



MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION
1906

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

June 2010 Volume 56, Number 6

Questions for Leslie Kay and Justin Leonard Looking Back - and Ahead

The 104th president of the MBA and the YLS president look back on their terms and talk about their predictions for the future of the MBA.



Leslie Kay hands gavel to President-Elect Sarah Crooks

Q: Leslie, you presided over the MBA against a backdrop of unprecedented unemployment and economic challenges in Oregon that had a ripple effect on the health of the legal profession. How are we doing?

Our membership has persevered in the downturn, and I have been heartened by the level of volunteerism by our members, particularly unemployed and underemployed lawyers, who have volunteered in large numbers to provide pro bono assistance and even donations to our nonprofit law firms. I think times like this bring out what we are made of ... and I am pleased to report that our members have stepped up in all kinds of ways. There are signs that our economy has turned the corner and I am hopeful that conditions within the profession will improve and that all law graduates will soon be employed.

Q: Leslie, what have been some of the highlights of the year?

There have been many. We have an all time record number of MBA members at 4,515!

Steve Novick and Kerry Tymchuk lit up our annual dinner and meeting in May as masters of ceremonies ... and Garry Kahn, as our Professionalism Award Winner; Judge Michael Marcus, as our President's Award winner; and all of our other honored award winners made us proud to be a part of the profession.

Several new judges have been appointed to the bench who deepen an already talented Multnomah County judiciary: the Honorable Angel Lopez, David Rees, Karin Immergut, and Kelly Skye. Now we just need to build some courtrooms so that they have a place to work!

The MBA has relentlessly kept the issue of the dismal state of our county courthouses in the limelight with our county commissioners and the legislature. Our MBA Courthouse Committee - Thom Brown, Peter Glade, Judy Edwards, Sarah Crooks and I - as well as the corresponding leadership of Chief Justice De Muniz and Presiding Judge Maurer and many past members of that committee are now cautiously optimistic that ground will be broken for an

east county courthouse. New momentum is building for action on the downtown courthouse as well and I remain hopeful that progress will continue next year under the able leadership of Sarah Crooks.

The President's column of the *Multnomah Lawyer* this year has featured my interviews with Presiding Judge Maurer, National Hispanic Bar Association President Román Hernández, civil rights lawyer Steven Goldberg, Legal Aid lawyers Pam Haan, Cashauna Hill, Monica Goracke, and David Koen, YLS President Justin Leonard, and our professionalism award winner Garry Kahn. Through the interviews and columns on civics education, the impact of the community involvement of our judges, pro bono and Scott Howard's column on the rule of law, we have focused on the core values of the MBA: upholding the independence and integrity of the judicial branch, ensuring equal access to the courthouse and adhering to high standards of professionalism.

I am deeply indebted to MBA committee chairs and members for their accomplishments, too lengthy to enumerate here, our MBA board officers - Lisa Umscheid and Michelle Druce - MBA board members, the Multnomah Bar Foundation Board, Past-President Michael Dwyer, YLS President Justin Leonard, and our hardworking MBA staff, led by Judy Edwards, for their roles in advancing the mission and goals of the MBA. Sarah Crooks will be an outstanding president this coming year!

Q: You are the first president of the association in our 104-year history that has been employed in one of our legal services organizations. Can you comment on the year from that perspective?

I was deeply honored to be named as president of the association this year and I have been cognizant of the precedent setting nature of my background. Access to justice has always been a core value of the MBA and I am grateful for the level of support that our members provide for the Volunteer Lawyers Project at LASO, as pro bono counsel for low-income clients and for donations to the Campaign for Equal Justice. I am also deeply grateful to Tom Matsuda and David Thornburgh and my colleagues at LASO and OLC and CEJ who have picked up the slack back at the office as I have served the MBA.



YLS President Justin Leonard

Continued on page 11

Q: Justin, it seems like you had a big year as president of the YLS?

The continuing economic downturn made things tough. As lawyers, we are definitely not impervious it, particularly our newest YLS members. For example, 2008 and 2009 graduates are still looking for attorney positions, and are now joined by the class of 2010. I'm really proud of the YLS response to our membership's challenges.

MBA CLE

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

June

Thursday, June 3
Receivership as a Restructuring and Business Litigation Tool
Steve Linkon
Brent Summers

Wednesday, June 9
Post Judgment Collections
John Davenport
Russ Garrett

Thursday, June 10
How to Effectively Present and Defend PIP and UM-UIM Claims
Thomas D'Amore
Matthew Ukishima

MBA Offers

Downloadable CLE

OSB members seeking CLE credit may purchase audio files and written materials at any time from the MBA Web site. Classes are available for all types of CLE credit. To purchase audio and written materials visit www.oregoncle.com. MBA members who are not seeking CLE credit but would like CLE written materials may continue to download them free of charge from the MBA Member Section.

In This Issue

Calendar.....	p. 3
Letters to the Editor.....	p. 3
The Corner Office.....	p. 3
Announcements.....	p. 4
Ethics Focus.....	p. 4
Juvenile Court.....	p. 5
Professionalism Remarks	p. 6
Around the Bar.....	p. 7
News from Courthouse.....	p. 8
Tips from the Bench.....	p. 8
Profile: Judge Aiken.....	p. 9
YLS.....	p. 10
Classifieds.....	p. 14
Multnomah Bar Foundation...p.	16

MULTNOMAH BAR ASSOCIATION
620 SW 5TH AVE SUITE 1220
PORTLAND, OREGON 97204
503.222.3275
FAX 503.243.1881
WWW.MBABAR.ORG

New MBA and YLS directors Announced

The following members have been elected to the position of Director on the MBA and YLS Boards for the term of July 1, 2010-June 30, 2013.

MBA Board

Martha J. Hodgkinson, *Hodgkinson Street*
Samuel (Sam) C. Kauffman, *Garvey Schubert Barer*
Sheila H. Potter, *Oregon Department of Justice*
Richard J. Vangelisti, *Vangelisti Kocher*

YLS Board

William H. Glasson, *Scarborough McNeese et al*
Sarah Petersen, *Bullard Smith et al*
Duke Tufty, *Davis Wright Tremaine*

MULTNOMAH BAR ASSOCIATION
620 SW FIFTH AVE., SUITE 1220
PORTLAND, OREGON 97204

PRSR STD
U.S. POSTAGE
PAID
PORTLAND, OR
PERMIT NO. 00082

BOARD OF DIRECTORS

MBA Board of Directors

President
Leslie Nori Kay

President-Elect
Sarah Crooks

Secretary
Lisa M. Umscheid

Treasurer
Michelle S. Druce

Past President
Michael Dwyer

Directors

Justin D. Leonard
YLS President

Scott Howard
ABA Delegate

Jeff Crawford

Steven K. Blackhurst

Keith M. Garza

Susan D. Marmaduke

Carol J. Bernick

Julia M. Hagan

Gregory Moawad

Bonnie Richardson

Executive Director
Judy A.C. Edwards

Associate Executive Director
Guy Walden

Director, Events and Programs
Kathy Maloney

*Executive Assistant and
Communications Administrator*
Carol Hawkins

*Office and Membership
Administrator*
Ryan Mosier

*Office and Foundation
Administrator*
Pamela Hubbs

THE MULTNOMAH LAWYER is published 11 times per year by the Multnomah Bar Association, 620 SW Fifth Ave. Ste. 1220, Portland, OR 97204 503.222.3275

An annual subscription is included in member dues or may be purchased for \$20. Letters, award and news items, and announcements are welcome. Articles by members are accepted. All submissions may be edited for length, clarity and style, are published on a space available basis, and at the editor's discretion. Views expressed in articles represent the authors' opinion, not necessarily the MBA's. The publication does not purport to offer legal advice.

Advertising is accepted; advertisers(ments) are not necessarily endorsed by the MBA. The editor reserves the right to reject any advertisement.

DEADLINE for copy: The 10th of the month*
DEADLINE for ads: The 12th of the month*
*or the preceding Friday, if on a weekend.

NEWSLETTER STAFF CONTACTS
Editor: Judy Edwards
Copy and Classified Advertisement:
Carol Hawkins
Display Ads: Ryan Mosier
Design: Cyrano Marketing Solutions

www.mbabar.org

Marshall Amiton

ARBITRATION AND MEDIATION

40 Years of Legal Experience

Email: mamiton1@gmail.com (503) 201-7275 (503) 238-1636 Fax



**CHAMBERLAIN
Mediation ♦ Arbitration**

- ♦ A PROVEN PROBLEM SOLVER
- ♦ TRIAL & APPELLATE EXPERIENCE
- ♦ COMPETITIVE RATES
- ♦ AVAILABLE STATEWIDE
- ♦ PETER@CHAMBERLAINMEDIATION.COM
- ♦ 503.380.5730

Mediation • Arbitration

Experienced



40 years in litigation
21 years in arbitration

Effective

FRANK J. SUSAK

(503) 223-6121

2301 NW Thurman Street, Suite J
Portland, Oregon 97210-2581
frank@franksusaklaw.com

"I only suffered two significant financial reversals in my life - once when I lost a lawsuit, and once when I won one."

- Voltaire



**Williamson Arbitration
and Mediation**



Charles R. Williamson
6312 SW Capitol Highway, No. 408
Portland, Oregon 97239-1938
(503) 206-4911
(503) 206-7935 Fax
charliew3@nwlinc.com
www.WilliamsonADR.com

Fire Loss Claims?

- 18 years experience as a General Contractor.
- Experienced fire and casualty insurance adjuster.
- Available to represent the insured party in maximizing recovery from the insurer.



FRED MILLARD
ATTORNEY AT LAW

503 352-1991

6650 SW Redwood Lane, Suite 330, Portland, Oregon 97224

Admitted to practice in Oregon and Washington

Knoll & Rhodes Mediation

**An Environment
Suited To
Settlement.**

Mediation & Arbitration

- Experience
- Integrity
- Solutions

James L. Knoll, P.C.
ATTORNEY AT LAW
jim@knollmediation.com

Ronald E. Rhodes, P.C.
ATTORNEY AT LAW
ronrhodesmediation@gmail.com



503.222.9000 • 1500 SW Taylor St. • Portland, OR 97205



O.M. (Met) Wilson

*OREGON SUPER LAWYER IN
DISPUTE RESOLUTION 2006*

Resume at www.wilsonadr.com

Mediation and Arbitration

WILSON DISPUTE RESOLUTION

(503) 972-5090
met@wilsonadr.com

A bridge to Washington courts.



Don Jacobs can be your bridge to Washington courts. A plaintiff's attorney of 30 years, Jacobs is available to handle your Washington trials.



503-222-7757

don@nwinjurylawcenter.com

www.nwinjurylawcenter.com

The Corner Office

We are all familiar with our ethical obligation to report professional misconduct that “raises a substantial question as to that lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects.” RPC 8.3(a). Faced with those types of misconduct, we know that we are obligated to make a report to the bar and that it will follow prescribed procedures for enforcing the applicable disciplinary rules.

