



MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION

1906

Lawyers associated for justice, service, professionalism, education and leadership for our members and our community. December 2007 Volume 53, Number 11



Potpourri

By Thom Brown, MBA President.

This month's column is going to be a bit of a "grab bag." First, MBA membership renewal notices were sent out in October. Please renew your membership if you haven't already done so. Continued membership in the MBA provides access to valuable services and programs and many

opportunities to be involved in keeping both the MBA and our profession generally healthy and strong. Don't let these personal and professional opportunities pass by.

As you know, a new courthouse has been the subject of several of my past columns. It remains a key priority for the MBA. To that end, the MBA continues to move ahead with its courthouse efforts on a number of fronts. Very productive meetings have already occurred with MBA leaders and two county commissioners and their staffs to discuss how to best ensure that a public funding proposal is put to the voters as soon as practicable and that it succeeds. Discussions have also included efforts to seek state funding and to build strong alliances with the business, labor, public safety and other key interest groups. And, I'm pleased to report that, in addition to a site selection, the county has worked out an agreement with the PDC to relocate the west off-ramps of the Hawthorne Bridge, and is in discussions with the owner of the "First & Main" development adjacent to the selected site, for an underground tunnel to transport in-custody defendants to the new courthouse. All these steps – while just first, somewhat small, steps – are crucial. Look for more information in upcoming columns on other activities the MBA is involved with keyed to a new courthouse and how you can help in our efforts.

The MBA is beginning to increase its focus on sustainable practices issues. Last June, information on "greener practices" was provided to members. And, recently, the managing partners met to hear about sustainable practices and the YLS has begun to explore the issue. The climate crisis is – at least as far as I'm concerned – real and can be limited by all of us leaving a "smaller carbon footprint" in our practices. The MBA will continue to work with Oregon Lawyers for a Sustainable Future and other involved interest groups to provide ideas and resources to our members on adopting more sustainable practices in our workplaces.

By the time you read this, close to a third of my term as MBA president will be over. The job has been more work than I expected, but more rewarding, too. I've been particularly impressed with how much the MBA's small (but very talented) staff is able to accomplish. At the same time, I've been struck with how many more things the MBA could do to serve its members and the community. Given these observations, I'm glad that president-elect Michael Dwyer is heading up a review of the MBA's existing strategic plan, a review that will focus on existing programs and services as well as possible new programs and services. The effort will also, of course, focus on making sure that the MBA – now and in the future – meets the MBA's mission

and your needs. As always, let the MBA staff know if you have any thoughts on how the MBA can best accomplish those goals.

Finally, by the time you read this, about a third of my columns are now done. I hope they have been informative (and, yes, enjoyable to read). If you have any things you would like to see me discuss in future columns, please let me know. I'm very open to suggestions.

Well, that's this month's "grab bag" and 2007's last column. 2008 will be a very active year for the MBA. I hope you'll join in our important work. In the meantime, I hope you all have a safe, healthy and joyful holiday season and new year.

Another Successful Absolutely Social

About 200 lawyers, judges, sponsors and law school students gathered at the University Club on October 18 for the fall "Absolutely Social" Social - The Grape Escape. The event featured wine tastings from three Oregon wineries. Thank you to Albert Menashe and Matt Levin for selecting the wines. Canned food and cash donations were collected for the Oregon Food Bank - thanks to all those who contributed!

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MBA CLE

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

December

Tuesday, December 11
Financial Discovery and Civil Litigation

Craig Bachman
Rob Shlachter
Jay Sickler

Thursday, December 13

White Collar Crime
David Angeli
Robert Calo

January

Thursday, January 24
Immigration: How Your Clients' Status Can Affect Their Cases

Bear Wilner-Nugent
Sherilyn Holcombe Waxler

Thursday, January 31
Damage Claims in Employment and Personal Injury Cases

Paul Buchanan
Dana Sullivan
Richard Vangelisti

February

Wednesday, February 6
Washington/Clackamas/Clark Counties Presiding Courts Update

Judge John Nichols
Judge Thomas Kohl
Judge Steven Maurer

Thursday, February 28
Recognizing and Finding Relief from Predatory Lending

Hope Del Carlo
David Tatman

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

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

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NEW ON THE SHELF

By Jacque Jurkins, Multnomah Law Librarian.

