



Strategic Planning Looking Forward to Next Year & Beyond

by Dana Sullivan
MBA President-Elect

This year, I have the honor of assuming the role of MBA President. One of my first tasks in that role is to guide the

board and staff through a strategic planning process. Every five years or so, the board undertakes the critical exercise of evaluating whether we should alter our existing priorities and programs to better meet member needs and accomplish the MBA's purposes and objectives. In my view, the first step in this process is to remind ourselves of the MBA's mission. Next, it is important to obtain member feedback to ensure that we have a current understanding of what our members expect from the organization. Finally, the board needs to assess the efficacy of our current programming in light of the MBA's goals, member expectations and the resources available.

The Mission of the MBA

As stated in the bylaws, the mission of the MBA is: "Lawyers associated for Justice, Service, Professionalism, Education, and Leadership for our members and our community." The bylaws further state that, in implementing its mission, the MBA will have the following purposes and objectives:

- To further the administration of justice, and to serve the public.
- To maintain the dignity and honor of the legal profession.
- To facilitate and promote the continuing education of lawyers.
- To promote the social and professional interrelationships of association members.
- To complement and supplement the activities and programs of the Oregon State Bar.
- To attract as many qualified members as possible.
- To support and promote pro bono legal services and legal services to the poor.
- To implement the foregoing purposes and objectives as an organization not for profit, no part of the net earnings inuring to the benefit of any member.

Feedback from our Members

Recently, as a prelude to the strategic planning process, the MBA surveyed the membership to get a better sense of the organization's strengths and those areas that require improvement. What we learned was very interesting:

Most members who responded are senior and newer attorneys, who characterized themselves as either solo practitioners or attorneys in larger private firms.

Assuming that the members who responded to the survey were a representative sample of the MBA's membership as a whole, it appears that the majority of MBA members are attorneys who are new to the practice of law, and those who have been practicing for many years. The largest percentage of survey respondents (26.5%) identified themselves as having been admitted to practice for more than 30

years. The second largest percentage of our membership is comprised of new lawyers, practicing between one and five years (21.7%). Lawyers who have been practicing between six and 10 years are least represented in the MBA's membership.

Nearly a quarter of survey respondents (21%) are solo practitioners. The second largest group of respondents is comprised of lawyers who practice in larger private firms, defined as including 20 or more attorneys.

Members look to the MBA to keep them abreast of changes or trends in the law and developments at the courthouse, and to foster collegiality among peers.

The MBA's CLE program is the member benefit rated most important by survey respondents. The second most valued resource is the *Multnomah Lawyer*. Over 88% of respondents reported reading the *Multnomah Lawyer* regularly in order to keep informed about what is going at the courthouse, professional accomplishments of fellow members, and analysis of trends in the law, new legislation, and issues currently facing lawyers.

Also critical to a large number of survey respondents was the fact that the MBA provides opportunities for professional growth and development and contacts with others in the legal profession. In addition, many members perceive the MBA as providing a vital avenue for attorneys to serve and promote the profession.

While 27.1% of respondents indicated that they participate in the MBA's health, dental and vision plans, 60% of members did not avail themselves of discounted or enhanced member services.

Continued on page 2

mba|EVENT

Multnomah Bar Association Annual Meeting, Dinner and Judges Reception

Friday, May 30
Portland Marriott Downtown Waterfront
1401 SW Naito Parkway
5 p.m.

**Celebrating the profession and recognizing
our colleagues**

Professionalism Award Recipient

Mark Johnson Roberts

MBA Awards of Merit

Chief Justice Thomas A. Balmer • Philip S. Bentley •
Judge Christopher L. Garrett • Presiding Judge Nan G.
Waller • Representative Jennifer Williamson •
Leslie Nori Kay

YLS Awards of Merit

Kelvin D. Adkins-Heljeson • Shayda Zaerpoor Le

YLS Rookie of the Year

Jacqueline L. Alarcon

Pro Bono Awards

William H. Kwitman • Gerard P. Rowe • Sara Staggs

Register at mbabar.org.

Thank you sponsors of the MBA Annual meeting

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mba|CLE

To register for a CLE, please see
pages 3 & 4 or go to mbabar.org
and log in as a member to register
at the member rate.

MAY

5.6 Tuesday Clark County Presiding Court Update

Judge John Nichols
Don Jacobs

5.21 Wednesday Collecting on Judgments

Nicholas Henderson
John Parsons

5.22 Thursday Multnomah County Trial Practices Seminar & eCourt Presentation

Judge Ed Jones
Judge Judy Matarazzo
Judge David Rees

5.27 Conundrums in Employment Cases

Clarence Belnavis
Dana Sullivan

5.28 Wednesday Appellate Tips for Success

Judge David Schuman

JUNE

6.4 Wednesday Annual Probate Update & eCourt Presentation

Judge Andrew Erwin
Judge Robert Herndon
Judge Katherine Tennyson

6.26 Thursday How Jurors REALLY Think

Jeffrey Boyd

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Multnomah Bar Association
620 SW 5th Ave Suite 1220
Portland, Oregon 97204
503.222.3275
Fax 503.243.1881
www.mbabar.org

MULTNOMAH BAR ASSOCIATION
620 SW FIFTH AVE., SUITE 1220
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DEADLINE for copy: The 10th of the month*

DEADLINE for ads: The 12th of the month*

*or the preceding Friday, if on a weekend.

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Get Involved in the MBA

Consider Volunteering for an MBA, MBF or YLS Committee

Please see the insert in this issue or at mbabar.org to sign up for an MBA, MBF or YLS committee.

Volunteering Rewards

Meeting new people and expanding perspectives are just a few of the reasons members cite for serving on committees. When you join a committee, you become part of a team of your colleagues. As you contribute to the work of the committee, you also learn from other members. Together, our volunteers provide valuable service to the legal community.

CLE: Plan, conduct and evaluate 30-35 CLE seminars, focusing on members' primary areas of practice.

Court Liaison: The purpose of this committee is to foster constructive dialogue with the Multnomah County Circuit Court presiding judge and court administrator with regard to current practices, or to rules or procedural changes before they are implemented by the court.

CourtCare Fundraising: This Multnomah Bar Foundation committee conducts a fundraising campaign for the CourtCare program, which provides free daycare in the downtown and East County courthouses.

Courthouse/Court Funding: This committee works to increase public and legislative awareness about the importance of a fully-funded court system and the need

for a new Multnomah County Courthouse.

Equality & Diversity: The committee's mission is to foster and expand diversity, inclusion and equality in the MBA and Multnomah County legal community and to create and strengthen a relationship of mutual support between the MBA and diverse bar organizations.

Golf: Plan and conduct four to six golf events between April and October, including the MBA Championship, which benefits the Volunteer Lawyers Project at LASO.

Judicial Screening: The committee reviews applications of pro tem and judicial appointment candidates confidentially, and reports its recommendations as called for by the MBA's board-approved process.

Membership: The committee organizes and plans social events, including WinterSmash, Battle of the Lawyer Bands, Bench Bar & Bagels, and a First Thursday social with specialty bars for the MBA membership-at-large.

Professionalism: The committee promotes principles of professionalism within the Multnomah County bar, through the Corner Office column, Professionalism Statement, mentor program and professionalism training programs. The committee also administers the Professionalism Award screening and selection process.

Strategic Planning

Continued from page 1

The majority of respondents consider it important for the MBA to take a stand on issues related to access to justice and judicial independence but disfavor the MBA taking a stand on political and social issues more loosely tied to the organization's mission.

When it comes to issues such as the safety of the courthouse and judicial independence, members strongly favor MBA involvement. The goal of improving the courthouse facility is considered "very important" or "important" by 68.2% of MBA members. 88.7% of members support the MBA taking a position when a statewide ballot measure has threatened the independence of the judiciary.

In response to the question regarding whether it would be appropriate for the MBA to take a position on social or political issues that are broader in scope than issues specific to the practice of law, 53.5% of the membership indicated that it would not be appropriate. Twenty-nine percent of members disagreed and 17.4% were neutral.

More than half of our members take on pro bono work.

60% of our members stated that they take on pro bono work. MBA members volunteer their services in a wide variety of ways, including serving on nonprofit boards or advising nonprofits without charge, representing individuals through the Senior Law Project, the Volunteer Lawyers Project, the Crime Victims Law Center or similar organizations, coaching high school mock trial, mentoring young lawyers or serving as a pro tem or administrative law judge. Several respondents objected to the implied characterization of pro bono work as representing indigent clients in individual matters without charge as being too narrow. It is apparent from member comments that, if pro bono were defined more broadly to include other forms of community service, professional volunteerism or political work, the percentage of members engaged in "pro bono" work would be substantially higher than 60%.

Devising a Plan for the Next Five Years

Armed with the membership survey feedback and mindful

of the association's mission, purposes and objectives, the board will spend time at its retreat in June defining the MBA's priorities for the next five years. Having reviewed the MBA's earlier strategic plans and descriptions of the considerations underlying those plans, I am surprised how many of the challenges facing the MBA and its members today are the same as they were five and 10 years ago. For example, improvement of the Multnomah County Court facility remains a glaring need within our local community. There also remains a pressing need to support those organizations that provide legal services to individuals who are unable to pay for representation, both by contributing financially and by recruiting and training volunteers.

The last five years have also brought some new challenges. New lawyers are struggling more than ever to find jobs. Many hope that the MBA can provide networking opportunities and practical skills training to enhance their marketability. New lawyers who opt to establish solo practices are looking to the MBA to provide avenues for mentoring and case referrals. At the same time, the number of individuals

in Multnomah County with unmet legal needs due to the challenge of finding low-cost legal services is increasing. My hope is that the MBA can participate in discussions already underway among representatives of the judiciary, Oregon law schools and OSB leaders to try to identify innovative solutions for pairing under-employed attorneys with under-served litigants. Further, the Oregon Judicial Department will be implementing eCourt in May and the MBA has an important role to play in educating our members about how eCourt will impact practice in Multnomah County Circuit Court.

I am excited to play a role in devising the strategic plan that will see the MBA through its 11th decade. I welcome input, ideas and suggestions from any members who did not have an opportunity to respond to the online survey or who wish to communicate with me personally about how the MBA can better serve its members or better advance its mission to promote Justice, Service, Professionalism, Education, and Leadership within the legal community and the Portland community at large.

Calendar

To add your organization or firm's annual events to the MBA online calendar, contact Carol Hawkins, carol@mbabar.org.