How do we enforce standards of professionalism that not only fall outside the scope of RPC 8.3(a), but are not explicitly found in the rules at all? For example, who enforces standards of civility such as the provision in the MBA’s Commitment to Professionalism that “We will be courteous, fair and respectful?”

Enforcement of civility starts with the regulation of our own conduct, of course. By

consistently adhering to standards of courtesy, fairness and respect, even in the face of unprofessional conduct, we ensure that at least one lawyer in a matter is not coarsening the practice of law or escalating an ugly situation.

I suggest that our obligation to enforce civility goes beyond the regulation of our own conduct, as illustrated by a war story that a colleague recounted to me recently. My colleague described an experience he had many years ago as a new lawyer taking the deposition of an individual represented by a well-seasoned member of the local bar. In a scene familiar to most young litigators, the legal veteran attempted to take advantage of my colleague’s relative inexperience by making objections and taking positions that he never would attempt against a more seasoned opponent.

After the deposition, my colleague reported back to the senior lawyer on the case. Upon learning how his

long-time acquaintance in the bar had acted, the senior lawyer immediately picked up the phone and called the opposing counsel. One longstanding member to another, he politely reminded the opposing counsel that this is a small legal community and we don’t treat each other that way.

We don’t know whether the phone call affected the other lawyer’s behavior going forward. But it did occur to me that we should all strive to establish the standing with our colleagues required to make that kind of phone call, and that it would be a disservice to our profession not to make the call in those circumstances. In a self-regulated profession, we owe that to our community and to each other.

LETTERS to the EDITOR

Dear Colleagues,

Thank you all for the support you’ve given me and my firm during my dramatic event (which has turned out not to be very traumatic). I’m happy to say I’m doing great. What I’m most happy about is that this event confirmed my belief that our legal community, especially in Family Law, is, to a person, supportive and generous.

Thank you,
Jody Stahanczyk
Stahanczyk, Kent, Johnson & Hook

Dear Corner Office:

I always read “The Corner Office” columns with great interest and appreciation. That was true again with the column in the May 2010 issue of the *Multnomah Lawyer*, entitled “Whether to Consent or Object to Requests for Extension of Time,” which posed excellent hypothetical situations for the professional lawyer to consider. I would like to add another consideration.

While we judges are thrilled with the professionalism underlying agreed extensions of time and routinely endorse those agreements, it is important to remember that judges often plan their work schedules based on the deadlines set out in the rules. For me, this means that my clerk and I do our work on our many motions

by spacing out research and writing so that I am fully prepared for each hearing. If the papers don’t arrive when expected, it can cause some serious work flow problems.

My further recommendations to the professional lawyer: Include the court before finalizing your extension discussions. Do not assume that the court will be able to honor your extension. Keep in mind that your reasonable extension may cause the court to postpone the hearing accordingly. Accommodate both your colleagues and the court (which should do the same for you).

Sincerely,
Judge Henry Kantor

Our Specialties are Disability Insurance and Peace of Mind

You provide legal protection to your customers. Have you considered who would help you if you were unable to work for an extended period of time due to an accident or prolonged illness?

Quality disability income insurance is an important part of your insurance portfolio. Contact us to find out more today.

www.DI4Attorneys.com
800.544.1662
Multnomah Bar Association Disability Program

These policies have exclusions and limitations and terms under which the policies may be continued in force or discontinued. Some policy provisions and available riders may vary by state. Optional riders are subject to underwriting and reinsurance availability. Additional optional riders may increase premiums. A medical exam may be required upon application. For complete cost and coverage details, please contact your insurance representative, or The Standard at 800.247.6888.



SI 15181 (5/10)

CALENDAR

For a complete MBA calendar, please visit www.mbabar.org. To add your organization or firm’s annual events to the MBA online calendar, contact Carol Hawkins, carol@mbabar.org.

June

3
Thursday, MBA Social with Minority Bars
See www.mbabar.org for details.

Thursday, MBA CLE Receivership, a Restructuring/ Business Litigation Tool
See insert or register at www.mbabar.org.

4
Friday, YLS Board retreat

9
Wednesday, MBA CLE Judgment Collections
See insert or register at www.mbabar.org.

10
Thursday, July/August Multnomah Lawyer deadline

Thursday, MBA CLE PIP and UM/UIM Claims
See insert or register at www.mbabar.org

12
Saturday, MBA Board retreat

15
Tuesday, MBA Golf Event at Riverside
See insert to register.

July

4
Sunday, Independence Day

5
Monday, Holiday
MBA office closed

14
Wednesday, MBA Family & Friends Golf Event at McMenemy’s Edgefield
See insert to register.

22
Thursday, OMLA Social and Auction
See p. 4 for details.

August

3
Tuesday, MBA Board meeting

October

11
Monday, MBA Golf Championship at Portland Golf Club

Learn about the long-term care insurance plans and premium discounts for MBA members.

Call today

Mary Osborn, CLTC
503.998.5902

Or email at:
Mary@LTCexperts.com
to learn more.

MasterCare
solutions

All We Do Is Long Term Care Insurance

Ethics Focus

By Mark J. Fucile, Fucile & Reising.

Conflicts Revisited, Part 2: Former Client Conflicts



Last month we began our conflict review with a look at current client conflicts. This month, we'll continue our survey with former client conflicts. Next month, we'll conclude with a discussion of structuring representations to eliminate conflicts altogether.

Former Client Conflicts Defined

Former client conflicts come in two varieties.

First, under RPC 1.9(a), a former client conflict exists if a lawyer (or firm) takes on a matter for a new client that is either the same or "substantially related" to a matter the lawyer (or firm) handled for a former client. OSB Formal Ethics Opinion 2005-11 refers to these as "matter-specific" former client conflicts. This kind of former client conflict reflects the continuing fiduciary duty of loyalty we owe former clients on the matters we handled for them.

Second, under RPC 1.9(c), a former client conflict also exists if a lawyer (or firm) takes on a matter for a new client against a former client that would involve the use of the former client's confidential information against the former client. OSB Formal Ethics Opinion 2005-17 refers to these as "information-specific" former client conflicts. This kind of former client conflict reflects the continuing fiduciary duty of confidentiality we also owe former clients.

A former client conflict exists if either element is triggered. In theory, all former client conflicts are waiveable. In practice, however, the probability is low that a former client will grant permission for a former lawyer to either "switch sides" or to use the former client's confidential information adversely. At the same time, if neither alternative is triggered, we have a former client but not a former client conflict. Therefore, most former client conflict analysis turns on two predicate questions: (1) is a client a current or former one? and (2) if a former client, is the new matter the "same or substantially related" to the work we did for the former client?

Current or Former?

As we discussed last month, current clients have a very broad right to object to any representation by their lawyer

or law firm against them. In fact, current clients don't need to even have a reason to deny a conflict waiver. With former clients, however, our continuing fiduciary duties telescope down to the two alternatives expressed in RPC 1.9(a) and 1.9(c). The distinction between "current" and "former," therefore, can be central to the question of whether we need a conflict waiver to proceed.

The test in Oregon for determining whether a current attorney-client relationship exists is twofold: (1) does the client subjectively believe that a current attorney-client relationship exists? and (2) is that subjective belief objectively reasonable under the circumstances? This dual standard, which is sometimes referred to as the "reasonable expectations of the client test," was set out by the Supreme Court in *In re Weidner*, 310 Or 757, 770, 801 P2d 828 (1990). If work has been completed and the client has been told (preferably in writing) that the firm has closed its file, then the client will more likely be classified as "former" rather than "current." In that instance, unless the new matter triggers one of the alternatives found in RPC 1.9(a) or 1.9(c), the firm will be able to proceed with the new work adverse to the former client without a conflict waiver.

Substantially Related?

If a client falls in the "former" category, then the analysis usually turns to the question of whether the new matter is the same or "substantially related" to the matter the lawyer (or firm) handled earlier for the former client. The RPCs include two important definitions that bear on this question. First, RPC 1.0(i) defines a "matter" as "any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties[.]" Second, RPC 1.9(d) defines matters as "substantially related" if "(1) the lawyer's representation of the current client will injure or damage the former client in connection with the same transaction or legal dispute in which the lawyer previously represented the former client; or (2) there is a substantial risk that confidential factual information as would normally have been obtained in the prior

ANNOUNCEMENTS

Thank You Neda Soofi

The MBA wants to express its appreciation to Neda Soofi for providing us with pro bono retirement plan services for several years. Thank you for your generous donation of time and expertise and we wish you the best success in your new firm.

MBA's Delegate to ABA Position Available Starting 2011

The MBA announces the vacancy for its ABA delegate position. If you are interested in being considered for this multi-year position, please contact the MBA or visit www.mbar.org for information about the delegate expectations and selection process. Deadline for submission of interest is June 30.

Queen's Bench Luncheon

The Queen's Bench speaker on June 8 will be Kathy Munday of the Portland Audubon Society. She will answer questions and

give helpful tips for coexisting with urban wildlife.

Queen's Bench luncheons take place at Rock Bottom Restaurant, 205 SW Morrison St. in downtown Portland, starting at 11:45 a.m. Cost is \$14; a vegetarian option is always available.

MBA Noon Time Rides

Gather at SW Yamhill and Broadway between noon and 12:10 p.m. on Mondays and Thursdays. Contact Ray Thomas at 503.228.5222 with questions, or meet at the start.

Take a Matter that Matters

Sign the MBA 2010 Pro Bono Pledge at www.mbar.org/probono.htm and commit to taking at least one pro bono case this year.

Oregon Criminal Defense Lawyers Association

A seminar, "Facts and Law Tango: Using the Law to Get the Most from Your Facts" will be June 17-19,

at 7th Mountain Resort in Bend. Visit www.ocdla.org for details.

Oregon Women Lawyers (OWLS) Announces 2010-11 Officers

New president is Concetta Schwesinger, a district attorney liaison to the Oregon child support program in Marion County. Vice-president/president-elect is Heather L. Weigler, an assistant attorney general with the Charitable Activities Section of the Oregon Department of Justice in Portland. Megan Livermore continues as treasurer. She is an associate with Gaydos Churnside and Balthrop in Eugene. Cashauna Hill is secretary. Hill is the fair housing staff attorney at the Oregon Law Center. Kathleen Hansa Rastetter continues to serve on the executive committee as historian. Rastetter is Clackamas County Counsel in Oregon City.

representation of the former client would materially advance the current client's position in the subsequent matter." Despite the utility of these definitions, there are many court decisions in both the disciplinary and disqualification contexts that illustrate how difficult they can be to apply to any given set of facts.

Summing Up

Former client conflict analysis may be challenged in multiple venues, including bar complaints, disqualification motions and civil damage claims for breach of fiduciary duty. Getting it "right," therefore, is as central to risk management as it is to business development.

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@frrlp.com.