ANTITRUST: Questions, answers, law and commentary, 3d ed. by Eliot G. Disner. Published by the American Law Institute-American Bar Association Committee on Continuing Professional Education, 2007. (KF 1649 D57 2007)

INTELLECTUAL PROPERTY DESKBOOK FOR THE BUSINESS LAWYER: A transactions-based guide to intellectual property law edited by Sharon K. Sandeen. Published by the ABA Section of Business Law, 2007. (KF 2980 I63)

INVENTION ANALYSIS AND CLAIMING: A patent lawyer's guide by Ronald D. Slusky. Published by the ABA General Practice, Solo & Small Firm Section, 2007. (KF 3131 S58)

A PRACTICAL GUIDE TO SOFTWARE LICENSING FOR LICENSEES AND LICENSORS, 2 ed. with model forms and annotations by H. Ward Glassen. Published by the ABA Section of Business Law, 2007.

THE LAWYER'S GUIDE TO MODERN PAYMENT METHODS: ACH, credit, debit and more by Frederick H. Miller. Published by the ABA General Practice, Solo & Small Firm Division, 2007. (KF 957 M54)

THE NEW BANKRUPTCY CODE: Case developments and practice insights since BAPCPA by Sally McDonald Henry. Published by the ABA Section of Business Law, 2007. (KF 1524 H42)

BANKRUPTCY LITIGATION, 2d ed. by Howard J. Steinberg. Published by Thomson/West, 2007-. (KF 1527 S72 2007-)

COURTROOM PRACTICES BEHIND THE SCENES: Judges' insights and emerging trends. Course materials from the Oregon Law Institute, April 20, 2007 program in Portland. (*KF 8915 O7 O73c)

ARCHITECTS AND ENGINEERS, 4th ed. by James Acret and Annette Davis Perrochet. Published by Thomson/West, 2007. (KF 1289 A92 2007)

THE ATTORNEY-CLIENT PRIVILEGE AND THE WORK-PRODUCT DOCTRINE, 5th ed. by Edna Selan Epstein. Published by the ABA Section of Litigation, 2007. (KF 8959 A7 E67 2007)

GOVERNMENT CONTRACT LAW: The desk book for procurement professionals, 3d ed. Published by the ABA Section of Public Contract Law, 2007. (KF 849 G66 2007)

A GUIDE TO HIPAA SECURITY AND THE LAW edited by Stephen S. Wu. Published by the ABA Section of Science & Technology Law, 2007. (KF 3827 R4 G85)

INTERNAL CORPORATE INVESTIGATIONS, 3d ed. edited by Barry F. McNeil and Brad D. Brian. Published by the ABA Section of Litigation, 2007. (KF 1416 I57 2007)

FAMILIES IN NEED OF CRITICAL ASSISTANCE: Legislation and policy aiding youth who engage in noncriminal misbehavior by Jessica R. Kendall. Published by the ABA Center on Children and the Law, 2007. (KF 9082 K46)

FAMILY LAW IN A NUTSHELL, 5th ed. by Harry D. Krause and David D. Meyer. Published by Thomson/West, 2007. (KF 505 K72 2007)

THE CORPORATE, SECURITIES AND M&A LAWYER'S JOB: A survival guide by Daniel Lee and Matt Swartz. Published by the ABA General Practice, Solo and Small Firm Section, 2007. (KF 1477 L44)

A TREATISE ON THE LAW OF CONTRACTS, 4th ed. by Richard A. Lord. Published by Thomson/West, 2007. (KF 805 L67)

AN ESTATE PLANNER'S GUIDE TO BUY-SELL AGREEMENTS FOR THE CLOSELY HELD BUSINESS, 2d ed by Louise A. Mazzullo. Published by the ABA Section of Real Property, Probate and Trust Law, 2007. (KF 1355 M49 2007)

LICENSING INTELLECTUAL PROPERTY: Basics and applications in media and technology transfer. Course materials from the Oregon Law Institute, June 1, 2007 program in Portland. (*KF 3145 O7 O73)

ADMINISTRATIVE RULEMAKING: Winning strategies when using or opposing Federal agency rules 2d ed. by James T. O'Reilly. Published by Thomson/West, 2007. (KF 5411 O73 2007)

BUSINESS VALUATION: A primer for the legal profession by Jeffery M. Risius. Published by the ABA Section of Business law, 2007. (KF 1416 R57)

CALENDAR

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

December

4 Tuesday, MBA Board meeting

6 Thursday, MBA CLE – Appellate Tips
See insert or register at www.mbabar.org.

7 Friday, U of O CLE – Evolution of Resolution
Register by emailing jsprauer@uoregon.edu.

10 Monday, January 2008 Multnomah Lawyer deadline

11 Tuesday, YLS Board meeting

Tuesday, MBA CLE – Financial Discovery
See insert or register at www.mbabar.org.