MAY

5.1 Thursday
YOUTHFILM Screening
Visit mbabar.org for details

5.1-3 Thursday-Saturday
ABA/NLADA Equal Justice Conference
Visit nlada.org/training for details

5.2-3 Friday-Saturday
OAAP/OWLS Women's Wellness Retreat
Visit oaap.org for details

5.10 Saturday
MBA Wine Pairing Class
Visit mbabar.org for details

5.12 Monday
eCourt goes live in Multnomah County Circuit Court
See page 11 for latest details

5.15 Thursday
MBA Golf Clinic & Networking
Visit mbabar.org for details

5.22 Thursday
FBA Oregon Chapter Annual Dinner
Visit oregonfba.org for details

5.26 Monday
Memorial Day Holiday

5.30 Friday
MBA Annual Meeting & Dinner
See p. 1 for details

JUNE

6.5 Thursday
MBA 1st Thursday Social with Specialty Bars
Visit mbabar.org for details

6.13-15 Friday-Sunday
OAPABA Western Regional Conference
Visit oapaba.org for details

6.14 Saturday
SALC Race for Justice
Visit salcgroup.org for details

JULY

7.4 Friday
Independence Day Holiday

Descriptions for YLS committee charges:

YLS Futures: This committee implements programs that address changes to the practice of law.

YLS Membership: The purpose of the committee is to assist in

recruitment and involvement of MBA young lawyer members, to improve member participation in the YLS, and to organize a variety of networking activities for YLS members.

Continued on page 5

Clark County Presiding Court Update

Tuesday, May 6, 2014
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland
Members \$55
Non-members \$85

The 2014 Clark County Presiding Court Update will be presented by Clark County Superior Court **Judge John Nichols** and Vancouver civil litigator **Don Jacobs**. This class is designed for anyone who practices in Clark County, whether on a regular basis or only occasionally. Judge Nichols will provide valuable information regarding new practices or changes to existing practices within the Clark County Court system. Mr. Jacobs will focus on the aspects of a civil trial in Clark County and how they may differ from civil trial practices in the Portland metro area. If you currently practice in Clark County, or have been considering practicing in Clark County, this CLE is a must for you. This class is geared toward practitioners with all levels of experience.

For more information:

Call Don Jacobs, Attorney at Law at 360.695.1624. For registration questions, call the MBA at 503.222.3275.

Collecting on Judgments

Wednesday, May 21, 2014
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland
Members \$55
Non-members \$85

Judgments are great – but collection is what your client cares about. Learn how to “get it done” efficiently and add to your tool chest of creative techniques while avoiding the minefields. Aimed at the business/commercial litigator as well as consumer-debt practitioners, we’ll cover attachment, debtor exams, sheriff’s sales, bankruptcy issues, deeds in lieu and everything in between that we can cover in two hours. Our speakers are two experienced litigators: **John Parsons**, Parsons Farnell & Grein LLP, and **Nicholas Henderson**, Motschenbacher & Blattner LLP:

- How to strategically use debtor interrogatories and exams;
- The impact of different practices in various Oregon jurisdictions;
- Techniques to mitigate the impact of bankruptcy on your judgment;
- How to tee up a sheriff’s sale or foreclosure.

For more information:

Call Seth Row, Parsons Farnell & Grein LLP at 503.222.1812. For registration questions, call the MBA at 503.222.3275.

Multnomah County Trial Practices Seminar and eCourt Presentation

Thursday, May 22, 2014
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland
Members \$55
Non-members \$85

This year’s program will feature presentations by **Judges Ed Jones, Judy Matarazzo** and **David Rees**. Topics will include motion practice, jury selection, briefing, jury instructions, making and arguing objections, managing witnesses and exhibits, handling presentation media and other procedural and practical issues faced by trial lawyers. The panel will also identify and discuss approaches for avoiding significant trial practice mistakes that Multnomah County judges frequently encounter.

The program is designed for attorneys at all levels of experience, and practitioners are strongly encouraged to take advantage of this excellent opportunity to ask questions. Please join us for this informative discussion.

This class will also include a presentation on eFiling using Odyssey File and Serve by **Daniel Parr**, Office of the State Court Administrator. eCourt will go live in Multnomah County on May 12.

For more information:

Call the MBA at 503.222.3275.

Current Legal and Tactical Conundrums in Employment Cases

Tuesday, May 27, 2014
3:00-5:00 p.m.

World Trade Center
Plaza Room
26 SW Salmon, Portland
Members \$55
Non-members \$85

Employment law is an ever-changing area. Attend this two-hour presentation to learn about recent case law, statutory, and regulatory developments. Trends and changes on the horizon will also be discussed. Topics include:

- Dealing with an employee’s possession of confidential documents
- Issues arising in whistleblower cases, e.g., what if the whistleblower is the general counsel or an HR professional?
- ORS 659A.199: How plain is the plain language of the statute?

Our panelists are **Dana Sullivan**, Buchanan Angeli Altschul & Sullivan and **Clarence Belnavis**, of Fisher & Phillips. They will address a variety of legal and tactical issues from the perspective of both plaintiffs’ counsel and defense counsel.

For more information:

Call Sim Rapoport of iBridge at 503.906.3933. For registration questions, call the MBA at 503.222.3275.

Appellate Tips for Success

Wednesday, May 28, 2014
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland
Members \$55
Non-members \$85

The appeals forum is a vastly different world from trial court advocacy. Join us for an informative discussion with veteran Appellate Court **Judge David Schuman** on the techniques that prevail or fail in appellate practice. Learn how to maximize the effectiveness of both your written and oral arguments.

For more information:

Call Helen Tompkins, Law Office of Helen Tompkins PC at 503.534.5020. For registration questions, call the MBA at 503.222.3275.

Annual Probate Court Update and eCourt Presentation

Wednesday, June 4, 2014
2:30-5:00 p.m.

World Trade Center
Auditorium
26 SW Salmon, Portland
Members \$55
Non-members \$85

Note: This class runs 2:30-5 p.m. and will be worth 2.5 hours of OSB MCLE credit.

The MBA presents the 2014 Annual Probate Update, featuring **Judge Katherine Tennyson**, Multnomah County; **Judge Andrew Erwin**, Washington County; and **Judge Robert Herndon**, Clackamas County. The judges and staff will discuss current practices and procedures in the metro area. This CLE is a must for all probate practitioners and/or their staff.

This class will also include a presentation on eFiling using Odyssey File and Serve by **Daniel Parr**, Office of the State Court Administrator. eCourt will go live in Multnomah County on May 12.

For more information:

Call Sarah Brown, Yates Matthews & Eaton PC at 503.224.7077. For registration questions, call the MBA at 503.222.3275.

How Jurors REALLY Think A Live Focus Group Evaluates a Premises Liability Case

Thursday, June 26, 2014
2:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland
Members \$80
Non-members \$125

Note: This class runs 2-5 p.m. and is worth 3 hours of practical skills credit.

This class will be a live demonstration of a focus group in a typical premises liability case. Due to the popularity of this class last year, we've asked Jeff to present for us again. There will be a new fact pattern and new materials regarding discovery.

Jeffrey Boyd, President of Boyd Trial Consulting, will present the evidence, arguments, and law to a group of "real" people – non-lawyers who could be jurors someday. The goal is to get the jurors' feedback on the many aspects of the case, so that the lawyers in attendance can see and hear how real people think about the issues in a typical case. This class will be useful to anyone who tries civil cases and will include a live demonstration of a highly interactive focus group. The jurors will be presented with the facts and law of a typical premises liability case. Hear and see how real people process and talk about the facts and the law. Even if you don't do a lot of these cases in your practice, they are a great learning tool because they

illustrate so well how to overcome jury bias and get a winning verdict. This knowledge can be applied to almost any case you are working on.

Throughout the course of his career, Jeff has tried over 100 civil jury trials and has served as a trial consultant for over 15 years.

For more information:

Call Don Jacobs, Attorney at Law at 360.695.1624. For registration questions, call the MBA at 503.222.3275.



Free Online CLE for Members

The CLE webcast "How to Start a Firm, Leave a Firm, or Retire From the Practice of Law" is available for free in the Members Center section of the MBA website.

Members receive free access to a rotating schedule of six different CLE webcasts each year.

Springing Back into Golf at RedTail

by Tyler Volm
Golf Committee Chair

As the warm weather returns, many local golfers will be dusting off their clubs and preparing for another great season of golf in the Northwest. Whether you are a regular golfer, or new to the game, the May event at RedTail Golf Center in Beaverton provides a great chance to work on your swing and network with other lawyers, bankers and CPAs. The event is on Thursday, May 15, from 5:30-7:30 p.m. Golfers of all experience levels are encouraged to practice their swing from RedTail's covered driving range. Attendees will be able to hit an unlimited number of range balls, golf instructors will be handing out pointers, and complimentary clubs are available.

This is a joint networking event with the Oregon Society of CPAs and the Oregon Bankers Association. All proceeds raised by the MBA Golf Committee throughout the year support the Volunteer Lawyers Project at LASO.

To discuss sponsorship opportunities or for questions, contact Pamela Hubbs at pamela@mbabar.org. Registration is \$20 and includes appetizers. Register online at mbabar.org or call the MBA at 503.222.3275.

Photocopy, complete and mail or fax the registration form with payment to the MBA to reserve your space. Or register online and receive a \$5 discount. Self-study materials from past CLE classes may be downloaded at www.mbabar.org.

Registration Form

Receive a \$5 Discount when registering online at www.mbabar.org.

NAME _____	ACCOUNT NUMBER _____
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PHONE _____	_____
OSB# _____	_____

Member Status:

- MBA Member
- Non-Member

Payment Options:

- Check VISA MasterCard
- American Express

Registration forms with payment must be received in the MBA office by 3:00 p.m. the day before the seminar, or the "at the door" registration fee will apply (see fees for each class and fill in the blank on registration form). Registration forms may be mailed or faxed to the address or number below. Accommodations available for persons with disabilities; please call in advance for arrangements.

Photocopy registration and mail or fax with payment to:

Multnomah Bar Association
620 SW Fifth Ave., Suite 1220 ■ Portland, OR 97204
503.222.3275 ■ Fax to: 503.243.1881

Register online and order or download MBA self-study materials at www.mbabar.org.

Reduced fees for unemployed members are available and are assessed on a case-by-case basis. For details, call the MBA at 503.222.3275.

Seminar Selection:

Please select the seminar(s) you wish to attend. Written materials for each class are included with registration. Pre-registration with payment is required to reserve a space; at-the-door registrations are accepted if space is available; an additional \$5 charge will apply.