SAVE THE DATE

11th Annual OMLA Summer Social & Fundraising Auction

Thursday, July 22, 2010
5:30 - 7 p.m.
World Trade Center
121 SW Salmon Street
Downtown Portland

Please join us for a lovely evening of friends, refreshments and fundraising. Proceeds from our lively silent and oral auction fund bar preparation scholarships for minority law school graduates taking the Oregon Bar Examination. All raffle proceeds will be donated to Opportunities for Law in Oregon (OLIO), a nationally-recognized recruitment and retention program of the Oregon State Bar's Affirmative Action Program.

Minority law school graduates need our support more than ever - please help us in our efforts.

Admission is \$10 for lawyers, judges and professionals, \$5 for law students. Please RSVP at OMLA.RSVP@gmail.com. We hope to see you there!

Oregon Minority Lawyers Association
16325 SW Boones Ferry Road, Suite 205
Lake Oswego, Oregon 97035
www.oregonminoritylawyer.org



CHUCK CORRIGAN

MEDIATION ARBITRATION
503.241.0677

REAL PROPERTY purchase/sale, development, construction, HOAs/CCRs, boundaries/easements, condemnation

BUSINESS formation, sales contracts, employment, insurance, non-competes, dissolution

TORTS injury, death, malpractice, civil rights

www.corrigan-law.com
1000 SW Broadway, Suite 2130
Portland, OR 97205

Insight into the Juvenile Court

By Allison Boomer.

The Multnomah County Juvenile Court processes a variety of cases involving minors, including delinquency, dependency, emancipation, and expunging of juvenile files. While similar in many ways to adult courts, the juvenile court distinguishes itself through its collaborative approach to justice, its progressive programs and initiatives and its rigorous privacy safeguards.

The juvenile court facility was constructed and opened in the mid-1990s. In the court portion of the facility, there are six courtrooms, several semi-private attorney conference areas

and separate chambers for each of the four referees and two judges. The two juvenile judges are family law judges from the Multnomah County Circuit Court who rotate through short terms at juvenile court. Although operated under the authority of the Multnomah County Circuit Court, the juvenile court is in many ways a self-contained court. The juvenile court clerk's office manages its own files and exhibits, maintains its own dockets and calendars, issues warrants, provides court-appointed counsel to parties and operates a cashier's office. The center itself manifests the court's emphasis on collaborative justice; in addition to the court, it houses a juvenile detention facility,



Juvenile Court waiting room

over 20 juvenile counselors, a DA's Office, DHS and Court Appointed Special Advocates.

Nowhere is the emphasis on collaborative justice more apparent than

in the courtrooms of the juvenile court. Courtroom #1 looks like any other courtroom in the county: the bench is located in the corner with a workstation for the clerk nearby and the gallery is located toward the back of the room. However, rather than two counsel tables situated on either side of the room, the court features a long, L-shaped table in front of the bench. Seven individuals gather around the table for a hearing before Referee Knofler: a mother and her attorney, a father and his attorney, an attorney for their infant daughters, a DHS caseworker and a DA. Unlike a typical adversarial trial, the hearing proceeds in a conversational fashion. Attorneys discuss each parent's progress in various classes and treatment programs, the DHS caseworker provides a brief report about the children, and the children's attorney asks a few questions of the parents and makes a recommendation concerning the children's future placement. Referee Knofler listens intently and, at the end of the hearing, commends both parents for their hard work thus far. All share the



Juvenile Court judges

goal of reuniting the family at some point in the future.

Dependency cases comprise the vast majority of cases processed by the juvenile court; the dependency docket is about three times larger than the delinquency docket. Roughly 3,000 dependency cases are open at any given time, most of which began with a telephone call to the DHS hotline and subsequent removal of children from the home. A shelter hearing to establish a safety plan is required within 24 hours of removal of

children from the home. The court schedules shelter hearings every afternoon at 2:30 p.m. Prior to the hearing, parents receive a brief orientation to court procedures and apply for court-appointed counsel. Arranging court-appointed counsel is especially challenging for the clerk's office due to the number of parties involved in a typical dependency proceeding; understandably, the court is very careful to avoid conflicts of interest. In most dependency cases, the

Continued on page 7

RAISING THE BAR ON LEGAL FINANCIAL SERVICES.

You work for your clients' best interest. So do we. Our team of bankers works hard to make the most of your funds. We offer a unique brand of personalized banking for legal professionals and partner with you to provide solutions that maximize opportunities while minimizing risk. We'd love to learn about your business needs and see how, together, we can take your business to the next level. Stop by, or call - we'll gladly come to you.



Named an Oregon Law Foundation Visionary Bank

Elise Bouneff
Senior Vice President
Professional Banking Manager
(503) 499-5931



Remarks by MBA Professionalism Award Recipient Garry Kahn

When our MBA President, not to be confused with the NBA, Leslie Kay, called me in late March to tell me I had been selected to receive the 2010 Professionalism Award, my first reaction was: Is this April Fool's Day? My next thought was - this is quite an honor - and I was extremely appreciative. Over the next several days, I reflected on professionalism and my career.

Professionalism is many things. My favorite definition is: Professionalism is the courage to care about and act for the benefit of

“Professionalism is the courage to care about and act for the benefit of our clients, our peers, our careers, and the public good.”

our clients, our peers, our careers, and the public good. “We should work to ensure access to justice for all segments of society and improve the image of the legal profession in the eyes of the public, which includes activities to educate the public about the legal system.” I sincerely believe that in order to accomplish these goals, we need to give back to the profession with our time and/or money.

In my personal experiences, the concepts of professionalism were taught in the early stages of my legal education. I've always been proud and thankful I had the opportunity to attend Northwestern College of Law, a downtown Portland night law school, where all of my classmates worked during the day. Every instructor was an active lawyer or judge, including John Ryan, Harlow Lenon, Leo Levenson, Phil Levin and Tom Tongue Sr. We not only learned the law, but how to be lawyers.

Another benefit of night law school was the opportunity to work during the day at law-related positions. I was an investigator and clerk for Pozzi, Levin and Wilson, and during my last year worked as a bailiff for circuit judge Carl Dahl. I'll never forget a very contentious divorce case Judge Dahl presided over, when fault was an element for proving a case for divorce. It was a nasty case, with charges and counter-charges. Both lawyers were very experienced and conducted themselves with great skill and the utmost respect and courtesy to each other and the court, in spite of the conduct of their clients. After two days of trial, the judge took the case under advisement, and sent out his decision about a week later. One of the lawyers came in to see the judge a couple of days after getting the decision and said, “Carl, you made the perfect decision. Both sides are mad as hell.” It was a great lesson in how to be a lawyer and the realities of litigation.

I started practicing law with the firm of Pozzi, Levin and Wilson, and I probably had the best possible mentors a young lawyer could hope

“...the firm was totally dedicated to our clients...”

for. Frank Pozzi was one of the best trial lawyers in the state and Phil Levin was the best appellate lawyer in the state. He was also the smartest lawyer I have ever met. But more importantly, the firm was totally dedicated to our clients, the legal profession and the community. They considered it an honor and a privilege to be a lawyer. As a new associate, I was encouraged to attend bar meetings and activities, always at the firm's expense. I was encouraged to participate in bar committee work and to do pro bono work,

as well as volunteer work in the community.

Evidence of the firm's culture is the fact that the first recipient of the MBA Professionalism Award in 1989 was my former partner, Ray Conboy, and the recipient in 2001 was my former partner, Dan O'Leary.

I think we need to change our image as lawyers vis-a-vis the public. There is no question our profession has become more like a business. If you doubt that, take



a look at the attorney section in the *Yellow Pages* or check with the marketing director in some of the larger firms.

I have read articles in which lawyers are viewed with distrust, dislike and suspicion in too many places. The public impression is that the practice of law has become, according to a prominent lawyer in the American College of Trial

Lawyers, “a money-grabbing, profit-maximizing, hustling business, rather than an admired profession.”

“Economic considerations drive the decision-making process...”

The practice of law is probably no longer a profession, as my generation and generations before me knew it. It has become more like a business. Economic considerations drive the decision-making process on how we conduct ourselves and our work. The eye is primarily on the bottom line. There is probably no turning back, but it seems to me we should be studying ways to provide services on a more economical basis.

I submit the greatest responsibility of a bar association today is to assure the availability of legal services to those in need. As Judge Learned Hand said: “If we are to keep our democracy, there must be one commandment: Thou shalt not ration justice.” The fact is that too many people in Oregon and our country feel they do not have access to justice today. Too many who need lawyers will go unrepresented because the bar has not organized itself enough to provide them the services they need at a price they can afford. I am especially proud of the men and women who have chosen to be Legal Aid attorneys or Public Defenders. They are underpaid and overworked, but do what they do because they are dedicated to serving the public good. We owe them a debt of gratitude.

I am also encouraged by the lawyers who are doing pro bono work at Legal Aid clinics and elsewhere. I worked this afternoon at the Senior Law Project Clinic at the Urban League office, which

provides legal services to seniors who cannot afford lawyers. It is extremely rewarding to do this kind of work and I would recommend it to everyone. It is critical to the self-respect of the bar that every lawyer make some contribution of time or money to the cost of approaching the goal of equal justice for all.

I am also encouraged and impressed by the MBA Young Lawyers Section, whose members have shown a dedication to the profession in their acts and deeds. They are giving back to the profession and at the same time, setting an example for their peers.

“...critical to the self-respect of the bar that every lawyer make some contribution of time or money to the cost of approaching the goal of equal justice for all.”

Unlike when I went to law school, students today graduate with substantial loans to repay. I can understand why graduates, when faced with this debt, steer away from going into public service in favor of higher-paying jobs in order to pay off their loans. I am encouraged by the number of lawyers who volunteer for bar committees, various boards, such as the PLF, Disciplinary Board, and a myriad of other committees, boards and councils. One of the benefits in serving is the opportunity to meet lawyers from all over the state with different backgrounds and practice areas.

I am also encouraged and impressed by the number of lawyers who volunteer to serve in our community. Lawyers are valuable assets to school boards, charitable foundations, synagogue

Continued on page 7

Naegeli Reporting Corporation

Professional Partner with the Multnomah Bar Association

**Serving All of
Oregon, Washington, Idaho and the Nation**

Court Reporting

Legal Videography

Trial Presentation

Language Interpreters

Videoconferencing

Copying and Scanning

(800) 528-3335

schedule@naegelirreporting.com

www.naegelireporting.com

Portland
(503) 227-1544

Bend
(541) 385-8300

Medford
(541) 776-7500

Seattle
(206) 622-3376

Tacoma
(253) 565-4400

Spokane
(509) 838-6000

Boise
(208) 334-7000

Coeur d'Alene
(208) 667-1163

Mention your MBA Membership to Receive a Premium Discount!

AROUND THE BAR



Mark Johnson Roberts

MARK JOHNSON ROBERTS, ATTORNEY AT LAW Former OSB President Mark Johnson announces the change of his name and the opening of his sole practice, **Mark Johnson Roberts**. He litigates appeals, handles adoptions and surrogacy arrangements, and provides ethics advice to lawyers. He may be reached at markjatt@comcast.net or 503.236.7710.