13 Thursday, MBA CLE – White Collar Crime
See insert or register at www.mbabar.org.

19 Wednesday, Multnomah Bar Foundation Board meeting

24-25 Mon-Tue, Holiday – MBA closed

31 Monday – MBA closed

January 2008

1 Tuesday, New Year's Holiday MBA closed

2 Wednesday, MBA Board meeting

8 Tuesday, YLS Board meeting

10 Thursday, February Multnomah Lawyer deadline

17 YLS Pro Bono Fundraiser at Square Deal Wine Company

21 Monday, Martin Luther King Jr. Holiday – MBA closed

22 Tuesday, YLS Young Litigator's Forum CLE series begins
See insert to register.

24 Thursday, MBA CLE Immigration: How Client Status Affects Case
See insert or register at www.mbabar.org.

26 Saturday, BOWLIO at Valley Lanes
See Announcements for details.

31 Thursday, MBA CLE Employment and Personal Injury Damage Claims
See insert or register at www.mbabar.org.

February 2008

5 Tuesday, MBA Board meeting

6 Thursday, MBA CLE Washington/Clackamas/Clark Counties Update
See insert or register at www.mbabar.org.

8 Friday, March Multnomah Lawyer deadline

12 Tuesday, YLS Board meeting

13 Wednesday, MBA Open House

18 Monday, Presidents' Day – MBA closed

23 Saturday, WinterSmash at 20th Century Lanes
Visit www.mbabar.org for details.

27 Wednesday, Multnomah Bar Foundation Board meeting

28 Thursday, MBA CLE - Predatory Lending
See insert or register at www.mbabar.org.

March 2008

4 Tuesday, MBA Board meeting

Tuesday, CEJ Annual Luncheon at The Governor
Visit www.cej-oregon.org for details.

10 Monday, April Multnomah Lawyer deadline

11 Tuesday, YLS Board meeting

14 OWLS Awards Dinner at The Governor
Visit www.oregonwomenlawyers.org for details.

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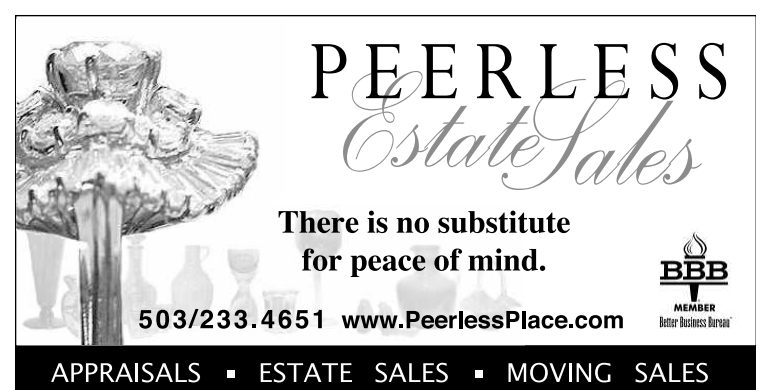
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Ethics Focus

By Mark J. Fucile, Fucile & Reising.

Advertising, Part 2: Practice

Last month, we looked at the theory underlying law firm marketing in the form of the US Supreme Court decisions over the past 30 years that shaped the right to advertise that lawyers have today.

As those decisions evolved, so did lawyer marketing regulations - both at the national level and here in Oregon. The ABA substantially rewrote its law firm marketing regulations in 1983 when it adopted its influential Model Rules of Professional Conduct (RPCs) and modified them further in 2002 when it updated its model rules.