5/6 Clark County Presiding Court Update

- Class Registration Online (\$50 Members/\$80 Non)
- Class Registration (\$55 Members/\$85 Non) \$ _____
- CD-ROM & Written Materials (\$55 Members/\$85 Non) .. \$ _____

5/21 Collecting on Judgments

- Class Registration Online (\$50 Members/\$80 Non)
- Class Registration (\$55 Members/\$85 Non) \$ _____
- CD-ROM & Written Materials (\$55 Members/\$85 Non) .. \$ _____

5/22 Multnomah County Trial Practices Seminar & eCourt Presentation

- Class Registration Online (\$50 Members/\$80 Non)
- Class Registration (\$55 Members/\$85 Non) \$ _____
- CD-ROM & Written Materials (\$55 Members/\$85 Non) .. \$ _____

5/27 Current Legal and Tactical Conundrums in Employment Cases

- Class Registration Online (\$50 Members/\$80 Non)
- Class Registration (\$55 Members/\$85 Non) \$ _____
- CD-ROM & Written Materials (\$55 Members/\$85 Non) .. \$ _____

5/28 Appellate Tips for Success

- Class Registration Online (\$50 Members/\$80 Non)
- Class Registration (\$55 Members/\$85 Non) \$ _____
- CD-ROM & Written Materials (\$55 Members/\$85 Non) .. \$ _____

6/4 Annual Probate Court Update and eCourt Presentation

- Class Registration Online (\$50 Members/\$80 Non)
- Class Registration (\$55 Members/\$85 Non) \$ _____
- CD-ROM & Written Materials (\$55 Members/\$85 Non) .. \$ _____

6/26 How Jurors REALLY Think: A Live Focus Group

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- Volume pricing
- and more!

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

mba | ANNOUNCEMENTS

New Free CLE Content for Members

The video webcast of the seminar entitled “How to Start a Firm, Leave a Firm, or Retire From the Practice of Law” is now available in the Members Center at mbabar.org. The seminar is worth two hours of practical skills OSB MCLE credit. MBA members receive access to a rotating selection of six different CLE seminars each year – a \$300 value. The free webcast content is refreshed every two months, so stay tuned!

Race for Justice is June 14

St. Andrew Legal Clinic (SALC) presents its 14th Annual Race for Justice on Saturday, June 14, at the Madeleine Parish - 3213 NE 24th Ave in Portland.

The 5K fun run/walk and the Kids’ Fun Run directly support the mission of SALC, a nonprofit law firm that provides family law legal services for low-income families. Your participation or donation helps SALC continue the important work of ensuring that the law works for everyone.

Post-race events include a pizza party and awards ceremony.

- \$50 entry fee until May 31
- \$60 from June 1 to race day
- \$35 Students and first-year associates
- \$10 Kids’ Fun Run (ages 3-10, no T-shirt)

Free to participants who raise \$100 or more in pledges.

To register online or set up your own pledge-raising page, visit SALCgroup.org. Get race updates on Facebook at facebook.com/standrewlegalclinic. For questions, contact Kenny Macdonald at kmacdonald@salcgroup.org or 503.281.1500 x321.

Noon Bicycle Rides

Take a noon break for a short, fast ride with hills. Meet 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 just meet at the start.

CourtCare’s 11th Annual Fundraising Campaign

by Amy Angel
CourtCare Campaign Committee Chair



Since its opening in 2001, CourtCare has improved access to justice for families by making free, drop-in childcare available at the Downtown Multnomah County Courthouse for parents with business at the court. In addition to being a safe, convenient location for parents to leave their children, this program helps to reduce the number of court appointments that need to be rescheduled and removes the potential that children might witness conflicts or disrupt court business.

Many families are already stressed to their limits when they are attending court for divorce proceedings, protective orders, custody battles, eviction proceedings, or criminal charges. Many do not have childcare options which would allow them to attend court without their children. Fortunately, CourtCare eases that dilemma at a time when stress levels are already running high.

One parent who recently called upon CourtCare commented, “I didn’t know what to do and then my lawyer told me you could help me. This sure made things easier

today.” Not only does CourtCare give parents peace of mind, it’s fun for the kids, too. In another review of the childcare services provided at the courthouse, a parent mentioned, “I have a hard time getting my kid to leave here. Everywhere else, he screams when I leave, but here, he screams when I come back to get him!”

Following the success of the CourtCare program in the downtown courthouse, we are pleased to announce that CourtCare is expanding to the East County Courthouse.

CourtCare is funded primarily through generous contributions made by firms and individual members of the legal community to the Multnomah Bar Foundation. All donations are tax-deductible as the MBF is a 501(c)(3) nonprofit organization. The funds raised allow CourtCare to welcome approximately 80 children each month into a safe, fun and caring environment.

The MBF is proud to support CourtCare and asks that you consider making a donation to benefit the program to assist in its continued success. This year’s CourtCare Campaign runs from May 5-23, with a goal of raising more than \$75,000. Every dollar helps. To learn more about CourtCare or the campaign, please contact me at aangel@barran.com or 503.228.0500. Also, please see the insert to make a donation by mail or visit mbabar.org to make a donation online or to view a brief video about the CourtCare

The Corner Office PROFESSIONALISM

Professionalism Begins at Home

The Corner Office column usually highlights the need for lawyers to treat each other with professionalism and civility in the legal community. But professionalism cannot stop at the courthouse steps. Despite our superhuman aspirations, lawyers depend on their colleagues and staff.

Truth be told, extending the code of professionalism to behind office doors radically increases the efficiency, job satisfaction and loyalty of our co-workers. There are many reasons why this is so.

Consider, for example, the difference in productivity and positivity between staff that is berated, made to feel inadequate or embarrassed in front of colleagues, and staff that is made to feel a valued part of the legal team. The point is not whether or when such conduct may subject a lawyer to civil liability or professional discipline. The point here is more fundamental: at the end of the day, staff who feel valued as members of the lawyer’s team are far more likely to go the extra mile on the lawyer’s and client’s behalf. We all make mistakes, and we all can use help from others to constructively identify and avoid mistakes. But if we want staff to be looking out for us and our clients, they should know that we are looking out for them as well.

The benefits of professionalism at “home” do not stop with staff. We all want our lawyer-

colleagues to be creative, thoughtful and well-motivated. We are more likely to receive their best effort if they understand that we appreciate and value their contributions.

I once heard a partner say, as a criticism of a colleague, that Partner X thought he could call up any associate at 2 a.m. and make that associate come to the office to work on a matter. I would like to think that I could do so as well, but not because I am all-powerful or inspire fear. Instead, I would like to think I could depend on associates in a bind because I have strived over the years to express my genuine gratitude and respect for them. If I call at 2 a.m., they will know that my need is real and will trust that I will value their sacrifice and commitment to get the job done. And because of that, my associate will show up ready to work hard. Despite reputations to the contrary, I think it also goes without saying that any partner calling a colleague at 2 a.m. should be prepared to take and respond to a similar call in the future should the need arise.

Applying the same standards at our firm “home” also makes sense from an overall client relations perspective. If for no reason other than because we are busy people, our non-lawyer and lawyer colleagues frequently interact with our clients. A lawyer whose public persona is civil, but private persona is rude, will eventually see his or her disregard

rub off on colleagues and staff. A lawyer who has set the tone of courtesy and civility with the treatment of his or her office colleagues is more likely to find that those office colleagues treat clients with courtesy and civility.

We should do unto others as we would have them do unto us, rather than as we fear they may do unto us if we do not get to them first. I want to stress, however, that nothing in this analysis is dependent upon ethics or morality. Pure self-interest should inspire bringing professionalism home. Whether they realize it or not, even the most self-important and self-impressed lawyers can and will do better if they have the honest and devoted support of those with whom they work. And that support must be earned, not bought.

The Corner Office is a recurring feature of the Multnomah Lawyer and is intended to promote the discussion of professionalism taking place among lawyers in our community and elsewhere. While The Corner Office cannot promise to answer every question submitted, its intent is to respond to questions that raise interesting professionalism concerns and issues. Please send your questions to mba@mbabar.org and indicate that you would like The Corner Office to answer our question. Questions may be submitted anonymously.



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program. Thank you in advance for your continued support of this amazing program.

Mark Johnson Roberts Receives 2014 MBA Professionalism Award

Mark Johnson Roberts, Gevurtz Menashe Larson & Howe, will receive the 2014 MBA Professionalism Award on May 30 at the MBA annual meeting and dinner.

The MBA Professionalism Award, the organization's highest honor, recognizes candidates who exemplify, not simply meet, the standards set forth in the MBA Professionalism Statement:

Professionalism goes beyond the observance of the legal profession's ethical rules and serves the best interests of clients and the public in general; it fosters respect and trust among lawyers and between lawyers and the public, promotes the efficient resolution of disputes, and makes the practice of law more enjoyable and satisfying.

Mark's nomination for the Professionalism Award was supported by numerous attorneys and judges. Here are a few of the things Mark's nominators and supporters said about him:

- "He is a kind and gracious man. He is always in a good humor and has a razor-sharp wit. Mark is also amazingly humble. Despite a distinguished career, he doesn't expect or solicit praise or accolades. He gives his time and energy to the law firm, the legal community and the community without any personal agenda or expectation of recompense."
- "Mark is what is described as 'a handshake kind of guy' – in other words, if he gives you his word on something – you can trust that he will follow through."

- "His manner is courteous and respectful at all times, to the court, to opposing counsel, and to the litigants themselves, who often feel lost in the shuffle of our legal system."

- "I have never seen Mark lose his good humor, perspective, or patience in pursuit of his cause. Rather, Mark maintains his integrity and optimistic yet objective view. I consider that to be the mark of a true professional."

- "His personal sacrifice to serve his fellow lawyers demonstrates that his concern for the profession goes beyond providing lip service. Mark has demonstrated true commitment to the profession through his countless hours of devotion to our practice."

Mark is a determined and dedicated professional who has committed his life to assisting others. For over 20 years, he has earned the respect of the legal community as someone at the forefront of the struggle to bring equality to Oregon's



Mark Johnson Roberts

LGBT community. As a family law attorney, he leads by example as a committed advocate for the families he supports. He is truly passionate about helping people improve their lives.

Among many other accomplishments, Mark is a former president of the OSB as well as a founder and co-chair of the Oregon Gay and Lesbian Law Association and a former co-chair of the National LGBT Bar Association. Currently, Mark serves as the Oregon state delegate for the ABA as well as on the board of directors for the ABA Rule of Law Initiative. He is also an active contributor to the Oregon Chapter of the American Academy of Matrimonial Lawyers.

Congratulations to Mark Johnson Roberts, a most worthy recipient of the 2014 MBA Professionalism Award.

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Around the Bar



Bridget Donegan

Larkins Vacura

Bridget Donegan was sworn in as a member of the Portland Police Citizen Review Committee, which reviews investigations of officer conduct, makes recommendations on bureau policies, and conducts public outreach activities. Donegan's term is for three years.



Karen O'Kasey

Hart Wagner

Firm partner **Karen O'Kasey** has become a Fellow of the American College of Trial Lawyers, one of the premier legal associations in America.

O'Kasey's trial practice focuses on defending employers and medical professionals in state and federal courts in both Oregon and Washington.



Tanya Durkee Urbach

Lane Powell

Shareholder **Tanya Durkee Urbach** has been appointed to the Queen's Bench Board of Directors, the Portland chapter of Oregon Women Lawyers.



Renée Rothauge

Markowitz, Herbold, Glade & Mehlhaf

Shareholder **Renée Rothauge** has become a Fellow of the American College of Trial Lawyers.