DAVIS WRIGHT TREMAINE The firm has been selected to receive Community Action's 2010 Outstanding Corporate Partner Award. This award is given to business partners who have demonstrated an exemplary commitment to helping Community Action further its mission, creating hope and positive change for local families struggling to make ends meet.



James C. Reinhart

James C. Reinhart, a former member of the legal departments at First American Title and Chicago Title, has joined the real estate practice group.



Lisa Hunt

LAW OFFICE OF LISA T. HUNT Lisa Hunt returns to her solo practice focusing on appellate law, general civil litigation, and litigation support services. The new office is located at 1618 SW First Ave. Ste. 350, Portland OR 97201. For more information, visit www.lthuntlaw.com.



Neda Soofi

SOOFI LAW OFFICE Neda Soofi announces the opening of her firm. Her practice continues to focus on retirement plans, ERISA, estate planning and tax, executive compensation and employee benefits in merger and acquisitions. Neda has worked with the MBA for many years and represents the bar for the purposes of its retirement plan. She may be reached at 503.535.8822 or Lincoln Center, Ste. 400, 10260 SW Greenberg Rd., Portland OR 97223.



Jay Waldron

SCHWABE WILLIAMSON & WYATT Jay Waldron, a shareholder, was named vice chair of the Oregon Health & Science University board of directors. Waldron focuses his practice in the areas of environmental and energy law.



Susan G. Hiler

GEVURTZ MENASHE ET AL The firm has added Susan G. Hiler as an associate attorney. Her practice will focus on divorce, custody and support. Hiler is admitted to practice law in both Oregon and Idaho.

MAGGIE FINNERTY Maggie Finnerty, Executive Director and Clinical Law Professor of Lewis & Clark Law School's Small Business Legal



Maggie Finnerty

Clinic, was named the SBA's "2010 Women in Business Champion of the Year" for Oregon and also for the NW Region. Under Finnerty's direction, the clinic provides small businesses, primarily those owned by women, minorities, or recent immigrants, with essential business transactional legal assistance.

CHARLES MARR Charles Marr has joined the James Law Group as an associate attorney. His practice will focus on business law with emphasis on corporate formation, business licensing, and business transactions. He may be reached at 503.294.8587 or cmarr@jameslawgroup.com.

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.

**GOLF EVENT -
Tuesday, June 15
Riverside Golf and
Country Club**

Tee times from 12-2 p.m.
\$100 for non-Riverside
members;
\$25 for Riverside
members

Includes appetizers
following golf
Tournament co-chairs Rick
Saturn, Goldberg & Jones
PLLC and Zeta Rennie,
Staffing Solutions LLC

Register by June 4 at
www.mbabar.org/docs/golf.pdf
or contact Pamela Hubbs
at 503.222.3275 or
pamela@mbabar.org.

Professionalism Remarks

Continued from page 6

and church boards and a multitude of other worthwhile organizations.

In my opinion, we need to publicize all of the work we do for the public good and the profession. I believe lawyers, as a group, give more back to the community and the public good than any other professional group.

I suggest the next time someone makes a disparaging remark about lawyers, remind them about all the good work we do for the betterment of our community and state.

I realize times have changed since I started my career. Husbands and wives are both working and spending a lot of their time raising families. They may not have time to volunteer. I understand that. Nothing has a higher priority than being a parent. But everyone can make some donation to the Campaign for Equal Justice or other law related organization.

In conclusion, I want to acknowledge my wife, Judy. We will celebrate our 51st anniversary next month. When I started my career it was a different generation than now. Very few women had the same opportunities as men. Judy was an excellent teacher of languages at the high school level, but when the first of our four children was born during the summer before my last year in law school, she became a full-time mother and homemaker for many years. Judy was the primary force in the raising of our three sons and our daughter, during their formative years. Her success in that role is demonstrated by our four wonderful children.

I'm especially glad my son Steven, our two-person firm's managing partner, and my son David, are here tonight, and I have received congratulatory notes from my daughter Sarah in New York and my son Robert in Jerusalem.

Thanks to the MBA for this honor and congratulations to all of tonight's honorees and to all of you for being here to support the MBA and all of its good work.

Juvenile Court

Continued from page 5

goal is to reunite children with parents when it is safe to do so; however DHS may file a petition to terminate parental rights in extreme cases.

The juvenile court has implemented a "one family, one judge" policy in furtherance of its goal of reuniting families, whereby families stay with the same judge for the duration of their cases and will be assigned to the same judge in future cases. The court also operates a "family probation program" in which probation violations by either of the parents are addressed by the family law judge.

The juvenile court also has a large delinquency docket; cases typically begin with a preliminary hearing, similar to a criminal arraignment. While most cases will be fully processed by the court, cases involving Measure 11 offenses will be processed via the adult criminal justice system. However, juveniles charged with Measure 11 offenses are still held at the juvenile

detention center. The court focuses not only on processing delinquency cases but also on preventing the problems that create delinquency. For instance, the court recently began participation in a study by Georgetown and the Center for Juvenile Justice Reform on "cross-over" kids: those children who initially come to the court through dependency proceedings but return through delinquency. The study seeks to understand the causes of this phenomenon and propose solutions.

Finally, the court places a high priority on the safety and privacy of children involved in court proceedings. Highly sensitive information such as DHS reports is kept in confidential social files; access is limited to the parties, the judge and the juvenile counselor in delinquency cases.

The family court is presided over by Judge Nan Waller, who oversees the circuit court's domestic relations, juvenile and, with the assistance and leadership of Judge Katherine Tennyson serving as the chief probate judge, its probate jurisdiction.

LISA ALMASY MILLER

MEDIATION AND ARBITRATION

EXPERIENCE THAT COUNTS

- Civil litigator from 1983-2009
13 years representing plaintiffs
13 years representing defendants
- Mediating and Arbitrating since 1990; full-time since 2009
- Multnomah Co. Arbitration Commission member since 2004

lisa@millerarbitration.com
www.MillerMediationArbitration.com
503-805-6988 (phone)

Tips from the Bench Successfully Navigating Specialty Courts and CPC

By Judge Youlee You, Multnomah County Circuit Court.

Here is the latest news and some tips on Specialty Courts and CPC.

1. New DUII first-time expedited plea program

First-time DUII defendants may now take advantage of a new expedited plea program. Defendants who have no prior DUII convictions are eligible for the program. (Prior diversion does not count as a conviction.) Defendants who plead guilty to DUII at their first pre-trial conference will receive two years of enhanced bench probation and 60 days in which to complete an alcohol evaluation and begin treatment, complete victims panel and complete 25 hours of community service.

Defendants who comply with those conditions within 60 days will receive no jail sanction but must perform 55 additional hours of community service. Defendants who fail to comply will receive a 30-day jail sanction. Other conditions and exclusions apply.

Defendants who are interested in the program must attend orientation, which is scheduled on Friday mornings. Pleas are taken on Friday afternoons. Contact Judge Michael McShane's staff for more information.

2. New CPC Setover Procedures

In April, the court implemented new setover procedures for CPC. A chart is available outlining the new policies. One of the biggest changes is that only one stipulated second setover is allowed *per case*, regardless of which side requests it.

3. Tips for START, STOP, and DISP

START: The Success Through Accountability, Restitution and Treatment (START) Program began in March 2010. Defendants convicted of certain property offenses and whose criminality is influenced by substance abuse are eligible. The program is primarily for defendants who are eligible for presumptive probation, but some defendants facing presumptive prison sentences may qualify. The program includes drug/alcohol treatment, frequent court sessions, random drug testing and supervision by a probation officer. Contact Judge Eric Bloch's staff for more information.



STOP (Drug Court) Sanctions, Treatment, Opportunity, Progress (STOP): Before entering your client into STOP Court, find out whether he/she has other legal matters, e.g., pending charges, active probations, post prison supervision, DHS matters, employment matters regarding licensing, etc., that might be affected by completion of or declining of the opportunity to participate in the program.

Keep in mind that treatment court is a team atmosphere. Please stress with clients that honesty is vital. Contact Judge Chris Marshall's staff for more information.

DISP DUII Intensive Supervision Program (DISP): This is a voluntary program for DUII defendants. Defendants must attend orientation before enrolling. Judicial settlement conferences are available for more complicated cases.

The DISP office, which is in room 710 and staffed by court personnel, is open for defendants and their attorneys to obtain more information about the program. More information is also available at courts.oregon.gov/Multnomah.

4. Tips for Mental Health Court

Participants must have a primary Axis 1 diagnosis of schizophrenia, schizoaffective disorder, bipolar disorder or major depression to be eligible. Other limitations also apply. Defense counsel should promptly confer with the DA's Office and schedule a settlement conference with Judge Dick Baldwin.

Counsel also should provide Heidi Grant, the Mental Health Court coordinator, at 503.988.6320, x24508 with documentation to support the eligible diagnosis as soon as possible.



By Chris Howard, Metro Public Defender and Court Liaison Committee member.

Presiding Judge's Report

Judge Maurer discussed with delight, the unanimous approval by the Multnomah County Commission of the design plans for a new courthouse in east Multnomah County. The anticipated completion date is January 2012, if actual construction is approved by the Board of County Commissioners later this year.

Judge Maurer also brought the committee up-to-date on developments for the courthouse downtown. She explained that the committee chaired by Commissioner Kafoury which is charged with reporting to the Board of Commissioners on how best to approach the courthouse issue, will be taking another look at renovating the existing courthouse. Additionally, the committee will explore where there could be a division of the court functions between two or more buildings. Judge Maurer explained that she believed that placing criminal

proceedings in one building and civil in another created a two-tiered system of justice and the drawbacks of that approach.

Judge Maurer and Doug Bray then reported on the revenue from the new fee schedule. Doug told the committee that each month the statewide fee collections increase by 5% and that at present the Oregon Judicial Department was at about 65% of the projected amount needed to continue providing services at the present level in the Oregon Judicial Department and Public Defense Services. The presiding court is now accepting checks at ex parte instead of requiring parties to stand in line at the clerk's office to pay and get a receipt. Judge Maurer noted that the court is deferring fees, whenever possible, and waiving fees only when appropriate under standards established by the Chief Justice. Judge Maurer and Doug Bray are considering implementing

a process which would avoid the return of first appearance documents and preserve filing dates. The process would apply to civil actions under ORS 21.110 and would permit document filing if the fee presented for payment of a first appearance is not a correct amount.

Miscellaneous

Andrea Anderly reported that in Clackamas County there are new arbitration procedures and that all arbitrators practicing in the county are required to attend a CLE on those new procedures.

Allison Boomer was thanked for her ongoing newsletter article series on court facilities.

The committee chair thanked the members for their service and the chair was thanked for her strong leadership this year. The committee was adjourned until the first Friday of September.