Oregon followed a different path but arrived at essentially the same place. Following several changes in our Disciplinary Rules (DRs) in the 1970s and 1980s to keep pace with the US Supreme Court decisions, the OSB appointed an Advertising Task Force in the early 1990s that issued a comprehensive report on law firm marketing in 1992. The Oregon Supreme Court generally adopted its recommendations as amendments to our DRs in 1993. Those amendments largely put us in alignment with both the federal constitutional law that had developed and the ABA.

When we then moved to our own variant of the ABA model rules in 2005, the wording of most of Oregon's law firm marketing rules was retained as a result of the earlier and comparatively recent update. In both general content and practical effect, however, they are very similar to the current ABA model rules.

Broadly put, today's law firm marketing rules address three general areas: (1) advertising, which includes print, media and other electronic marketing such as law firm Web sites, together with specialized subsets such as law firm names; (2) solicitation, which includes in-person, telephone, electronic and mail communications; and (3) referrals, which includes lawyer-to-lawyer referrals, referrals from nonlawyers and other referral mechanisms such as networking organizations. We'll look at each in turn.

Advertising

Print, media and electronic advertising are covered primarily in RPCs 7.1 and 7.2. The former sets out the basic rule that all advertising must be truthful. It also generally limits comparative advertising and requires that advertising results or testimonials be true and that testimonials be accompanied by a disclaimer. The latter allows lawyers to pay for both the direct cost of placing ads and associated expenses for creating them. It also permits payment



for marketing consultants who are advising on broader business development strategy. RPC 7.5, in turn, deals specifically with law firm names and, among its provisions, allows trade names.

There are two fundamental characteristics of the advertising regulations as they exist today.

The first is that they broadly encompass all forms of media communication. Although Oregon did not adopt the comments to the ABA model rules that specifically embrace electronic advertising in the form of television or Web sites (see ABA Model Rule 7.2, cmt 3), the wide scope of Oregon's advertising rule covering all forms of communications concerning lawyer services essentially reaches the same end.

The second is that all law firm advertising must be truthful. From the point the US Supreme Court opened the door to law firm marketing in *Bates v. State Bar of Arizona*, 433 US 350, 97 SCt 2691, 53 LED2d 810 (1977), it made very clear that commercial free speech rights under the First Amendment do not extend to false advertising. Although there were not many Oregon Supreme Court decisions on advertising under the former DRs after *Bates*, those that were issued (see, e.g., *In re Jacob*, 318 Or 10, 860 P2d 811 (1993)), made that same point. Given the clear ties between the current and former advertising rules and the prominent place that RPC 7.1 occupies as the first rule in the advertising section of the RPCs, there is no reason to believe that the emphasis on truthfulness will be any less rigorous under the new rules than the old.

Solicitation

As we discussed last month, at the same time the US Supreme Court liberalized the advertising rules in cases like *Bates*, it retained regulations on solicitation in potentially coercive situations like those it found in *Ohralik v. Ohio State Bar Ass'n*, 436 US 447, 98 SCt 1912, 56 LED2d 444 (1978), and has applied restrictions even to analogous situations involving targeted direct mail like *Florida Bar v. Went for It, Inc.*, 515 US 618, 115 SCt 2371, 132 LED2d 541 (1995), upholding a restriction on targeted direct mailings to accident victims for 30 days following the accident concerned. Those restrictions carried through here in Oregon as we updated our marketing rules

ANNOUNCEMENTS

Council on Court Procedures

Where do the Oregon Rules of Civil Procedure (ORCP) come from and how are they changed? If a particular rule is not effective or has been rendered obsolete by technology, or by practice, how may it be amended? The Council on Court Procedures was formed by the legislature in 1977 to draft and to systematically update the ORCP. Well-crafted, fair and balanced procedural rules for the filing, prosecution and defense of civil disputes ensure that all Oregonians have a forum in which to seek redress of private grievances fairly and equitably.

The council is continually addressing whether the ORCP are serving to fairly and efficiently resolve civil disputes for the benefit of parties and their attorneys. The council welcomes reports of instances in which a rule is not meeting the fair and efficient standard. Questions may be addressed to Mark Peterson, Executive Director, at mpeterso@lclark.edu.

Members Asked to Update their Practice Areas Listing

Members are asked to update their practice areas by going to www.mbar.org. You may now choose from 70 different areas. Your selections will be listed in the online MBA Member Directory. The old practice area listings will be removed from the directory. All members are encouraged to respond. If you do not have access to the Internet, please call 503.222.3275 to update your practice areas list.

since the mid-1970s to reflect both the developments coming from the US Supreme Court and the ABA (although Oregon does not have a direct mail limit like the one in *Went for It*).