Victoria Blachly

Samuels Yoelin Kantor

Firm partner **Victoria Blachly** has been appointed to the Governor's Commission on Senior Services (GCSS), which is dedicated to enhancing and protecting the quality of life for all older Oregonians

Through cooperation with other organizations and advocacy, GCSS works to ensure that seniors have access to services that provide choice, independence and dignity. GCSS is an official state commission made up of volunteers appointed by the governor and two legislators, one from the house and one from the senate.

Blachly's practice is almost entirely focused on fiduciary litigation for individual trustees, corporate trustees, beneficiaries, and personal representatives.



Peter Janci



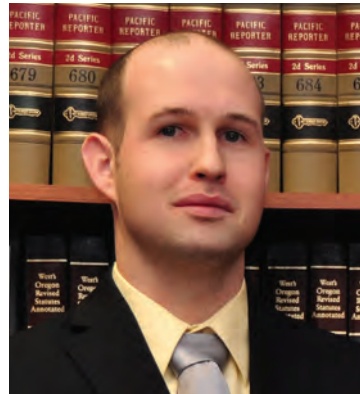
Maria Liesl "Sam" Ruckwardt

O'Donnell Clark & Crew

Peter Janci has become a partner in the law firm, where he has been a member since 2007. His practice focuses on representing plaintiffs in child sexual abuse, malpractice, wrongful death, and business tort cases.

Maria Liesl "Sam" Ruckwardt has joined the firm as of counsel. Her practice emphasizes resolving injury, construction, and business contract disputes. She represents

business owners and contractors in complex and contentious litigation.



Sam Nelson

Bowerman & David

Sam Nelson is the firm's newest associate attorney. He brings familiarity with personal injury claims, as well as a background in foreclosure-focused mortgage banking to the firm. He will contribute to the firm's general litigation practice and the defense of lawyers and physicians throughout the state.



Samuel Hernandez

Barran Liebman

Samuel Hernandez, an associate at the firm, is one of four Portland-area young lawyers to receive a 2014 OSB Litigation Section Rising Litigator Award. He advises and represents business owners and management in a range of employment law matters.

Hernandez is a member of the Oregon Army National Guard, where he serves as a Light Infantry Company Commander Captain. He also sits on the boards of the Oregon Hispanic Bar Association, the Hispanic Metropolitan Chamber of Commerce, and the Beaverton Education Foundation.



Jamison McCune

Bodyfelt Mount

Jamison McCune recently became an associate with the firm. His practice will focus on construction defect, product liability, and general casualty defense.

Cosgrave Vergeer Kester

Managing Partner **Jill D. Laney** has been chosen as one of the *Portland Business Journal's* 2014 Orchid Award winners. The



Jill D. Laney



Michael Van Dyke

award honors women business leaders from across the state.

Laney is the first woman to serve as managing partner in Cosgrave's 80-year-history, and serves as a leader and mentor for the firm's young attorneys. Her legal practice emphasizes a wide variety of corporate and real estate matters, including financing, acquisition, commercial leasing, commercial landlord-tenant disputes and corporate governance matters.

Michael Van Dyke has joined the firm as an associate attorney in the business practice group. His practice includes assisting businesses in corporate formation, business transactions and planning, ownership agreements, shareholder disputes, real estate matters, and financing and regulatory compliance.



Kevin Clonts

Rizzo Mattingly Bosworth

Kevin Clonts has become a shareholder in the firm. His practice focuses on complex litigation matters, including construction defect and insurance coverage disputes. He also represents business entities in

litigation involving business dissolutions, contract disputes, intellectual property disputes, and target defendants (including business and government entities) in complex products liability and construction defect matters.



Kate von Ter Stegge

Kate von Ter Stegge

Senior Assistant Multnomah County Attorney **Kate von Ter Stegge** has been elected as a representative to the OSB House of Delegates for the 2014-17 term. She has also been appointed to serve as a citizen member of the City of Portland Independent Police Review Board, where she reviews complaints regarding police officer conduct and makes discipline recommendations to the police chief. Her litigation practice for Multnomah County focuses on employment and civil rights matters.



Jennifer F. Gould

Garvey Schubert Barer

Jennifer F. Gould has joined the firm as a litigation and estate planning associate.

The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. The submission deadline is the 10th of the month preceding publication or the prior Friday if that date falls on a weekend. All submissions 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 Hawkins, carol@mbabar.org.

webcheck

Visit www.mbabar.org and log in as a member to update your profile information, sign up for events and seminars at the member rate and to access other MBA member benefits. Members may include biographical information, update their photos, add links to social networking sites and update their practice area information online.

Sara Staggs Recipient of Haglund VLP Award

by Sarah Radcliffe
Legal Aid Services of Oregon

Sara Staggs is the 2014 recipient of the Michael Haglund Volunteer Lawyers Project (VLP) Award. This award goes to a young lawyer who, in the tradition of Mike Haglund, founder of the VLP, has displayed a special commitment to pro bono services via a VLP or MBA YLS project in the previous year.

Sara graduated with her J.D. from UO in 2006, and she runs her own solo practice focusing on civil rights and Section 1983 claims. She represents individuals whose constitutional rights have been violated by state actors, including women - sometimes prisoners - who have been sexually assaulted or harassed by police and correction officers. As an experienced litigator and a lawyer with a background in working with victims of sexual assault and harassment, Sara brings a wealth of experience to the Domestic Violence Project (DVP) at Legal Aid Services of Oregon.

The DVP matches pro bono attorneys with victims of domestic violence for representation in contested Family Abuse Prevention

Act restraining order hearings, Elderly Persons and Persons with Disabilities Abuse Prevention Act hearings, stalking order hearings, and Sexual Abuse Protective Order hearings. In 2013, the DVP served 344 clients. Eleven of these clients were represented by Sara.

All of Sara's DVP clients have been women. In addition to the power disparity that is symptomatic of domestic violence, Sara often notices a stark financial imbalance between her clients and the husbands or boyfriends who have abused them. She was surprised by how frequently respondents in protective order hearings have the resources to hire private attorneys. In contrast, her clients have extremely limited financial means. Sometimes her clients and their children are living in shelters, and they are almost always dealing with the financial as well as emotional impact of leaving an abusive relationship, finding housing, dealing with the costs of moving or leaving a job, and finding affordable childcare.



Sara Staggs

As a parent, Sara is particularly sensitive to the impact of domestic violence on the children. She reports that most of her DVP clients have children under age four, and she feels that witnessing violence is traumatic for children of any age, even babies. Sara's clients especially appreciate her help in obtaining appropriate parenting plans and protections during visitation, such as supervised parenting time.

Through the DVP, Sara has gained exposure to the network of services available to domestic violence survivors. She appreciates the domestic violence advocates who attend hearings with her clients and provide emotional support and access to resources - critical services that may be beyond the scope of what an attorney can offer.

Sara is extremely well-prepared for her clients' protective order hearings. Because these cases usually involve a "he said/she said" credibility determination, she almost always introduces photographs and text messages, often calls witnesses, and is prepared for any evidentiary issues. Sara has also aggressively litigated

discovery and attorney fees issues that have arisen in her DVP cases. Sara recognizes the profound impact that a restraining order can have for her clients. "When the hearing is over and the order has been upheld," Sara says, "the relief that they feel - knowing that they and their children will be able to stay safe - is tremendous."

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Left to right: Michael Arnold, Rogelio Cassol, Adam Shelton, Lissa Landau, Jacy Arnold, Janet Holcomb and Emilia Gardner

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Tips From the Bench

Why Some Cases Just Won't Settle

by Judge Jerome LaBarre
Multnomah County Circuit Court

We know that almost everything settles. In Multnomah County Circuit Court in recent years, we have averaged about 100 civil jury trials and under 80 bench trials per year. This is out of over 23,000 cases filed each year. In 2013 we only had 65 civil jury trials.

Please do not misunderstand me, I believe trials to be a good thing and I am not trying to suggest otherwise. However, one needs to accept the reality of a settlement-oriented legal culture. We all know that some cases do not settle even with the help of the finest mediators or settlement judges. Why is this so? What are some of the reasons?

To help me come up with answers, I sent my colleagues on our bench a query asking for their answers to this question. I was happy to get many helpful responses which are all incorporated into the following very unscientific opinion.

The reasons that civil cases do not settle in my view can be boiled down to either problems that are case-specific or difficulties relating to the people involved. Usually it is not just one thing, but a combination of things that create an impossible roadblock to achieving settlement success.

Settlement Roadblocks From the Case Itself

Settlements can happen when both sides see the case the same way. When the opposite occurs, settlement attempts fail. We know that the first step in solving a problem is to identify the problem. After that, one can start working on solutions. I have seen many hundreds of cases as a circuit court judge. What almost always stands out in the cases that go to trial are the differing perceptions the parties bring to the case. And then sometimes there are the settlement challenges which are tantamount to a "Rubik's Cube." Even the most talented mediators or settlement judges can find such cases impossible to settle. Below is a listing of case specific roadblocks:

1. Case evaluations by the parties and their attorneys which are just too radically different.
2. The money or the issues involved are just too big to settle.
3. Points of principle are too strongly held to be compromised or there are reputations to be protected.
4. There is just an honest disagreement about the facts or the law.
5. Fee-shifting – attorney fee claims exist and large hours and fees incurred by the lawyers equal or exceed the amount in controversy.



by Judge Jerome LaBarre

6. There is a need for a jury trial result to test a community viewpoint: "a jury verdict will set a new standard" reasoning.
7. Newly emerging legal claims with little or no track record to use for evaluation.

Settlement Roadblocks From the People Involved

Bad chemistry between people can poison a relationship. For cases to settle, there must be effective communication. Professionalism, civility and a nice human touch are frequent hallmarks of successful settlement negotiations. If the participants are unable or unwilling to even talk to one another, then settlement cannot happen. As a settlement judge, I try to develop trust between the parties. This frequently occurs in the early stages of a mediation. Once trust and good communication are in place, I have seen the logjams quickly start to loosen up and a good settlement can come into view. People-related roadblocks to settlement include:

1. Personality conflicts - the parties or lawyers substitute their own emotional issues and inability to admit mistakes into business decisions.
2. A party has a need "just to be heard" in a public forum.
3. A breakdown in communication rendering the parties unable or unwilling to engage in serious settlement issues.
4. Lawyers who are too inexperienced or unprepared to have prepped the case to adequately counsel the client on a risk/benefit analysis.

For settlement to occur there needs to be incentive for both sides. In my experience, the best way to move parties toward settlement is to effectively communicate the strengths of your case and be realistic about your weaknesses.

Almost everything settles. But when a case is filed we can never be sure if *this is the case* that will actually go to trial. The foregoing examples represent my thoughts and those of some of my colleagues concerning why cases do not settle. There will always be cases that just will not settle. And we need them. Where would we all be as trial lawyers and trial judges without them?