Congratulations, Award Winners

The MBA Annual Meeting held May 11 recognized members for their service. This year's Professionalism Award goes to **Garry Kahn**. The **Honorable Michael Marcus** received the MBA President's Award. The MBA Award of Merit went to **Mark Fucile** and **Mary Pool**. Pro Bono Awards recognized **Matthew Sorensen**, **Anne Steiner** and **Evans Van Buren**. The YLS Award of Merit was given to **Collin McKean**, **Joshua Ross** and **Slone Pearson**; **Jennifer Woodhouse** received

the YLS Rookie of the Year award. Additionally, 10 outstanding volunteers were recognized.

Thank you to MBA Annual meeting sponsors

Affinity Sponsors
Bank of the Cascades
The Bar Plan
Law Firm Merchant Account
Legal Northwest Staffing Specialists
LexisNexis
The Naegeli Reporting Corporation

Northwest Employee Benefits, Inc.
Office Depot

Major Sponsors

Bullard Smith Jernstedt Wilson
Daily Journal of Commerce
Jordan Schrader Ramis
Nationwide Process Service
PLF Excess Program
Pacific Continental Bank
Staffing Solutions
Umpqua Bank

Wine Sponsors

LexisNexis – *Red Wine Sponsor*
The Naegeli Reporting Corporation and D'Amore Law Group – *White Wine Sponsor*

Table Sponsors

Ater Wynne
Barran Liebman and Farleigh
Wada Witt
Dunn Carney
Davis Wright Tremaine
Folawn Alterman & Richardson
Miller Nash
Perkins Coie
Schwabe Williamson & Wyatt
Stoel Rives LLP
Stoll Berne
Tonkon Torp LLP



Leslie Kay congratulates Garry Kahn on receiving the Professionalism Award

See additional photos from the dinner at <http://www.mbabar.org/collevents.htm>.

Profile – Chief Judge Ann Aiken, US District Court

By Peggy Foraker, Court Liaison Committee member.

Henry David Thoreau once said: “Though I do not believe that a plant will spring up where no seed has been, I have great faith in a seed. Convince me that you have a seed there, and I am prepared to expect wonders.”

Those who know federal Judge Ann Aiken understand that she believes that a seed will produce wonders, whether it be a seed in the garden or the seed of the hope she has about people. From her years as a judge, first from district court in Lane County, then from the circuit bench to her appointment by President Clinton to the federal bench where she now serves as the presiding judge, and as a widowed mother of five boys, Ann Aiken knows about people and their abilities to grow and overcome adversities.

That hope is demonstrated in Eugene. On a rough-looking vacant lot next to the federal courthouse, Judge Aiken envisioned more than land on which a new building would be built someday. She saw and has now created an opportunity for people from all backgrounds to come together and plant many seeds and learn about each other

and how to work hard as a team. The judge has created a pilot program where former inmates have joined members of the judiciary, law enforcement, the local fire department, students from the U of O and others to till, plant, cultivate and water this garden on that once vacant lot. The garden sits in a lot one block east of Wayne L. Morse United States Courthouse in Eugene.

Judge Aiken is the first to acknowledge this garden was not just her idea, but that it came into reality due to the hard work of several people. Assistant Professor Ann Bettman from the U of O’s Department of Landscape Architecture, Susan Posner, Dan Dingfield, Nancy Webber, and Alex Gardner, Lane County District Attorney, are just some of the many people who have worked equally hard with Judge Aiken on the garden. This community garden or “urban commons,” derives from a concept created years ago by landscape architect Karl Linn, ‘Father of American Participatory Architecture’ from back east. The gardens sprung up all over the US. Linn referred to them as “urban barnraising.” Under Judge Aiken’s vision, the Eugene urban

garden creates a place where food is grown for the food bank, and where former inmates can fully participate in their own re-entry into the community. As Professor Bettman describes, Judge Aiken does not have small dreams.

The beauty of the garden in part reflects Judge Aiken’s goal to help former inmates transition from prison to a meaningful participation in their community. Making that transition means not only a better life for the former inmate but provides benefits to the general public. She says:

“We need to get a handle on [failing to transition former inmates into the community] a more cost effective way or we are going to pay the most expensive way, which is a prison bed. We’re recycling people. It’s been just catch and release and catch.”

Judge Aiken has expressed her goal to do this meaningful work while maintaining a close family life. In achieving that goal, she has worked for the community in many different ways. During her undergraduate days, she took time from her junior year to work for the Oregon legislature. She



The Reentry Courthouse Garden Project is a broad and inclusive project which includes reentry members, probation officers, landscape students, faculty and volunteers

graduated in 1979 and clerked for the Hon. Edwin Allen in Lane County Circuit Court. She then went into private practice before serving as the Chief Clerk of the Oregon House of Representatives. She returned to private practice and then began her judicial career, while remaining close to her law school friends, including the Hon. Roxanne Burgett Osborne, who presides in Klamath County.

Around the same time, Judge Aiken became involved with the Relief Nursery, a nonprofit organization that has become a national model for providing assistance to at-risk families and preventing child abuse and neglect. Thus began Judge Aiken’s lifelong

commitment to helping families and individuals attain self-worth and self-sufficiency, as is embodied by the Eugene Courthouse Garden. The garden will grow needed food for the low-income and underserved members of the community and raise awareness about the need for food security planning and action.

Gardens are autobiographical – we learn about the gardener by looking at the garden they have created. The next time any of us goes to the federal courthouse in Eugene, we should take a look at the garden and think of not just Judge Aiken but all the community she motivated to make this happen.

Volunteer Pro Tem Bench Tips

By Presiding Judge Jean Kerr Maurer, Multnomah County Circuit Court.

In Multnomah County, summary judgment motions are often assigned to one of 13 (including Judge Henry Breithaupt of the Oregon Tax Court) volunteer pro tem judges. These volunteer judges, who are also practicing attorneys, provide a valuable service to the court and to the bar by easing the burden on the elected judges and by allowing these motions to be heard more expeditiously. The purpose of this article is to provide a handful of tips to help make the process run more smoothly for all involved.

• **Deliver a judge’s copy to the pro tem judge’s office.** SLR 6.015 requires that a judge’s copy of each brief be delivered to the judge in addition to filing the original with the clerk’s office. Because the pro tem judges do not maintain offices in the courthouse, please be sure to send the judge’s copy directly to the pro tem judge’s office (and in the case of Judge Henry Breithaupt

of the Oregon Tax Court, who also hears many summary judgment motions, the judge’s copy should be delivered to his chambers at 1163 State St., Salem OR 97301-2563).

Often times the pro tem judge is left to scramble days before the hearing to track down copies of all the briefs because the parties have neglected to send copies directly to the judge. Although the judge has access to the court file prior to the hearing, there is a lag time between the date when a document is submitted for filing and the date when it is actually placed into the court file; thus, even if the judge tries to find your brief in the court file it may not be there prior to your hearing.

• **Present any motion for change of hearing date to presiding court.** If you need to request a change of your assigned hearing date, you must go to ex parte and request that presiding court

change the hearing date; a pro tem judge is not authorized to change the hearing date. If the motion is granted, your motion will either be reassigned to a new judge or it will be assigned to the same pro tem judge when he/she sits again. It is not uncommon for the attorneys to contact a pro tem judge to request that the hearing be postponed by a day or two. There is sometimes frustration when the pro tem judge responds that he/she would like to accommodate the parties but that court rules do not allow it.

The reason the pro tem judge is not allowed to accommodate the parties is that he/she is appointed by the Oregon Supreme Court to sit as a circuit court judge only on particular days. Those days are generally determined three months in advance. So, when the pro tem judge is not able to accommodate your request for a slight change in the schedule, it is not because the judge is unwilling to be flexible,

but rather that the judge does not have authority to hear the case on a different day.

• **When granting an extension leave sufficient time for the pro tem judge to prepare for the hearing.** The pro tem judges generally have no objection to the parties granting extensions in which to file their respective briefs. If you agree to extensions please tell the pro tem so he/she knows when to look for the opposition and reply briefs, and please be careful to ensure there is sufficient time once the final brief has been filed for the judge to read all the briefs prior to the hearing.

The judge still has his/her own practice to manage, and many of the judges will set aside time the weekend before the hearing to read the briefs. There may be insufficient time available to prepare if the briefs are delivered at the last moment. If you have any concerns,

you can contact the judge to ask if there is any objection to the proposed briefing schedule.

• **Highlight deposition transcripts and exhibits.** Although state court rules do not require that the key portions of deposition transcripts and exhibits be highlighted, your clients will be best served if you do highlight the portions of the transcripts and exhibits you want the judge to focus on.

The pro tem judges are conscientious and try to be fully prepared, but if they are given dozens (or hundreds) of pages of unmarked transcripts and exhibits to review there is a chance that a key portion may be overlooked if the parties have not drawn specific attention to it.

• **Notify the pro tem judge of a request for elected judge.** You have the right to request that presiding court select an elected judge to decide your motion instead of the assigned pro tem judge. As a courtesy, please notify the pro tem judge when the assignment has been changed to an elected judge so the pro tem judge is aware the case has gone away and does not devote any additional time to preparing for the case.

• **Notify the pro tem judge of settlement.** Once a case has settled, in addition to notifying the clerk’s office, please immediately notify the pro tem judge by phone, email or fax (or a combination of these methods) so that any unnecessary preparation does not occur.



YLS Award of Merit recipient Collin McKean, YLS Rookie of the Year, Jennifer Woodhouse, Justin Leonard, and YLS Award of Merit recipients Slone Pearson and Josh Ross



Leslie Kay with Pro Bono award winners Evans Van Buren and Matt Sorensen (Anne Steiner not pictured)

Pro Bono Spotlight: Josh Ross

By Ben Cox, Associate at Dr. Aaron DeShaw, Esq., P.C.

Josh is a San Antonio native who attended the University of Texas, served in the Israeli Defense Forces as a paratrooper and worked as a chef's assistant in a Moroccan restaurant in Jerusalem. Josh attended law school at Lewis & Clark and clerked for Judge Rick Haselton of the Oregon Court of Appeals before joining Stoll Berne in 2005.

Josh serves as a volunteer attorney for the Legal Aid Services of Oregon (LASO) Domestic Violence Project, representing victims of domestic violence:

"Typically, clients are seeking to continue a restraining order that is being contested by the alleged abuser. Cases require a number of client meetings to prepare for the contested hearing. The hearings are like mini bench trials with presentation of evidence and examination of witnesses.

"The cases present entirely different sets of facts and legal issues from my regular practice. It's a fun challenge to develop and use different skills than I typically use."

I asked Josh if he had any advice for young attorneys considering pro bono work, but who might feel

a) they don't have the expertise, b) they don't have the support of their employer and/or c) they just don't know how to get started:

"My firm strongly encourages and supports pro bono work: it's part of the firm's core philosophy. I have a few suggestions for new lawyers who may be hesitant to approach firm management about pro bono work: First, do your homework. What is the case/program about? How many hours might the matter take? Will you need staff or other lawyers? Are there anticipated costs and can the client cover those? Is there a possibility to recover fees and costs if you win?"