Oregon's principal regulation on solicitation is RPC 7.3. RPC 7.3(a) generally prohibits in-person solicitation (along with "live telephone or real time electronic contact") unless the recipient is another lawyer, a family member, a close personal acquaintance or a former client. Even in this circumstance, RPC 7.3(b) prohibits contact if either the recipient's physical or emotional state "is such that the person could not exercise reasonable judgment in employing a lawyer," the recipient has "made known" to the lawyer that he or she does not wish to be contacted, or "the solicitation involves coercion, duress or harassment." By contrast, RPC 7.3 generally permits written (paper or electronic) communication with prospective clients not otherwise falling within RPC 7.3(a). Targeted mailings of this kind generally need to be labeled as being an "advertisement" under RPC 7.3(c).

Please Donate to the Multnomah Bar Foundation

When thinking about your year-end charitable donations, please consider the foundation dedicated to promoting the understanding of the justice system. Please look for the insert inside this issue to learn more.

Courts Page Added to MBA Web Site

Please visit www.mbar.org and choose "Courts" at the bottom of the left index to read profiles of Multnomah County Judges and find important links. The page is in development and will continue to expand. If you have suggestions for the page (content and design) please forward them to judy@mbabar.org.

Membership Renewal Notices Sent

The MBA has mailed renewal notices for the 2008 membership year. Members may also renew online at www.mbar.org. Please remember to donate to the Volunteer Lawyers Project with your renewal. If you have questions about your membership, call Kennedy Smith at 503.222.3275.

MBA Bike Rides

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

OSB Formal Ethics Opinion 2005-127 (available at www.osbar.org) discusses solicitation in detail. It also emphasizes that solicitations are subject to the same truthfulness requirement that govern print, media and electronic advertising. Similarly, OSB Formal Ethics Opinions 2005-106 and 2005-168, relying on RPC 8.4(a)(1) (which generally prohibits a lawyer from violating the RPCs "through the acts of another"), make the point that a lawyer cannot use a nonlawyer or an associated business owned by the lawyer to engage in solicitations that the lawyer would not be able to make on the lawyer's own.

Referrals

Referrals from other lawyers have long been permitted and that generally remains the case under RPC 1.5(d) (fee splits between lawyers with client consent) and RPC 7.2. Referrals from nonlawyers have also long been permitted and that generally remains the case under RPC 7.2 (see OSB Formal Ethics Op 2005-73). But, what was long prohibited (see ORS 9.505, prohibiting the use of paid "runners" to refer personal injury claimants) and generally remains prohibited under the new rules (see RPC 7.2(a);

Criminal Defense Lawyers Seminar

The Oregon Criminal Defense Lawyers Association is hosting a seminar for new lawyers in criminal defense on Saturday, January 26, 2008, from 9 a.m.-4:30 p.m. at the World Trade Center in Portland.

The New Lawyers Seminar includes topics on trial preparation, client relations, motion practice, jury selection, persuasion in the courtroom, plea negotiations, ethics and more. For information and to register, go to www.ocdla.org, or call OCDLA at 541.686.8716.

OSB Affirmative Action Program Presents 5th Annual BOWLIO

BOWLIO is a fundraiser for "Opportunities for Law in Oregon" (OLIO), a recruiting and retention strategy for Oregon's ethnic minority law students. This is an event where judges, lawyers and law students team up to win prizes and to network!* The cost is \$50 for non-students; \$20 for students (price includes shoes, lane, pizza and non-alcoholic beverages). Join in the fun on Saturday, January 26, 2008, at Valley Lanes in Beaverton.

*Donations for prizes welcome; tax deductible donations over the registration fee available.

For more details, contact Donna Gigoux at dgigoux@osbar.org.

see also RPC 5.4(e)) is paying for referrals, either directly in the form of money or indirectly in the form of reciprocal referral arrangements or other items of value.

