substance abuse. I saw the Grant Team literally save this girl’s life. If not for the focus and direction the program provides, she would have been lost.” He was there to see her place third in the national level competition. “She stood

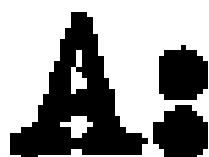
on the stage with the medal around her neck, shoulders back, so proud of what she’d accomplished.” When speaking with Westwood, it is obvious that the program occupies a special place in his heart.

Besides enriching the lives of the children in his community, Westwood also believes volunteering for the program makes him a better lawyer. He says that “the best way to learn something is to teach.”



Jim Westwood, “We the People” Volunteer Attorney Coach

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