"Second, present the opportunity as 'the right thing to do:' show passion for the issue and explain why it's important to you.

"Third, identify how the project may benefit you and/or the firm. Will it help you get experience working a case start to finish? Will it help you get time in court?"

"Fourth, only take on issues you're comfortable with, but don't let the fact that it's a new area of law dissuade you. There are plenty of experienced lawyers willing to act as mentors.



"Finally, taking pro bono matters through an organization like LASO makes it easy. They have a wealth of information for you, can match you to a mentor, and will work with you to find matters that are suitable for your experience level and schedule.

"I really feel that as lawyers we're given an extraordinary amount of power and that, as part of the privilege of practicing law, we are obligated to use that power to help people who are at a disadvantage in the legal system only because they cannot afford to pay someone to help them."

Josh Ross lives in North Portland with his wife and two children. Josh's practice at Stoll Berne focuses on complex business, consumer, and securities litigation.

Community Law Week 2010 Reaching Out to the Community and Local Youth

By Raife Neuman, YLS Service to the Public Committee member.

The YLS Service to the Public Committee once again recruited members of the Multnomah County legal community to host Community Law Week (CLW) for the general public. Over 70 law firms and legal professionals donated their time and resources. As before, this year's CLW volunteers organized a "Tell it to the Judge!" event at Lloyd Center Mall and hosted free legal information booths throughout Multnomah County.

This was the fourth year for The YOUTHFILM Project, a student filmmaking contest encouraging local youth to express themselves creatively while learning more about our government and justice system. Committee chair Ted Broberg and committee members were instrumental in creating and

organizing this successful project. They were Ethan Chatov, Valerie Colas, Timothy Crippen, Shauna Curphey, Lainie Decker, Darin Dooley, Stephen James, James Miner, Ari Okano, Judy Parker and Sharon Rye.

More than 100 students produced short films based on the ABA Law Week theme. On May 6, Oregon Supreme Court Chief Justice Paul J. De Muniz presented awards to the teams of elementary, middle and high school student filmmakers at the screening and awards ceremony before an enthusiastic audience at the Hollywood Theatre. A special thank you to all our sponsors, including the Multnomah Bar Foundation, for their continued support. For more information and to view winning films, please visit www.theyouthfilmproject.org.



Volunteers at the "Tell it to the Judge" event included Judges Tom Ryan, Diana Stuart, Keith Meisenheimer, Steven Todd and Julie Frantz, who took time out of their weekends

to help members of the public. They answered questions ranging from individual landlord-tenant disputes to how they became a judge. YLS members Sarah Brown, Laura Salerno and Ben Kelley helped out. Kyoko Wyse and Alex Sutton co-chaired the event.

An event raised money for Central City Concern (CCC), which provides critical job training and employment placement as it combats the twin blights of poverty and homelessness. Through partnerships with local businesses, CCC helps individuals towards a life of self-sufficiency. This event was made possible by the gracious support of Schwabe Williamson & Wyatt, Hagen O'Connell and the MBA.

CLW would not have been possible without the following individuals on the YLS Service to the Public Committee:

Jodie Ayura, chair; Slone Pearson of Hagen O'Connell and Kyoko Wyse of Wyse Kadish, co-chairs; Katherine de la Forest, Hagen O'Connell; Elaine Goeders, SAIF Corporation; Aaron Rabirot, Olsen Olsen & Daines; Scott Phillips, Wesson Carlson & Swanlund; Ben Furth, a Multnomah County Judicial Clerk; Erin Fitzgerald, Case &



April Social a Success

By Valerie Colas, Samantha Gamboa, and Michael Miller, YLS Membership Committee members.

On April 27, the YLS Membership Committee hosted its annual Meet the Judges Drop-in Social at Schwabe Williamson & Wyatt. The event was well-attended and provided young lawyers with an opportunity to meet judges in an informal setting.

This year's social again included a raffle drawing for the benefit of Multnomah CourtCare, a free childcare service that provides children with a safe and comfortable place in the courthouse. In addition, Hwa Go from the MBA CourtCare committee spoke to help kickoff fundraising for the program.

YLS would like to thank its generous sponsors for the event, Schwabe Williamson & Wyatt and Tsongas Litigation Consulting. YLS would also like to acknowledge the support of the local businesses that donated prizes for the raffle, which generated \$1,030 for CourtCare! A special thanks to the following donors: Blush Beauty Bar; Colas Construction, Inc.; E'njoni Café; Lloyd Center; Markowitz, Herbold, Glade & Mehlhaf, PC; Marriott Portland Downtown Waterfront; Mitchell Lang & Smith; Ninkasi; Rejuvenation; Schwabe Williamson & Wyatt; Typhoon; and Wasserman Media Group.

Thank you to all who participated. We look forward to seeing you again next year!



YLS Meet the Judges Social and CourtCare Fundraiser

Dusterhoff; Mary Chandler, PGE; Elizabeth Kafel; Alex Sutton, Gevurtz Menashe; Christiane Fife, Schwabe Williamson & Wyatt; Corrinne Hill, Holland & Knight; Jennifer Nelson, Littler Mendelson; Raife Neuman, Raife Neuman Law; Jeanne Sinnott, Miller Nash; Kaley Fendall, Davis Wright Tremaine.

CLW is truly an amazing collaborative event of the Multnomah County legal community. If you were unable to participate this year, please consider joining us next year. For more information, contact Raife Neuman, raife.neuman@gmail.com.

Thank you to the Community Law and YOUTHFilm Executive Producer sponsors:
Schwabe Williamson & Wyatt
Cosgrave Vergeer Kester
Davis Wright Tremaine
Holland & Knight
Stoel Rives

Banner Sponsors:
Barran Liebman
Cosgrave Vergeer Kester

Central City Concern Event Sponsors:
Schwabe Williamson & Wyatt
Holland & Knight

CLW Sponsors:
Ater Wynne
Barran Liebman
Farleigh Wada Witt
Hagen O'Connell
Legal Aid Services of Oregon
Littler Mendelson
Oregon State Bar
Wyse Kadish
Yates Matthews & Eaton
Tonkon Torp

Special Thanks to
Chief Justice Paul J. De Muniz
Multnomah Bar Foundation

Thank You To All Our Volunteers!

Road to the Federal Bench Seminar

By Heather L. Weigler, OWLS Vice-President and Assistant Attorney General, Oregon Department of Justice.

Over 50 lawyers attended the April CLE “The Road to the Federal Bench,” designed to encourage and equip women and minority attorneys to seek positions in the federal judiciary.

“Women and minorities are not appropriately represented on the federal bench ... and part of the problem is that they don’t envision themselves as federal judges. More of you need to envision yourselves as federal judges,” advised Josh Kardon, former chief of staff for Senator Ron Wyden. “That’s why we’re here to talk about the process, to help ensure that the federal bench increasingly reflects the evolving demographics of Oregon by encouraging more women and minorities to apply for future openings.”

Josh was joined by Jeanne Atkins, state director for Senator Jeff Merkley, US District Court Judge Ancer L. Haggerty and Lou Savage, senior policy advisor for the Oregon Department of Consumer and Business Services, in a panel discussion moderated by OWLS past-president and Eugene attorney Kate Wilkinson. The event was co-sponsored by Oregon Women Lawyers (OWLS), Oregon Minority Lawyers Association, Oregon Asian Pacific American Bar Association, Oregon Gay and Lesbian Lawyer Association, Oregon Hispanic Bar Association, OSB Affirmative Action Program, OSB Diversity Section and Disability Rights Oregon.



The panelists explained that in Oregon, an advisory committee of geographically, politically, gender and racially diverse litigators screen applications, conduct interviews and investigate applicants’ reputation and background. The committee is specifically charged with considering the candidates’ commitment to making access to justice a reality and the importance of diversity on the bench. Committee members then cast votes for the applicants they think should be nominated and Senator Ron Wyden forwards the applicants names to the president.

It’s critical to build a pipeline of women and minority attorneys who are prepared to apply for a federal judgeship. Even if you’re not interested in serving on the federal bench, you can help ensure that more women and minority attorneys apply by knowing about the process and

encouraging others to consider applying. Judge Haggerty, for instance, had not considered throwing his hat into the ring until he was encouraged to do so. Support from colleagues is also critical during the selection process. “Your networking should be geared toward your peers and leaders of the bar – the more you become known the better,” Lou Savage explained. “You need a stellar reputation as a lawyer, and you need to be engaged in local and statewide civic activities.... The committee wants to know you’ve got compassion for people and a passion for your community.”

For more information about the importance of diversity on the federal bench, visit www.oregonwomenlawyers.org. For more information about how OWLS can help you on your road to the bench, contact Heather L. Weigler at hluweigler@gmail.com.

Questions for YLS President

Continued from page 1

Our Professional Development & Education Committee, led by Duke Tufty, has organized CLEs and other presentations to teach practical legal skills – for example, “Surviving and Thriving in a Down Economy” – and to open doors to new opportunities, such as our “Alternative Paths for JDs” program. Our Membership Committee offered networking opportunities amongst the bar and with other professionals. And to help those less fortunate in our community, our Pro Bono and Service to the Public committees have provided many ways for attorneys to make a difference.

Q: Justin, what was the highlight of your year as President of the YLS?

My proudest accomplishment of the year was leading a collaboration with LASO, the OSB Debtor-Creditor Section Pro Bono Committee and the Bankruptcy Court. We had a huge need for bankruptcy help and the existing Bankruptcy Clinic volunteers coordinated by LASO were unable to keep up with the need. Meanwhile, we had so many un- or

under-employed (but eager) young lawyers. We recruited some of this talent to increase the pro bono bankruptcy clinic capacity.

To address both issues, we arranged bankruptcy classes, federal bar fee waivers and even licenses for new volunteers, and then provided mentorship. As a result, we helped shorten the clinic’s waiting list, added to the roster of available volunteers and provided new attorneys with valuable skills to increase their marketability.

Q Justin, you have passed on the mantle of President after a big year. How do you intend to celebrate?

My wife and I will have our 10-year anniversary, and I also hope to find some time for my annual pilgrimage by bike to the Sylvia Beach Hotel in Newport, where I pretty much just eat, sleep, and read.... Knowing that I’m leaving the YLS in the extremely capable hands of Kimberly Griffith as president, and Nick Kampars as president-elect, I can rest easy!

Thanks to VLP Donors

The following MBA members donated more than the suggested \$25 minimum to the Volunteer Lawyers Project during the 2010 membership drive.