OSB Formal Ethics Opinion 2005-175 discusses cross-referrals extensively, as does OSB Formal Ethics Opinion 2005-2. The former (at 493) notes in this regard that "[a] business referral is a thing of value." Therefore, these ethics opinions prohibit direct reciprocal referral arrangements with nonlawyers (2005-2) and indirect arrangements with nonlawyers (2005-175) in the form of "networking" entities that require cross-referrals as a condition of membership. By contrast, lawyers are generally permitted under RPC 7.2(c) to participate in prepaid legal service plans and lawyer referral services, including "for profit" referral services.

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

Diversity is a Firm Value for Stoel Rives

By Pamela Jacklin, Stoel Rives.



The MBA Equality Committee is committed to providing Multnomah Lawyer articles highlighting the activities and programs developed and/or sponsored by MBA members and their firms, companies or organizations that promote and provide better understanding of the diversity in our legal profession and in our community.

If you would like to recognize an individual, group or firm for its commitment to equality, please contact Kathy Maloney, liaison to the MBA Equality Committee.

The following is the fifth article in this series and it recognizes the activities and programs of the Stoel Rives firm in its ongoing effort to support a diverse law profession and community.

Diversity is an important feature of Stoel Rives' vision for the future. In today's increasingly mobile, multicultural world, the firm recognizes that diversity and inclusion are not only beneficial social values but also vital ingredients in business innovation and success. Diversity within our firm ensures different perspectives are considered on issues we confront. This improves the quality of our legal work, our client service and the professional development of our attorneys and staff. For these reasons, we strive to foster an inclusive professional environment that respects and values differences among our attorneys and staff and supports professional development and advancement.

Stoel Rives was a pioneer in welcoming women into the profession. The firm made Velma "VJ" Jeremiah its first woman partner. Additionally, she was the first woman partner at any large Oregon law firm. By 1984, we had 10 women partners, perhaps the highest percentage in the country for firms over 100 lawyers at that time. Today, our challenge is to retain the many fine women lawyers we attract to our firm, and we are focusing more on work-life balance issues than ever before.

Our lawyers have long included people of various religious faiths and political parties. While young lawyers may be puzzled by this reference, older lawyers can vividly remember a time when firms in Portland were not so welcoming. In 2007, we participated in the 2008 Corporate Equality Index and Best Places to Work Survey, earning a nearly perfect score, showing Stoel Rives is a great place to work for gay, lesbian, bisexual and transgender (GLBT) attorneys. The firm actively supports an affinity group formed by some of our GLBT lawyers to provide an informal mentoring and support network. We are now developing a policy to support other diverse affinity groups.

Although we have provided a platform to launch some highly successful ethnic lawyers in Portland, our overall success in recruiting and retaining lawyers of color is our greatest challenge. This challenge, among others, led to the formation of our firm wide Diversity Committee several years ago.

The Diversity Committee is charged with promoting the firm's diversity goals internally

and identifying opportunities to support diversity within our communities. The committee's work is important, but not sufficient. The firm decided that making diversity a priority would take more focus than a group of already busy lawyers could provide. Consequently, we designed a new firm wide position to lead two important and intertwined activities, lawyer recruiting and diversity initiatives. The position was created to oversee the existing recruiting staff and work with our Diversity Committee, Executive Committee, Managing Partner and practice group leaders, all of whom must provide leadership to make the firm's diversity initiatives successful.

Recognizing the importance of the position, and wanting the director to be a prominent member of our administrative cabinet, we set our sights high. This year Lourdes Fuentes, our first Director of Lawyer Recruiting and Diversity, joined the firm. We wanted someone who understood firm life and related well to practicing lawyers and law students. Lourdes,

Continued on page 6

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Diversity is a Firm Value

Continued from page 5

who was named twice as one of Seattle's top 152 lawyers by *Seattle Magazine*, had run a legal clinic at the University of Washington Law School and been a partner in a respected Seattle firm before joining Stoel Rives. She is a wonderful addition and we benefit from her enthusiasm, hard work and sage advice. Watching Lourdes work makes it clear that one person really *can* make a difference.

Lourdes is helping us build on our successful programs. For example, the firm's First-Year Student Diversity Fellowship, which includes a stipend to offset educational expenses, allows us to attract top students early in their law school careers. We also participate in programs aimed at increasing opportunities for diverse students including internships in conjunction with NIKE, Inc. and through the OSB.

In early 2007 the firm hosted its first retreat for all Stoel Rives women attorneys. The retreat provided professional development and networking opportunities for women in the firm. It also served as a forum for cross-generational discussions of women in law. The response to the program was overwhelmingly positive.