News from the Courthouse

by Ryan Bounds
Court Liaison Committee

Oregon eCourt Implementation Judge Training

Judge Waller delivered the report for the court. She explained that the staff and judges are all occupied with getting ready for the transition from OJIN to the Oregon eCourt system on May 12. The judges of the court began their classroom training exercises in the new system. The judges will be trained on presiding over proceedings with an electronic copy of the case file and, in some courtroom situations, the orders and judgments will be signed electronically and filed online.

Access to Case Data Restricted Initially

Judge Waller reminded that there will be a period of time, from the evening of May 5 to as late as the morning of May 27, approximately three weeks, when "online" information will not be available to the external users of the court system, including access to information from the public terminals in court facilities. OJIN will no longer be updated with new case data starting on the evening of May 5, and the Multnomah County data and documents in the Oregon eCourt Case Information (OECI) system will not be available until approximately May 27; however, scheduled events will be available on the public calendar located on the OJD and MBA's websites during this time.

Mothers' Day Weekend Activity in Court Facilities

On the weekend of May 10-11, Mothers' Day Weekend, Judge Waller pointed out, all of the judges and staff of the court will be working in every court facility to prepare for the first day of operations in the Oregon eCourt system. Back filings from May 6-10 will be entered in the register, documents and entire case files will be scanned, and hearings and trials will be set,

and notices will be sent by the attorneys of record by email at their OSB registered email address. On May 12, the circuit court will open for normal business hours and will serve the public and the bar using the new system.

Fee Structure for Oregon eCourt Case Information

On April 1, Chief Justice Thomas Balmer signed two significant orders which pave the way for bar members to have access to documents over the Oregon eCourt system. Judge Waller said the orders establish the Oregon Judicial Case Information Network (OJCIN), set temporary fees for use, and opened a comment period for the proposed permanent fee structure for OJCIN access. She added that the proposed fee structure is very affordable and designed to encourage all practicing attorneys and their staff to use the system. The fee structure is also a condition precedent for the bar to have access to case documents online. With these two chief justice orders, access to circuit court documents for bar members using the OJCIN system is very close, Judge Waller concluded. OJCIN includes access to both OJIN and OECI for the circuit courts, and also includes the Appellate Case Management System (ACMS). All subscribers to OJIN OnLine became immediate subscribers to OJCIN, and don't need to take any further action to continue service.

Changes to Supplemental Local Rules with Oregon eCourt Implementation

There are some additional Supplemental Local Rules approved to be effective with the implementation of Oregon eCourt for Multnomah County. These approvals are by chief justice order; the orders implement SLR Chapter 24 and make other necessary changes for Oregon eCourt implementation. The new rules are posted on the court's website.

New Multnomah County Courthouse

The new courthouse work is moving forward. Judge Waller said that the existence of the courthouse project owes a great deal to key players in the legislative arena. On the House side, Speaker of the House Representative Tina Kotek, Ways and Means Public Safety Subcommittee Co-Chair Representative Jennifer Williamson, and former Representative/now-Judge Chris Garrett gave strong support for the legislation. Key support on the Senate side came from President of the Senate Senator Peter Courtney and his Chief of Staff Philip Bentley, and Ways and Means Co-Chair Senator Richard Devlin. This state-level support was coupled with strong personal advocacy by then-Commissioner Debra Kafoury, Commissioner Judy Shiprack, and Multnomah County Legislative Liaison Nancy Bennett to make a new courthouse a possibility. The challenge now is to move quickly enough to capitalize on this opportunity. The Multnomah County project plan is moving forward with the due diligence required for such a large undertaking, the creation of a 500,000 square foot courthouse. Other Oregon counties are also advancing their own budget plans for legislative approval.

The National Center for State Court's (NCSC) Program Plan for the proposed courthouse is in final draft stages. The plan will be distributed to the MBA Court Liaison Committee. The Courthouse Users Group (CHUG), one of the advisory groups on the project, is currently reviewing the draft plan for comments. In addition to Multnomah County agencies, the CHUG has representation from the MBA Courthouse Committee, the office of Public Defense Services, and the office of the state court administrator, as well as the presiding judge and the trial court administrator. The NCSC's plan will be final in April and will form the basis for the next major step, the selection of the site for the new courthouse.

Continued on page 11

Judge Douglas Tookey Oregon Court of Appeals

by John Rake
Harrang Long et al

Judge Tookey is the first Salem/Keizer native to join the Oregon Court of Appeals; he also may be the judge with the most passport stamps. With diverse experiences, as an environmental lawyer in private practice in Washington D.C., an attorney working overseas on rule of law initiatives and, most recently, as counsel to the Oregon Legislative Assembly, Judge Tookey brings a unique geographic and legal perspective to the court.

Judge Tookey developed an interest in other countries and cultures from books and history classes while growing up in the Salem/Keizer school district. His first international experience occurred in his junior year of high school, when he studied in Bolivia through a Rotary exchange program. He did not depart Bolivia as a fluent speaker of Quechua or Aymara, but he brought back valuable life skills, such as the ability to navigate unfamiliar environments with sensitivity and self-confidence.

Judge Tookey's experiences in Bolivia motivated him to pursue international education and work opportunities later in life. After graduating from the University of Chicago with an English degree, and before matriculating to Cornell Law School, he traveled

to Spain for a Rotary scholarship to study history and law. After clerking for two federal judges and practicing environmental law with a private firm in Washington D.C. for 10 years, Judge Tookey applied for and received a Fulbright Scholarship to study at the National University of Singapore's Faculty of Law, where he earned an L.L.M. and also participated in the activities of the newly formed Asia-Pacific Centre for Environmental Law. This experience kicked off his time overseas in which he worked in different capacities and countries, but with a common purpose: improving access to justice and respect for rule of law.

Reflecting on his international work, Judge Tookey humbly described his role as being a "resource" to overseas colleagues. During that time period, he served as a United States Department of State Office of Citizen Exchanges and Dickinson College Fellow on managing environmental resources in the Middle East, taught as a Fulbright Scholar in Kazakhstan, and worked as an elections observer in Kyrgyzstan, Tajikistan, and Ukraine. Judge Tookey's work in Uzbekistan with the Organization for Security and Co-operation in Europe explored issues ranging

from environmental security in Central Asia to employment-related training and development of Uzbekistan's younger generation.

Judge Tookey's experiences abroad have created remarkable points of reference to recent global events. He worked in Ukraine for the ABA's Central and East European Law Initiative from 1998 to 2000. He worked with government officials, public interest lawyers, and members of Ukraine's parliament. Judge Tookey lived near Independence Square in Kyiv, the site of dramatic confrontations in February between anti-government protesters and police forces, which culminated in the ouster of then-President of Ukraine, Viktor Yanukovich. Ukraine is facing a challenging socio-political transition and Judge Tookey is hopeful that democracy and rule of law prevail.

After his time overseas, Judge Tookey returned home to Keizer, where he has worked in the Office of Legislative Counsel for the Oregon Legislative Assembly. He provided legal opinions, wrote and compiled laws, and reviewed agency rules while serving as senior deputy and deputy legislative counsel. In addition to working at the Office of Legislative Counsel, he taught an international environmental law course as an adjunct professor at Willamette University College of Law.

In taking the bench at the Court of Appeals, Tookey can

draw on some of his earliest legal work as a judicial clerk. After graduating from Cornell Law School, he clerked for Judge Edward Nottingham (U.S. District Court for the District of Colorado) and Judge Emilio Garza (U.S. Court of Appeals for the Fifth Circuit). As a clerk, Judge Tookey was impressed with the respectful demeanor employed by judges with parties, advocates, and staff, as well as the judicial focus brought to bear in each case. Tookey remembers that while Judge Nottingham and Judge Garza had different mannerisms and styles, they both "gave each case the attention it deserved." He found both judges to be talented listeners who created collegial work environments, and credits Judge Garza with sparking an interest in working as an appellate judge.

Like the judges for whom he clerked, Judge Tookey aspires to actively listen to advocates and parties before the court. "Listening is about showing respect," he says. Respect leads people to engage in the legal process, and also can lead to more optimal resolutions. Judge Tookey appreciates the collegial relationships at the Court of Appeals and values the pre-argument meetings with the other judges on his panel. Given the breadth of his experiences, he is excited by the variety of civil and criminal matters that will come before him.

Justice De Muniz remarked at his investiture that Judge Tookey



Judge Douglas Tookey

has a profound appreciation for the "highest ideals of our justice system." His appreciation extends to other branches of government as well as the level of access provided to citizens. Judge Tookey notes, "When I returned home from overseas, I appreciated the fact that any citizen can walk into the Capitol or Oregon courts, observe the government in action, and most importantly, participate in a transparent manner in our system of government."

While Judge Tookey remains a citizen of the world, by keeping abreast of developments in many of the countries where he studied, worked, and traveled, he is widely respected for his tireless devotion to his community through his civic and bar voluntarism. Among other activities, Judge Tookey coaches the Salem/Keizer Coalition for Equality's mock trial team, serves as a board member to the Keizer Heritage Foundation, and has served as chairperson of the OSB's Public Service Advisory Committee.

News From the Courthouse

Continued from page 10

This site selection process will run up to the end of 2014, Judge Waller said.

Judge Waller expressed her deep appreciation for the constant support for a new courthouse provided by the MBA. The MBA has been instrumental in building and maintaining community awareness of the need for a new courthouse and persistent in its political presence on this subject at the county level, and, along with the OSB, at the state level.

East County Courthouse

The family court judges will begin regular rotations to the East County Courthouse for parts of each week starting in July. The court will hear Family Abuse Prevention Act restraining order applications on Monday afternoon, and will conduct a full day of hearings in domestic relations cases on each Wednesday, including a time for ex parte matters.

Judge Waller added that Judge Stephen Bushong, with a committee of judges, has put together a plan to begin conducting regular civil proceeding in the East County

Courthouse, including jury trials. There will be more information on this plan in the near future.

Guy Walden, MBA Executive Director, announced that the MBA is moving forward with plans to open the CourtCare facility in the East County Courthouse. This aligns well with the move by the family court to hold regular court proceedings in East County.

Civil Case Management

Judge Waller told the committee that the current civil case management processes are working very well. The civil cases are managed with just two judges doing the trial readiness conferences and this streamlined process is very popular with the civil trial bar. She said that during the weeks of judicial training and implementation of Oregon eCourt, she may not be able to maintain the court's record of sending out every civil case that reports ready for trial, but any interruption in this will be very temporary.

Judge Waller requested once more that parties report promptly to presiding court when a civil case settles and the case has a date pending on the civil call docket.