Aaron Baker
Kenneth Lee Baker
Ashley Berman
Owen Blank
Peter Chamberlain
Thomas Coan
Wm Keith Dozier Jr.
R. Brendan Dummigan
Charles Hathaway
Deborah Hewitt
Linda Larkin
Hon. John Lewis
Robert Lusk
Joshua Lute
Sue-Del McCulloch
Hollis McMilan
Ronald Rhodes
Andrew Rich
Terrance Slominski
Hon. William Snouffer
Travis Weaver
Brooke Willcox-Jones
Steve Wynne

PRO BONO VOLUNTEERS

Thanks to the following lawyers and law students, who donated their pro bono services in April via the Volunteer Lawyers Project, the Senior Law Project, Community Development Law Center, law firm clinics, the Oregon Law Center, the Nonprofit Project, St. Andrew Legal Clinic, Catholic Charities Immigration Legal Services, Lewis & Clark’s Small Business Legal Clinic, Children’s Representation 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.

Alan Aldous	Genaro Lopez
David Aman	Garrett Maass
Clarke Balcom	David Madden
Cynthia Barrett	Nathan Maki
John Paul Beck	Atha Mansoori
Dick Biggs	Heather Martin
Noah Bishop	Tim McNeil
Steven Blackhurst	Lucas Meyer
Andrew Bobzien	Carl Neil
Carson Bowler	Elizabeth Newell
Richard Brownstein	Devon Zastrow Newman
Jon Buckland	Raven Nocar
Brett Carson	Dover Norris-York
Chad Chambers	Mike O’Brien
Nikhil Thomas Chourey	James O’Connor
Craig Cowley	Chris O’Neill
Chris Coyle	Susan O’Toole
Sarah Crooks	Jennifer Oetter
Caroline Harris Crowne	Jonah Paisner
Marti Dell	Mike Petersen
Dallas DeLuca	Steven Prewitt
Laura Donaldson	Garvin Reiter
Chris Edwardsen	Gerard Rowe
Dan Eller	Nate Sanders
Shemia Fagan	Gary Scharff
Trish Flanagan	Jill Schneider
Jon Fritzler	Rachele Selvig
Anne Furniss	Mark Sherman
Samantha Gamboa	Charmin Shiely
Jim Geringer	Jeanne Sinnott
Scott Gilfillan	Megan Smith
Stephen Gindling	Vicki Smith
Diane Gould	Anne Steiner
Rod Grafe	Chad Stokes
David Gray	Sandy Stone
Amanda Guile	Jon Stride
Mary Lou Haas	Kim Sugawa-Fujinaga
Polly Hampton	Nanina Takla
Stacy Hankin	John Thomas
Natalie Hedman	Bruce Towsley
Launa Helton	Todd Trierweiler
Gary Hill	Eli Van Camp
Theresa Hollis	Aaron Varhola
Adelia Hwang	Lauren Walchli
Michelle Johansson	Ian Wallace
Ed Johnson	Beate Weiss-Krull
Sam Justice	Monica Wells
Josh Kadish	Alice Williamson
Garry Kahn	Richard Wilson
Katie Kammer	Eric Woodard
Robert Kellogg	Terry Wright
Karen Knauerhase	Hunter Zook
Liz Lemoine	Rosemary Zook

Thanks to MBF Donors

The following MBA members donated more than the suggested \$25 minimum to the Multnomah Bar Foundation during the 2010 membership drive.

Ashley Berman
Peter Chamberlain
John Crawford
Brendan Dummigan
Keith Garza
Deborah Hewitt
Michael Magnus
Marcia May
Hollis McMilan
Richard Sly
Richard Vangelisti



Paralegals
Legal Secretaries
Receptionists
Project Assistants
File Clerks

TEMPORARY & PERMANENT PLACEMENT
LEGAL NORTHWEST
STAFFING SPECIALISTS

700 SW Taylor Floor 2
Portland, Oregon 97205
Tel 503-242-2514
Fax 503-274-7895
www.legalnw.com
info@legalnw.com

OVER 300 LAW FIRMS RELY ON US
STAFFING PARTNER TO THE



MULTNOMAH BAR ASSOCIATION
1906



MICHAEL DWYER
MEDIATOR

Listed in *The Best Lawyers in America*®
and *Oregon Super Lawyers*®
for Mediation and Dispute Resolution

DWYER MEDIATION CENTER
www.dwyermediate.com • 503-241-9456

COSGRAVE VERGEER KESTER LLP

is pleased to welcome

NICOLE M. NOWLIN,

our newest associate, is now a member of
our Transportation Practice Group.

She will also handle toxic tort, premise,
automobile, products and insurance disputes.

nnowlin@cvk-law.com



Cosgrave Vergeer Kester LLP

— VERY RESPONSIVE ATTORNEYS —

(503) 323-9000 | www.cvklaw.com

CVK

Multnomah Bar Association Group Health Insurance



MULTNOMAH BAR ASSOCIATION
EST 1906

- 2 Providence PPO and Kaiser Point of Service plans make the MBA plans more attractive than ever
- Any Oregon or Washington (in Clark, Columbia, Cowlitz, Klickitat, Skamania, and Wahkikum counties) Law Firm is Eligible to enroll
- Firms with offices outside Oregon can enroll accessing a Nationwide PPO network

Advantages of MBA Plans

- Law firms of any size eligible to enroll
Sole practitioners to law firms of any size
- Non attorney staff also eligible
- Covers offices located outside Oregon
- No Health Statement – Guaranteed Issue
- Covers all pre-existing conditions
- Easy administration – Law firm receives **one** bill and pays with **one** check regardless of how many different plans are selected
- COBRA administration provided
- Discounted Fees for Section 125 Flexible Spending Account Administration
- Life and Disability Income Coverage Available

Each Employee Can Select a Plan From a Menu of 8 Available Plans

PROVIDENCE

- 2 EPO Plans
- 2 PPO Plans
- 1 H.S.A. Plan
- Nationwide PPO Network
- Alternative Provider Benefits - **NEW!**

KAISER

- 2 Medical Plans
- 1 Point of Service PPO Plan
- Dental and Vision
- Alternative Provider Benefits

DISABILITY INSURANCE - **NEW!**

- Guaranteed Issue
- Limited Time Offer
- Offered by Standard Insurance Co.

DENTAL AND VISION

- Oregon Dental Service (ODS)
See any dentist
- Vision Service Plan (VSP)

For more information, contact:

Northwest Employee Benefits, Inc.
4300 NE Fremont, Suite 260
Portland, Oregon 97213
1-800-284-1331
www.nwebi.com

On the website, click on:

Multnomah Bar Association
The password is: **MBA** (all caps).

 **SUSAN M. HAMMER**
Mediation Services

21 years experience

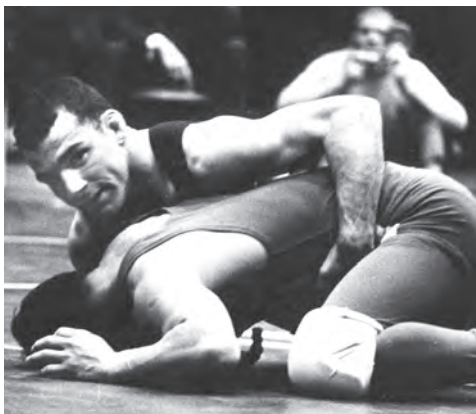
Innovative Approaches
to Complex Problems

Recognized in
The Best Lawyers in America®
2005 – 2009
for Dispute Resolution



TEL : 503-222-5949
SUSAN@SUSAN-HAMMER.COM
WWW.SUSAN-HAMMER.COM

Distinguished Fellow, International Academy of Mediators



Jeff Batchelor. Mediator, Arbitrator and state champion.

In the Sixties, Jeff was a champion wrestler from Madison High School. Today, he's recognized among the best in the legal profession, lauded by peers for competence and integrity. Lawyers who mediate with Jeff say he never quits. Our guess is that he's always been that way.

JeffBatchelor@MHGM.com

MARKOWITZ HERBOLD
GLADE & MEHLHAF PC
TRIAL LAWYERS

PORTLAND, OREGON | 503.295.3085 | WWW.MHGM.COM

**LAW FIRM
MERCHANT ACCOUNT™**
CREDIT CARD PROCESSING FOR ATTORNEYS



Introducing a New Member Benefit!

The only payment solution recommended by over 50 bar associations nationwide!



**Call 866.376.0950 or visit
www.affinescape.com/mbabar**

Affinescape Merchant Solutions is a registered ISO/MSP of Harris, N.A., Chicago, IL

Office DEPOT.



Service, selection and price are critical when buying technology. Office Depot has the solution that members of the Multnomah Bar Association need – combining a broad assortment of top brands with technology expertise and reliable service 24/7.

Rely on Office Depot for all your Technology needs. We offer:

- 275,000 available items – from well-known brand names to many hard-to-find items
- Custom configuration
- Extended warranty plans
- Nationwide distribution capabilities
- Software licensing
- Volume pricing
- and more!

For more information, contact Business Development Manager Jason Thorud at 503.240.4500 or Jason.Thorud@officedepot.com

CA-ADV78-0208

FRANK BEARDEN

30 Years Experience as
a Trial Judge in
Multnomah County

More than 1,000 trials
and three decades of
Judicial Settlement
Conferences

DEDICATED TO EFFECTIVE
DISPUTE RESOLUTION



United States Mediation and Arbitration
503-223-2671
503-780-5505 (Cell)
bearden8623@comcast.net

Buy a Court Bond from The Bar Plan and help fund the Volunteer Lawyers Project.




A percentage of Court Bond fees are donated
to Legal Aid Services of Oregon.

Partnering with...
A Century of Service
MULTNOMAH BAR ASSOCIATION
EST 1906
www.mba.onlinecourtbonds.com
877.553.6376 Fax: 888.658.6761

Underwritten by...
THE BAR PLAN

DAN GILROY DESIGN
building websites for lawyers



Beautiful Designs
Happy Clients

Dan Gilroy Web Designer

www.dangilroy.com 503.754.8167

CLASSIFIEDS

Please visit www.mbabar.org to see all classified ads.

space

OREGON CITY OFFICE

John Henry Hingson III has one office available in his building at 409 Center St., Oregon City. Close to elevator; off-street parking; law library; conference room; share copier, fax, etc. with three other lawyers.

Contact John Henry Hingson III, phone 503.656.0355, email johnh@hingson.com.

ONE BEAUTIFUL OFFICE AVAILABLE IN MODERN, CLASS A BUILDING IN DOWNTOWN PORTLAND

One secretarial space is available as well. Located in proximity to Multnomah County and Federal courthouses. These offices are located within a suite shared by two established law firms. These offices and the available conference rooms present your clients with knockout views of the West Hills. The location is the top floor of the 1000 Broadway Building. Spaces are newly remodeled and decorated by professional designer. Two conference rooms, kitchen and file room available to share and receptionist services provided as part of lease. Copier, fax and postage services available. Parking available, private gym, and bank in building. Call Scott Brown at 503.228.5027, scott@jdsnyder.com.