As Stoel Rives strives to create opportunities to meet future challenges, we participate in numerous recruiting events and outreach activities, including:

- **Minority Job Fairs:** The firm attends local and national minority job fairs.
- **Pipeline:** In efforts to expose younger students to the law, the firm participates in internships

for low-income students, providing work experience and exposure to the practice of law. The firm also sponsors events through Opportunities for Law in Oregon

- **Sponsorships:** The firm sponsors local diversity bar associations, national events and supports numerous fundraising events and dinners.
- **Affiliations:** The firm is affiliated with bars and legal associations that represent diverse populations.

Why does the firm do these things? Because diversifying the legal profession is inextricably intertwined with the future legitimacy of our justice system. That said, few can argue the business necessity to diversify a large law firm. Diversity is emphasized by major corporations that have determined it is an essential business practice in a multicultural marketplace. Furthermore, the new generation of law students has grown up during a time of globalization and increasing diversity at home - Oregon's ethnic diversity has increased five-fold over the last 30 years. Their sphere of business and social interaction is more global in nature and as such will demand a diverse workplace. Evidence of this is Building a Better Legal Profession, a group spearheaded by Stanford, Harvard and Yale law students. There is little doubt attracting and keeping the best and the brightest will require a diverse workforce. Stoel Rives is working to meet this challenge.

The Sustainable Law Office

The article below is a continuation of our series on how to make your law office more sustainable. Additional information may be found at www.mbabar.org.

Green Catering

From paper plates and plastic serving trays to leftover food, catered events often create a lot of waste. These simple suggestions will help you reduce waste at your catered events, conferences and meetings.

Waste reduction and recycling

- Make it easy to recycle. Place a recycling container next to every garbage can. Label the containers with prominent signs.
- For large events, the City of Portland Office of Sustainable Development provides free recycling assistance and collection containers. A free guide for greening your event is available; call 503.823.7037 to request a copy.

Choosing your caterer

Selecting a caterer that is environmentally aware can make hosting your next event easier. If you are already working with a caterer find out if they can:

- Provide reusable platters, tableware and/or serving dishes.
- Use an approved biodegradable alternative that can be composted, if reusable dishware isn't available.
- Prepare dishes with local and/or organic ingredients.
- Serve dishes "family style" to avoid individually packaged products.
- Collect food waste for composting.

Food Donation

If you have good-quality leftover food, it's easy to donate to a charity. Your donation will help the more than 650,000 people in Oregon who use the services of food banks each year. For more information on food

donation, call 503.823.7037 or visit www.metro-region.org/fooddonation.

Recognition

Let attendees know about your green choices. Advertise your use of sustainable food and your waste prevention activities on invitations, or ask your caterer to mention it on menu cards.

If you're engaging in other waste reduction and recycling activities,



become a Portland BlueWorks Business and get recognition for your efforts. Call 503.823.7037 or visit www.PortlandOnline.com/OSD/BlueWorks.



MBA representatives Scott Howard, Robin Bellanca, Sam Kauffman, Keith Garza and Judy Edwards met with law students, recent law school graduates and law professors visiting from Iraq through the World Affairs Council of Oregon. Once or twice a year the council coordinates visits for people working in law-related fields from emerging democracies around the world. If you are interested in participating in a future meeting with foreign visitors, please contact Judy Edwards, MBA Executive Director, at judy@mbabar.org.

MULTnomah Bar Association 6th Annual wintersmash saturday, february 23 6-9 p.m.



20th Century Lanes
3350 SE 92nd
10 minutes from downtown Portland
A Multnomah CourtCare fundraiser

Mark your calendar, gather your team and look for more details in upcoming issues of the *Multnomah Lawyer*.

If you would like to sponsor the event or donate a raffle item, please contact Kathy Maloney at the MBA at 503.222.3275 or kathy@mbabar.org.

YOU'RE INVITED TO A 30th ANNIVERSARY CELEBRATION

Presented by the
Association of Legal Administrators - Oregon Chapter
Friday, January 18, 2008 • Benson Hotel

Lunch and Ethics Presentation
by Egil "Bud" Krogh

As co-director of the White House "Plumbers," Krogh approved a covert operation as part of a national security investigation into the leak of the Top Secret Pentagon Papers to the *New York Times*. He pleaded guilty to conspiracy and served four and a half months in prison. He currently lectures, teaches, and trains on the Integrity Zone® model and will highlight the lessons learned from his experiences in the White House and their relevance to more recent political and business scandals.