Oregon eCourt Update

What to do until Multnomah County's OECI cases are available through OJCIN:

1. **OECI public calendars** are available for non-confidential cases for all OECI courts at: <http://courts.oregon.gov/OJD/OnlineServices/calendars/Pages/index.aspx>. From this page you can search OECI for Multnomah County scheduled cases by date range, case, attorney or judge, and other filters.
2. Watch for **email notices of hearing and trial settings** and notices of entry of judgment. **If you have not configured your email system to distribute these notices to appropriate others, you should work with your system administrator to get that accomplished.**
3. **Sign up for OJCIN if you are not a subscriber.** For new accounts, there is only a \$100 fee to create an account for your firm, and then \$35 per month for each user profile established under an account. In some cases, a user profile may be shared with simultaneous users logged in on the same account. It is an investment that will make virtually all circuit court cases (other than confidential cases and documents) in OECI available in your
4. **Test your OJCIN login** to be sure it is active for OECI, if you are a current subscriber. If it is not active in OECI, then contact the OJD Help Desk at 877.826.5010, and ask to have an active OECI password assigned to your profile.
5. **Review the changes in the circuit court's Supplementary Local Rules**, which have been approved out of cycle by the chief justice. These rule changes conform current processes to the Oregon eCourt environment for case management and document management in the new system. The rules are located at the following link: http://courts.oregon.gov/Multnomah/Rules_and_Fees/Court_Rules/Pages/Court_Rules.aspx
6. **Review the Frequently Asked Questions** regarding OECI document access. Document access will be a reality by the time you have

access to Multnomah County cases in OECI. The FAQs are at: <http://courts.oregon.gov/Multnomah/docs/eCourtDocumentAccessFAQs.pdf>

7. **Begin to prepare for the implementation of eFiling in July.** Go to the Tyler Technologies File and Serve website and begin the process of registering your firm and your users in the system. The Multnomah County's implementation of File and Serve is just around the corner, sometime in July. There is a wealth of material on this website devoted to using File and Serve. Start by taking advantage of the online web training. The training is offered both as live participative webinars and as self-guided training. Go to: <https://oregon.tylerhost.net/>
8. **Expect mandatory eFiling for OSB members sooner rather than later.** Presiding Judge Nan Waller is in favor of a "six months after implementation" standard for mandatory eFiling for all OSB members. The four Oregon eCourt sponsors will decide this question. Judge Waller is a sponsor and is working on the issue. **It is recommended that you don't put off getting your staff and yourself up to speed on the File and Serve system.**



Young Lawyers Section

O-M-L-A Spells Opportunity for Young Lawyers

by Micah Steinhilb
YLS Board

Founded in 1991, Oregon Minority Lawyers Association (OMLA) is one of the oldest specialty bar associations in Oregon. OMLA is committed to making the legal community of Oregon a welcoming environment where people of all colors, races, and ethnic backgrounds can excel academically, professionally, and personally.

As part of its mission, OMLA organizes bar grants and scholarships for law students from racial, cultural, and ethnic minorities to help pay the costs of taking the OSB examination and PMBR bar study courses. It aims to encourage more people of color to take the Oregon bar exam and to stay in Oregon and practice law.

OMLA also organizes a series of luncheons, socials, and networking events in the Portland metro area and throughout the state. OMLA participates in statewide committees and task forces such as the Oregon Supreme Court Task force on Racial and Ethnic issues in the Judicial System and the Diversity and Inclusion Department of the OSB. OMLA has also filed amicus curiae briefs on issues such as interpreters in the courtroom and same-sex marriages.

OMLA offers tremendous opportunities for mentoring and networking for young lawyers in Oregon. Through OMLA, lawyers learn how to work with

underserved communities in Oregon, connect with other OMLA members, and grow their practice the right way. Many diverse communities in Oregon come from different cultures with distinct legal cultures and expectations; through CLEs and other programs, OMLA helps train lawyers to work with and serve those communities with sensitivity and respect. Young lawyers have significant opportunities through OMLA to get involved and contribute to making the legal community in Oregon a welcoming community for lawyers of all backgrounds. Young lawyers can also participate in the Inspiring Minority Attorneys Toward Growth and Excellence (IMAGE) Program, which focuses on helping to prepare and retain racial and ethnic minority attorneys in their first three years of practice through skill-building, networking, and leadership development.

One of OMLA's flagship events is the OMLA Summer Auction. Last year's auction raised more than \$23,000 for Opportunities in Law in Oregon (OLIO) and for scholarships and bar grants. Look for details to be announced soon about this year's auction, which will be held on July 31 in Portland. The auction is a great opportunity to connect with OMLA members, learn more about OMLA's programs, and contribute to a worthy and important cause.

2014 YLS Awards Kudos to Our Merit Recipients & Rookie of the Year

by Traci Ray
YLS President

The MBA YLS Board is pleased to announce the recipients of the 2014 YLS Award of Merit and Rookie of the Year Award. The recipients will be formally recognized at the MBA Annual Meeting & Awards Dinner on May 30. Throughout the year, the YLS is busy with many different initiatives to enhance the benefits to our membership and support our local community. From timely and practical CLEs on both substantive law and professional development, to hosting networking and social activities, to facilitating and volunteering for pro bono opportunities, there is something for every YLS member to engage with and participate in. Our activities and programming are ambitious, but we set the bar high to reach our maximum potential, and our success would not be possible without the many YLS volunteers who devote time and energy to reach all of our goals. Additionally, the dedicated MBA staff is without a doubt the most amazing source of support and expertise, and if there was an award for pure awesomeness, they'd win it every year, back-to-back championship style.

This year, we are proud to honor our Merit and Rookie award recipients, who exemplify the leadership, professionalism and energy that make the YLS such a strong organization. They each have enhanced our section, making an impact on our profession and in our community, and we are happy to have them on Team YLS. Although only three YLS members are being formally recognized, I would like to thank everyone who has served on a committee, attended an event, or otherwise participated in the YLS since our inception – we are truly grateful for your support.

Award of Merit Recipients



Shayda Zaerpoor Le

Shayda Zaerpoor Le, Routh Crabtree Olsen

Shayda is a member of our Membership Committee. In addition to her committee work, she also helped organize, oversee, and manage the second MBA YLS "Wills for Heroes" clinic that took place at the Beaverton Police Department in January. The event was a huge success, with over 50 wills being prepared and more than 20 volunteers working to ensure that those who risk their lives for ours have proper, executed estate planning documents. A thoughtful leader and a poised professional, Shayda excelled at running the clinic and, as noted by a police officer and his wife, Shayda "Really cares about people, and about how her profession can impact our lives and our children's futures."

Kelvin D. Adkins-Heljeson, Thomson Reuters

Kelvin serves on our Service to the Public (STP) Committee, and has been giving of both his time and talents for the committee's annual civics education project, YOUTHFILM. He got creative and raised money for YOUTHFILM by organizing a "souperbowl" contest at his office in conjunction with the Super Bowl. This imaginative idea is typical of Kelvin's contributions



Kelvin D. Adkins-Heljeson

on the STP Committee. Always willing to explore new ways to achieve the committee's goals, he even fostered a relationship with Central City Concern and taught a class there, as a result. He also coordinated a monthly service day for attorneys at the Children's Healing Art Project, an organization which did not have the benefit of our committee's attention in the previous three years.

Rookie of the Year



Jacqueline L. Alarcon

Jacqueline L. Alarcon, Yates, Matthews & Eaton, P.C.

Jacqueline is on our Professional Development & Education Committee (PDEC) and was instrumental in organizing the PDEC's Spring 2014 Family Law Series. Jacqueline went above and beyond, restructuring and streamlining the entire series' topics, as well as contacting numerous potential CLE presenters (and booking some) for each and every presentation throughout the series. Her mere insight into the world of family law would have been invaluable to the PDEC in organizing this series; her dedication and eagerness to go the extra mile, however, was truly remarkable.

Laura Rackner Pro Bono Spotlight Children's Representation Project

by Stacey Sedgwick
YLS Pro Bono Committee

Laura Rackner has been serving the Children's Representation Project before it had a name. At that time, it was initiated through lawyer referrals, but now the project is run through Judge Svetkey's office. "There's really been an interest from the court to have attorneys come into a case impartially, rather than allowing the parent with means to have influence."

The program assists children, parents, and judges via a list of experienced attorneys who are willing to take pro bono cases on modifications, dissolutions, restraining orders, and other family law issues. Children can request representation and it is mandatory for the court to provide counsel. Either parent can also request representation for a child or children, a request which is granted at the court's discretion.



Laura Rackner

A judge can also elect to appoint an attorney, which is frequent in cases where both parents are appearing pro se.

For anyone interested in this type of pro bono opportunity, Laura recommends capitalizing on the experience of other

lawyers in this field. "The cases can be sophisticated and complex, so don't be afraid to reach out." But it's not all about the law; it also requires deeper knowledge of your client. "It takes an understanding of the law and a developmental understanding of children at the same time to really do this work well."

Laura sees the project as one of the most rewarding experiences she's had as a lawyer. "In family law cases, you really like to think and hope what you do is best for the kids, but representing a child gives you a little different freedom than when you represent the parent." She noted that some cases of child representation can be very complex, and very stressful, especially when parents

have limited resources, but still fulfilling. "It keeps you up at night when you represent young children, but that's what makes it compelling. What you're doing really matters."

For those interested in doing pro bono work with the Children's Representation Project, there is an upcoming training session scheduled for June 5. It will be sponsored and run by Child Centered Solutions, Judge Svetkey, Lissa Kaufman, and Laura Rackner. Please contact Judge Svetkey's office for more information.

Ask the Associate

Dear Awesome Associate,

I keep hearing about the importance of client development and networking. Someone just told me that I should be digging my well or I'll be thirsty. Someone else told me to never eat alone. I'm confused. Can you please explain what I should be doing in plain English?

Yours truly,
Aspiring Awesome Associate

Dear Aspiring,

There are many books written about this subject, including, yes, one about digging wells and another about not eating alone ("Dig Your Well Before You're Thirsty" and "Never Eat Alone."). Go to Amazon and you'll be amazed at how many different ways this subject matter can be sliced and diced. Here's my take on the subject in plain English.

- 1. Start Now.** If the only thing that you take away from reading this article is "start now," that's a success to me. I know that you are really busy right now and that you feel like you have no time. I get it. The hard truth is that you are only going to get busier and have even less time down the road. I've never heard an attorney say that she wished that she had waited until later in her career to start developing clients. And I don't think that I ever will....
- 2. Start Simple.** Client development comes from two primary areas: referrals and direct client contact. Early in your career, you may still be trying to figure out where your practice is going and what your niche will be. Don't let this hold you back. You can start by building connections with other attorneys. For example, stay in touch with your law school classmates, or get back in touch. Get involved with the local bar association, specialty bar, "Inns of Court," etc. In this way, you'll have a rich base for referrals from other attorneys after you develop your practice.
- 3. Develop a Plan.** This is incredibly important, but often overlooked (or, more accurately, ignored). Don't overthink this. Go to your computer, open a document, and save it as "Career Development Plan (April 2014)." Write down your short, medium and long term goals, ideally in

a way that is measurable, i.e. join a bar committee, develop knowledge about "X" by going to a CLE, write an article on "Y," etc. Review and revise the plan on a regular basis. You will be amazed by the results if you stick with it. If you really need to (you know who you are), search the web and become the master of best practices in writing a career development plan. But if you just start writing, revising, and regularly reviewing it, you'll figure out something that works for you. The key point is to start setting goals, tracking your progress, and making course adjustments as necessary.