DOWNTOWN OFFICE

Partner-sized office available in downtown six-office suite. Space for secretarial/paralegal station available. \$800/monthly. Please send inquiries to dduyck@whippeduyck.com or call Dan at 503.222.6191.

positions

SMITH FREED & EBERHARD

Is currently recruiting for lateral attorneys. Requirements include at least three years of experience in the following areas, Employment Law, SIU/First Party Property, Personal Injury, Construction Defect, or Business Litigation. Excellent client service ethic, research and writing skills and academic credentials are required. Oregon Bar is required for all positions and Washington Bar is a plus. We pay a competitive salary and benefits. For consideration please send cover letter, resume, three professional references and a writing sample to hr@smithfreed.com. Please indicate position of interest in subject line.

BULLIVANT HOUSER BAILEY, PC

Is a dynamic and innovative business and complex litigation law firm with six offices strategically located throughout Washington, Oregon, California and Nevada.

Our Portland office is seeking a highly motivated litigation associate with 4-7 years of experience in products liability. Applicants must

have strong writing and analytical skills and the desire to be a part of a successful fast-paced litigation team. This position involves all phases of litigation and includes drafting pleadings and discovery, managing files, and attending hearings, depositions, arbitrations and trials. Applicants must be admitted to practice in Oregon. Washington bar admittance a plus.

Please send cover letter, resume, transcript and writing sample to Jill Valentine, Attorney Recruitment & Diversity Manager, Bullivant Houser Bailey, PC, 300 Pioneer Tower, 888 SW 5th Ave., Portland OR 97204 or email to jill.valentine@bullivant.com.

Miscellaneous

FOR SALE: LEROY SETZIOL TEAK WOODCARVINGS

Two beautifully carved teak panels, each 4'x4', commissioned in 1986 for display in the main conference room of a prominent AV Portland law firm. Would be highly suitable for display in either a residence, business or professional office.

For full details and photo: www.dougmeyer.net/setziol. Call Roger 503.807.8448.

Expert guides through troubled times.



Yates, Matthews & Eaton, P.C.
Family Law

Experienced. Responsive. Dedicated.

When you're facing a family law issue, you need a respected expert to lead you through the obstacles to bluer skies. At YM&E, you'll find a devoted advocate who truly cares about you and the outcome of your case.

One SW Columbia, Suite 1800
Portland, Oregon 97258
503-224-7077
www.yatesmatthews.com

RGL Forensics provides support to lawyers with the financial aspect of cases. We discover and define financial value in transactions and civil and criminal disputes and provide expert witness testimony in court and arbitration proceedings.



23 offices world-wide

rgl.com

In Portland, contact us at 503.224.6600

MEDIATION & ARBITRATION

Because Mediation Doesn't End at 5.

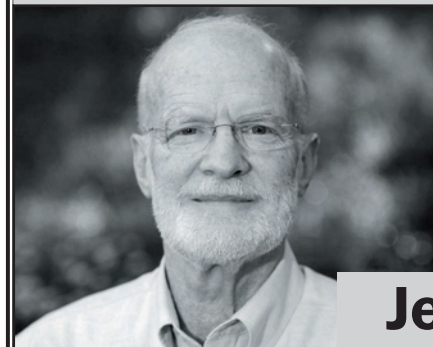


ERIC B. LINDAUER
Attorney at Law

Experience. Patience. Persistence.

1000 SW Broadway, Suite 2400 Portland 503.223.2300 lindauermediation.com

COUNSELING



Jeff Rogers
J.D., L.P.C.
Licensed Professional Counselor

Using my experience as a counselor, lawyer, veteran to understand and help with

- Career concerns, stress, anxiety
- Transitions, relationships
- Trauma, effects of war, PTSD
- Mood and adjustment disorders
- Personal and professional growth

503-806-3344
www.jeffrogerscounseling.org
Office near downtown Portland

FOR SALE PRICE REDUCED



Ladd Carriage House

SW Broadway & Columbia

7,061 sq ft

\$1,950,000

Parking and Historic Tax Credits available

Craig Kelly

Venerable Properties, LLC
503-224-2446

www.venerableproperties.com

RICHARD G. SPIER MEDIATOR



Highly experienced—full-time neutral since 1992

Business & commercial; personal injury; employment; real estate & construction

Listed for Alternative Dispute Resolution in *The Best Lawyers in America*®

503-284-2511

Fax 503-284-2519

rspier@spier-mediate.com www.spier-mediate.com
2536 N.E. 28th Avenue ■ Portland, Oregon 97212-4916

We Focus On Your Clients' Needs, Not Their Net Worth.

Our Trust Officers bring personalized and confidential service to every one of our legal partnerships with experience and expertise in:

- Living Trusts
- Irrevocable Trusts
- Special Needs Trusts
- Probate
- Business & Timber Holdings
- Guardianships

We stand ready to serve you and your clients whenever the appropriate need arises. For a private consultation, call:

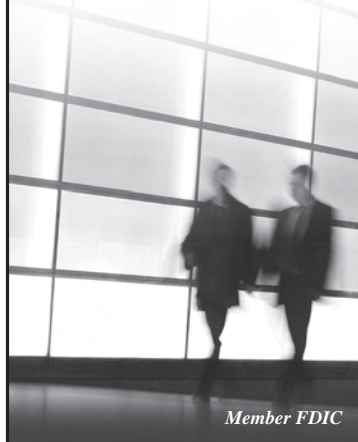
John Strohecker
SVP/Trust Division

Direct Line: 503.306.5374
Outside Portland: 800.340.8865

1001 S.W. 5th Avenue Suite 250
Portland, OR 97204
www.cowlitzbank.com

COWLITZ BANK
A DIVISION OF COWLITZ BANCORP
— YOUR TRUSTED BANK SINCE 1978 —

TRUST SERVICES



Member FDIC



Nothing bites like going to court without a good argument. It's risky, potentially painful—and when you know the lawyers to call, entirely avoidable.

MARKOWITZ HERBOLD
GLADE & MEHLHAF PC
TRIAL LAWYERS

PORTLAND | 503.295.3085 | WWW.MHGM.COM

growth

Our Employment Practice Group continues to grow.

Shane P. Swilley has joined our group adding to our expertise in Employment Litigation, and in HR Advice and Counsel.

Shane P. Swilley Susan K. Eggum Shari L. Lane Timothy J. Coleman
sswilley@cvk-law.com eggum@cvk-law.com slane@cvk-law.com tcoleman@cvk-law.com

CVK COSGRAVE VERGEER KESTER LLP
ATTORNEYS

(503) 323-9000 | www.cvklaw.com

PRACTICE LIMITED TO MEDIATION

**Jeffrey Foote
Mediation**

Resolving issues relating to:

- Personal Injury/Product Liability
- Professional Negligence
- Business & Commercial Disputes
- Employment Disputes
- Construction Defects

Jeffrey Foote, PC
503-228-1133
jfoote@footelaw.com
www.footelaw.com

Family law:
security

Child and spousal support

Divorce is never easy, especially when kids are involved. That's why you need someone looking out for your interests, and for your children. As the region's most experienced family law firm, we're more than just lawyers. We're guides for a secure future.

Ruth Pekelder Family law attorney, proud mom

GEVURTZ Attorneys at Law
♦ **MENASHE**

Representing clients in Oregon and S.W. Washington
503.227.1515 OregonDivorceLawyers.com

The firm you want on your side

RENTAL SALES GALLERY

Jonnel Covault, *Moment's Rest*, 2004

Art for rental and purchase

A rich resource for the art of our region, the Rental Sales Gallery represents over 250 artists — all from Oregon — with an inventory of over 1,500 works in a variety of mediums. You are sure to find the perfect works of art for as low as \$40 for three months.

Search our collection at portlandartmuseum.org.

1237 SW 10th Avenue in the Eliot Tower
503.224.0674 rentalsales@pam.org

**PORT
LAND
MUSEUM**

**Arbitration
&
Mediation**

Douglas G. Beckman
503-287-7977
dougbeckman@comcast.net
Fax: 503-210-7688
P.O. Box 13365, Portland, OR 97213

\$40,000 in Grants Awarded to Six Area Nonprofits

By Pamela B. Hubbs, Office and Foundation Administrator.



M U L T N O M A H B A R
F O U N D A T I O N

The MBF has awarded grants to six nonprofit organizations serving the Portland Metro area. In fulfillment of the mission of the 100th Anniversary Community Gift Fund, these organizations were selected for their civic education and participation programs.

Bus Project Foundation received \$5,000 for their PolitiCorps Community Training Initiative, to train college seniors and recent graduates in civic and community organizing processes and engage them in their communities and civic activities. The program will serve 500 young adults up to the age of 24 in Multnomah County.

Classroom Law Project was granted \$15,000 for the 2011 Youth Summit which provides middle and high school students an opportunity to study a current legal topic in depth and discuss it

with community leaders using a congressional hearing format. Over 1,200 Portland Metro area students and their teachers will participate.

Elders in Action was awarded \$10,000 for the Civic Education Awareness Project (CEAP). Speaking engagements and community outreach events provide civic education opportunities for older adults and encourage civic engagement. The CEAP will reach 7,000 age 60 and up in Multnomah, Washington and Clackamas counties.

League of Women Voters of Oregon received \$5,000 for Oregon Student Mock Election 2010 – Portland Metro Component. This hands-on program teaches the election process and the importance of voting, civic participation and leadership. Over 40,000 students, elementary grades through high school, in over 110 schools will participate.

League of Women Voters of Portland was awarded \$3,000 for the 2010 Voters' Guide, Multnomah County Edition and Candidate/Ballot Measure Forums, which provide

nonpartisan information about candidates and ballot measures for the primary and general elections; 17,500 copies of the guide will be distributed; forums will be taped for cable and online viewing.

YLS YOUthFILM Project received \$2,000 for the filmmaking contest for grades K-12 that ties into Community Law Week and culminates with a screening and awards. Funding is for the screening, promotion and awards; and to provide access to equipment and mentoring resources. Students in Oregon and SW Washington may participate.



M U L T N O M A H B A R A S S O C I A T I O N
EST 1906

Member Benefits Have Never Been Better!

lexis.com®: Receive a 5 percent discount on a subscription to the online legal research services. Call 866-836-8116 and mention offer 203367.

Research Value Packages: Receive a member benefit discount on all available packages on the *lexisONE®* service. Select from One-Day, One-Week or One-Month subscription periods. Visit www.lexisone.com/barassociations

LexisNexis® Store: Save 10 percent every day when you shop at the LexisNexis Store. Visit www.lexisnexis.com/store/promotions/promolanding.jsp?couponId=BAR10

LexisNexis® Law Firm Launch Packages: Bundled solutions designed for new and transitioning attorneys who plan to open a new practice. Packages include essentials like books, online legal research, client development, and practice management solutions. Call 866-281-1801 and mention code 132741 or visit www.lexisnexis.com/LLP

Learn about LexisNexis® Total Practice Solutions at www.lexisnexis.com/bars



LexisNexis, lexis.com, lexisONE and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc., used under license. © 2010 LexisNexis, a division of Reed Elsevier Inc. All rights reserved. 134888-0 0210