- 4. Get Help.** You don't have to do this alone. Find a mentor or, even better, find mentors. Don't get hung up on the word "mentor." The relationship doesn't have to be formal, through a program, or even use the word "mentor." It's just finding a more experienced attorney who you are comfortable talking to. They can help you refine your goals, suggest ways of achieving them, and help you in many other ways. You can also find a partner-in-crime - figuratively, not literally. This is someone that you can bounce ideas off of, go to events with, etc.
- 5. Be Patient.** So much of life is about expectations. Expect a lot from yourself in terms of things that you can control, but don't get discouraged if you are not a rainmaker overnight. Behind every rainmaker are years of consistent, diligent, and thoughtful time and energy. You may not see results right away, but you will if you keep working at it.
- 6. You Can Do It.** Client development is a skill and skills can be learned. Rainmakers aren't born; they are made through hard work over time. If you start today, have a plan, and keep at it, you'll be successful at developing clients over time. What that success looks like will depend on the goals that you set and the work you put into it. You can do it!

Good luck!
The Awesome Associate

Send your questions to Awesome Associate at mbabar.org

Marketing @ SWW Schwabe's Shareholders Share Their Secrets

by Brie Bridegum
YLS Futures Committee member

"Now, here, you see, it takes all the running you can do, to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that!" Lewis Carroll's Red Queen was referring to Looking-Glass Land, but she could just as easily have been describing the post-Great Recession legal landscape. By now, most of us young lawyers have figured out that we need to run faster than any generation before us if we are going to get somewhere else.

The good news is that several of Schwabe, Williamson & Wyatt's shareholders have offered the Young Lawyers Section their advice on marketing, and they believe that time is on our side.

"It takes four to six years for your marketing efforts to yield a referral network," according to Brenna Legaard, a shareholder in Schwabe's Intellectual Property Group. "My advice for young lawyers is to start getting out there now."

Young lawyers can get "out there" in a variety of ways.

First and foremost, everyone in your network should know where you work and what you do, according to Jim Dulcich, a Schwabe shareholder who focuses on real estate transactions.

Mark Long, Schwabe's managing partner and a practicing business attorney, recommends that young lawyers get out there by serving on associates' councils of nonprofits. Long says such service is a "good way to develop relationships with future leaders of the community."

Legaard echoed that sentiment. She credits the work she has done advocating for access to mental health care with expanding her network in unexpected and exciting ways. She also believes that volunteering will make you a better lawyer.

"Being passionate about something will help you understand the interconnectedness of your actions, how communities

work, and how things are done in different contexts." Legaard especially urges struggling young lawyers to volunteer because volunteering "helps you feel productive and focused."

A different way to feel productive and focused is to devise a marketing plan and hold yourself to it. Long recounts that, in his early years, he made a list of 10 contacts that he wanted to build relationships with. He made a rule that he was not allowed to eat lunch on Monday until he had set up five social appointments with people from that list.

"Some Mondays I didn't eat until 4 pm," he recalls.

Long's late lunches highlight another difficulty facing young lawyers: building your network while balancing all of the other personal and professional demands on your time.

Several Schwabe shareholders noted that difficulty. They recommend that a young lawyer make the most of his or her time by turning regularly scheduled activities into marketing opportunities.

Elizabeth Schleuning, Chair of Schwabe's Labor and Employment Law Group, developed several strategies early in her career to maximize her marketing efforts. She suggests that young lawyers build off their existing skill sets and interests. For example, Schleuning enjoys crabbing and clamming. As a young lawyer, she would frequently meet interested friends and potential clients at the coast and teach them about her hobby.

Schleuning's other successful, low-cost activities with clients have ranged from monthly lunch excursions to the food carts to getting side-by-side pedicures.

"Having your toes done together is kind of a bonding experience," Schleuning says with a laugh.

Dan Eller, a Schwabe shareholder focusing on tax and business law, also recommends that young lawyers build some

of their marketing efforts around their existing interests.

"I like to cycle, so I've done meet ups with clients and referral sources to go on bike rides. We've done lunch and happy hour rides to Cartlandia," Eller explains. He believes young lawyers will have the most success if they are genuinely interested in whatever they do.

Some marketing efforts, however, do demand a lot of time.

Pete Heuser, a shareholder in Schwabe's Intellectual Property Group, described how his marketing efforts have evolved with his career. Heuser spent many years working for a boutique patent law firm. There, he received referrals from numerous other lawyers, and the referrals were freely given because outside lawyers did not view his niche practice as a threat. Since moving to Schwabe, a large firm that offers a broad range of business litigation and transaction services, Heuser has discovered that outside lawyers are more reticent to refer clients to him because they fear the clients may redirect their non-patent work to Schwabe, as well.

Heuser instead has shifted his marketing efforts to focus on demonstrating and sharing his expertise. After noticing that there really wasn't a good resource on patent case law updates, he decided to write a weekly summary of the most important cases issued by the Federal Circuit. The summary is distributed to a large mailing list of patent practitioners and is also published on Schwabe's website.

"It gets the firm's name out to potential clients and referral sources and serves as a good teaching tool for associates who fill in when I am too busy," Heuser says.

In the end, marketing is "not rocket science," according to Mark Long. "In a town the size of Portland, even when you don't know it, you are marketing to a certain extent," Long says. "Always be aware of that so you can be on your game."

Let's run this game well, young lawyers, so we can all get to the Red Queen's somewhere else.

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William Kwitman Senior Law Project Volunteer of the Year

by Maya Crawford
Legal Aid Services of Oregon

Legal Aid Services of Oregon is proud to announce that William Kwitman is the recipient of this year's Senior Law Project (SLP) Volunteer of the Year Award. Bill spent most of his legal career (28 years) working with Oregon's Professional Liability Fund. When he retired, he began volunteering with the SLP. He

has served more than 122 clients. Bill dedicates his time to multiple senior centers and is extremely flexible - willing to go where he is needed and fill in at short notice in the event of a volunteer cancellation. Bill volunteers for two or three clinics each month. At each clinic Bill meets with 4-6 seniors seeking help



William Kwitman

with a variety of legal problems, including debtor/creditor problems, wills and estate planning, and housing issues. Bill has handled a variety of

case types, and does so with a calm professionalism that puts clients at ease. Even if they have very limited financial resources, elderly clients may feel a great sense of relief when they know that their affairs are in order. One SLP client said of Bill, "I was treated as a person, not a poor person seeking free help. Thank you for giving me a chance to

get answers to questions without expenditure of limited funds, and for treating me like a person, not a problem."

LASO is fortunate to have volunteers like Bill, attorneys with knowledge, experience and generosity of heart. We agree with another of his clients, who told us that, "Mr. Kwitman is the best!"

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Attorney office building for over 35 years on 2nd and Tucker has six to eight offices with reception area, library/conference room, amenities and parking. Flexible to rent/lease entire space or individual office to sole practitioners. Space available now. Currently three sole practitioners in building with some overflow/referral. From \$350 for small office to \$500 for full-size office. Work assistant spaces available. Call Sheila or Bob at 503.641.7888.

Downtown Portland Historic Office

Beautiful large office for lease in historic Holman house, 15th and SW Taylor. Includes receptionist, parking for tenant and visitors, phone, internet, conference rooms, kitchen, gourmet coffee and tea service. Easy walk to downtown core, Jeld-Wen, and MAC. MUST SEE! Call 503.220.0717.

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\$1,200/Monthly: Class A office space, 18th floor of Umpqua Bank Building, at One SW Columbia. One exterior office with panoramic view of mountains, riverfront and downtown. AV family law practice will share two conference rooms, receptionist services, and kitchen. Copier, fax, telephones and email provided at cost. Building amenities include conference rooms, private gym and bank in building. Approximate room size 10 x 15. Call Cecelia Connolly 503.224.7077.

Oregon City Office

John Henry Hingson III has an 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. 503.656.0355.

Law Office Space Available Downtown

Honeyman House, 1318 SW 12th, Portland. Professionally remodeled Victorian House. Window view offices, secretarial space, easy street parking for clients, 10 minute walk to courthouse, and easy freeway access. Amenities include law library, large conference room, copier, fax, parking and more. \$600 a month and lease available. Contact Eric at 503.224.1212.

Positions

Discipline Legal Secretary

The Oregon State Bar is looking for someone to provide admin and legal secretary support for the discipline department and related programs.

The Bar invites all interested applicants to submit a cover letter and resume. Please visit www.osbar.org/osbcenter/openings.html for job details and information about how to apply.

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Tomasi Salyer Baroway is a six-lawyer, dynamic law firm in downtown Portland, with a strong commitment to providing excellent services to our financial institution and business clients and to creating a supportive, caring work environment for all employees, while enjoying a balanced life in the Pacific Northwest. We seek two experienced attorneys: (1) a litigation attorney with at least three (3) years' experience (mortgage litigation experience a plus); and (2) a transactional attorney with at least five (5) years of experience drafting loan documentation for lenders (construction loan, tax credit, and bond financing experience a plus). We seek someone who is accomplished, ethical, friendly, is a self-starter, and has a desire to work with a collaborative group of successful professionals. We have a harmonious firm, and our greatest assets include teamwork and mutual trust. We are also open to flexible hour arrangements. Interested applicants should send their resume, cover letter, and writing sample to jcharles@tsbnwlaw.com.

Family Law Of-Counsel Position

Yates, Matthews and Eaton, P.C., an AV rated Portland firm seeks an "of counsel" attorney with at least 5-7 years' experience in family law. Favorable terms available. Send resume to Attn: Office Administrator, Cecelia Connolly, cconnolly@yatesmatthews.com. All inquiries will remain strictly confidential.

PLF Chief Executive Officer Position

The Professional Liability Fund is seeking a new CEO with a desired start date of August 1, 2014. As an independently managed subdivision of the

Oregon State Bar, the PLF has a staff of 50 and annual budget of \$28 million. Reporting to the PLF's board, the CEO provides strategic leadership and management for the PLF. Primary responsibilities include policy development, staffing, claims management, budgeting, investments, and cultivating relationships with the PLF's stakeholders. Preference will be given to Oregon lawyers with management and litigation experience. Familiarity with the PLF and knowledge of casualty insurance is desirable, as is claims management and private practice experience.

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Estate Planning Attorney

Miller Nash is seeking an experienced trust and estate planning attorney with at least five years' experience in sophisticated estate planning and complex estate administration to join its Portland, Oregon office. The successful candidate is willing to work in a team environment and able to actively maintain positive client relationships. This position is an opportunity to take on a substantial transitioning practice. Some portable book of business would be a plus.

To apply, please submit a cover letter, resume, law school transcript (unofficial is acceptable) online at www.millernash.com/careers or by email to MNRecruiting@millernash.com, Attn: Michelle Baird-Johnson, Director of Recruiting and Professional Development. **Deadline:** May 15, 2014.

Family Law Associate

McKinley Irvin is AV rated and recognized as a Tier 1 firm on *U.S. News & World Report's* "Best Law Firms." Our 20+ attorneys focus exclusively on complex family law and divorce matters staying on the leading edge of developing sub-specialties including international divorce/child custody and LGBT family law. If you are interested in developing a career in the practice of family law, MI is an excellent place to do it.

For more than 20 years we've dedicated ourselves to our clients, their families and the evolving nature of what it means to be a family. We have locations in the Northwest's major markets including Portland, Seattle and Tacoma.

Our collegial team in Portland is looking for similarly minded lawyers to join us. Competitive candidates will:

- be a members of the Oregon State Bar and preferably also a member of the Washington State Bar;
- demonstrate outstanding analytical, writing and oral communication skills;

- have been developing high-level skills, specifically in family law, for 1-3 years;
- be committed to developing a career in family law;
- be a natural negotiator and aspiring litigator;
- use sound and practical judgment, think strategically and be capable of establishing a strong "trusted advisor" rapport with clients;
- show strong commitment to delivering exceptional work on behalf of her/his clients;
- be positive and approach work with a team oriented world-view;
- deliver high-touch client service; and,
- enjoy and have a sense of humor.

Our attorneys manage his or her caseload supported by a fully staffed office including paralegals, document clerks and administrative staff.

We provide a highly competitive salary complemented by aggressive quarterly and annual bonus opportunities.

The benefits of working with us include work schedule flexibility and other work/life balance options; profit sharing and a 401(k) plan with matching, payment of bar dues and CLE expenses; excellent health & welfare benefits; career coaching and development support, advanced training, an outstanding group of professionals to work with, scale and stability and professional management.

If you are dedicated to making a difference in the field of family law and want to work along with others who are, we'd like to hear from you. Please send your cover letter, resume, writing examples, law school transcript and three professional references to careers@mckinleyirvin.com. All inquiries will be treated confidentially.

Please visit our website mckinleyirvin.com for more information about us.

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We're looking for a similarly minded lawyer to join our collegial team in Portland. Competitive candidates will:

- be a members of the Oregon State Bar and preferably also a member of the Washington State Bar;
- demonstrate outstanding analytical, writing and oral communication skills;
- have honed high-level skills in traditional or evolving family law obtained over 5 or more years of practice;
- be a proven negotiator and litigator;
- use sound and practical judgment, think strategically and be capable of establishing a strong "trusted advisor" rapport with clients;
- show strong commitment to delivering exceptional work on behalf of her/his clients;
- be positive and approach work with a team oriented world-view;
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Gerard Rowe Pro Bono Award of Merit Recipient

by Cathy Petrecca
Oregon State Bar

Congratulations to Gerry Rowe, this year's winner of the Pro Bono Award of Merit, given annually to a lawyer who has set an example for the legal community in his or her dedication to providing pro bono services. Gerry began volunteering for Legal Aid Services of Oregon's Domestic Violence Project (DVP) in 2004 and since that time has helped many clients.

Gerard practiced in Norfolk, VA from 1970 until 1993 when he moved to Oregon. He had a general trial practice, mainly in banking, insurance and railroad matters. When he moved to Oregon, he became an Active Pro Bono Attorney and found that the DVP gave him a chance to provide legal assistance to clients who could not otherwise afford it. He has found it to be a very rewarding experience.



Gerard Rowe

As is true with many attorneys, Gerard felt he did not have the time to provide pro bono services when his practice was full. Active Pro Bono bar

status has allowed him the opportunity to make up for that.


Gerard was nominated for the award because of his flexibility and his willingness to take on representation of clients in the DVP program.

His schedule is what helps with his flexibility. As he says, "since the only legal service I provide is to the DVP, I have told DVP that I am generally available and to call if they need a volunteer." And call, they do.


Continued on page 18

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Gerard Rowe

Continued from page 17

He has represented 29 clients since he first began volunteering 10 years ago, with 2013 his busiest year yet.

Gerard is thankful for the support provided by LASO. He urges other attorneys who might be concerned about their competence to assist low-income Oregonians to work with LASO. "Legal Aid provides all of the necessary CLE to equip the lawyer to provide excellent service to the client," he says.

He is also thankful that lawyers can practice in the Active Pro Bono status. Under that status, attorneys do not have to complete the mandatory CLE requirements, do not have to maintain PLF coverage (which is provided for free by the PLF), and can volunteer through any one of 18 Certified Pro Bono Programs located throughout the state. Anyone who is interested in more information about the Active Pro Bono status or the Certified Pro Bono Programs should contact Cathy Petrecca at the OSB, cpetrecca@osbar.org.



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WinterSmash Raises Over \$16,000 for MBF Civic Education Fund

by Kathy Modie
MBA Director, Events and Programs

What better way to raise money for a good cause than with a night of family fun, bowling, raffle prizes and a best bowling shirt competition? On Saturday, April 5, about 220 MBA members and their families participated in the MBA's 12th Annual WinterSmash fundraiser at AMF 20th Century Lanes in Portland.

In the spirit of fun, teams gathered to vie for prizes based on their scores and outfits.

Best team score and the coveted bowling trophy went to the Gevurtz Menashe team, with their top three individual scores combined at 539. There was steep competition for the best shirt award this year. Association of Family and Conciliation Courts,

Bodyfelt Mount, and Farleigh Wada Witt received honorable mention. Buchanan Angeli Altschul & Sullivan edged out the competition to win the prize for best shirt with their "Powerful Advocacy. Broad Perspective. That's How We Bowl." design.

The prize winner for best individual score went to Charles Fallihee from the Barran Liebman team, with a score of 196.

The team with the most players this year was Bodyfelt Mount, with 39 bowlers signed up. Folawn Alterman & Richardson, Buchanan Angeli Altschul & Sullivan, Gevurtz Menashe, and Harrang Long Gary Rudnick all registered over 20 bowlers.



Buchanan Angeli Altschul & Sullivan bowlers



Gevurtz Menashe bowlers

The 2014 WinterSmash benefited The Multnomah Bar Foundation Civic Education Fund, which helps educate our citizens about the rule of law, the need for an independent judiciary and the importance of juries.

Thank you to Harrang Long Gary Rudnick for sponsoring the food and beverages again this year, and to our sponsors and all who participated. Thank you also to the WinterSmash Subcommittee, chaired by Brad Krupicka, for

planning such a great event. Thank you, Melvin Oden-Orr and Chuck Tauman, for selling raffle tickets at the event.

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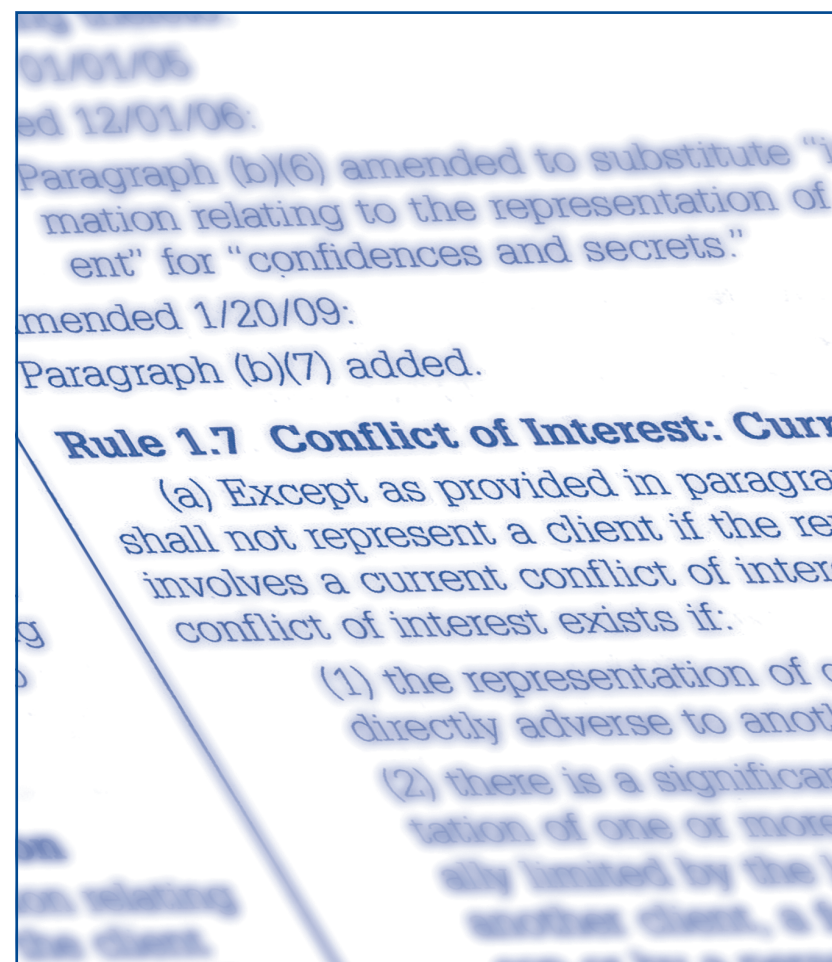
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See WinterSmash photos at mbabar.org/Membership/WinterSmash2014.html.



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PLF Chief Executive Officer Position

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EQUAL OPPORTUNITY EMPLOYER

2014 MBA Merit Award Recipients

This year's MBA Merit Award recipients are: Oregon Supreme Court Chief Justice Tom Balmer; Philip Bentley, Oregon Senate President Peter Courtney's former chief of staff; Oregon Court of Appeals Judge Chris Garrett, a former Oregon State Representative; Multnomah County Presiding Judge Nan Waller; Oregon State Representative Jennifer Williamson; and Leslie Kay, Regional Director of Multnomah County's Legal Aid Services of Oregon's office.

Chief Justice Balmer, Philip Bentley, Judge Garrett, Presiding Judge Waller and Representative Williamson are being honored for all of their current and long-term efforts to

make a new Multnomah County Courthouse a reality. Some of these people have worked behind the scenes for years to convince the legislature that a new courthouse is essential. Some of the recipients also played an important role in the construction of the East Multnomah County Courthouse, which opened in 2012. The technologically out-of-date downtown courthouse has been the subject of numerous taxpayer-funded studies – all of which have recommended its major renovation and/or replacement. All of these individuals played an important role in moving this project forward and the MBA thanks them for their efforts.

Former MBA President Leslie Kay is being honored for her many years of service to the bar. During her career, she has been an exemplary mentor, especially to women lawyers. She has consistently demonstrated professionalism and service. A colleague noted, "She has dedicated her career to providing access to justice to low-income and vulnerable Oregonians and applies a strong sense of justice and fairness to her work."

Congratulations to each of the very-deserving Merit Award recipients.



Chief Justice Tom Balmer



Philip Bentley



Judge Chris Garrett



Presiding Judge Nan Waller



Representative Jennifer Williamson



Leslie Kay



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