\$50 - Crystal Ballroom

Afternoon CLE

"Preparing for the Future: Who Will Take Over the Management of the Firm?"

by John N. Childers of Hildebrandt International

Learn how partners and administrators should prepare our firms and the newer generation of lawyers for their succession as the next generation of leaders. Hear what Hildebrandt International's recent associate satisfaction survey reveals about what motivates young attorneys.

\$75 - Crystal Ballroom

CLE Credits Pending

For more information, and registration, visit
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AROUND THE BAR

WALL & COLBY

The 28-year partnership of **Craig Colby** and **Frank Wall** will dissolve amicably on December 31. Craig and Frank will continue to share office space until May 31, 2008.



Jill Gelineau

SCHWABE WILLIAMSON & WYATT

Jill Gelineau recently assumed a leadership role with the ABA. She will be on the Committee on Condemnation, Zoning and Land Use Litigation.

Anne Talcott, a firm shareholder, was recently appointed to the Defense Research Institute's (DRI) Annual Meeting and Diversity steering committees.

Talcott focuses her practice on product liability and complex business litigation, representing clients throughout Oregon and Washington.

Mami Fujii, **Connie Kong** and **Rebecca Lindemann** have joined as associates.

Fujii's practice will focus on tax and estate planning. Kong will focus her practice in the area of intellectual property. Lindemann will focus her practice in the area of product liability.



Anne Talcott



Mami Fujii



Connie Kong



Rebecca Lindemann



Stephen F. English

BULLIVANT HOUSER BAILEY **Stephen F. English**, shareholder with the firm, was recently inducted into the International Academy of Trial Lawyers, whose membership is limited to 500 Fellows from the US.

English is the Director of Bullivant's Litigation Department.



Andrew Schpak

BARRAN LIEBMAN **Andrew Schpak** will serve on the ABA Labor and Employment Section's Young Lawyers Division Fellowship Program as a member of the Equal Employment Opportunity Committee.

At the firm, Schpak represents management in employment litigation and provides advice in employment matters.



Murphy McGrew

MURPHY MCGREW **Murphy McGrew** recently received a recognition award from the Friendly House Community Center for her pro bono work on behalf of one of its clients.

McGrew focuses her practice on helping individuals through all stages of their lives, from family issues to personal challenges that require legal advice and support. Her law office is located at 4800 SW Meadows Road in Lake Oswego.



Antony (Tony) Sayess



Laura Althouse



John Miller

DUNN CARNEY ET AL **Antony (Tony) Sayess** joins the firm as a corporate and business attorney with five years of experience. **Laura Althouse**, **John Miller** and **Kim Allen** join the firm



Kim Allen

in the litigation, business and real estate groups respectively.

MERCY CORPS

Cadence Moylan has joined the Mercy Corps legal team as Assistant General Counsel.

In addition to serving as Assistant General Counsel at Mercy Corps, Moylan manages a private practice under the firm name of Law Office of Cadence Moylan. Her private practice focuses on providing legal, policy and business advice to government agencies and nonprofit organizations.



Katherine R. Heekin

THE HEEKIN LAW FIRM **Katherine R. Heekin**, whose firm focuses on business litigation, particularly fraud-related claims and electronic information consulting services, has earned the Certified Fraud Examiner designation from the Association of Certified Fraud Examiners.



Robert E. Maloney Jr.



Stephanie L.V. Hendricks

LANE POWELL Shareholder **Robert E. Maloney Jr.** has been reelected Chairman of the Board for the Oregon Independent College Foundation (OICF).



Steven B. Ungar

Maloney is an attorney who concentrates his practice on commercial and business litigation, condemnation, tort and products liability, lender liability, discrimination and employment law, environmental litigation, wage and hour defense and class action litigation.

Firm attorney **Stephanie L.V. Hendricks** joined the Juvenile Crime Prevention Advisory Committee (JCPAC).

Hendricks has an active litigation practice, which concentrates on complex civil and corporate litigation. She has been engaged in white collar criminal defense, product liability litigation, and addressing regulatory compliance issues.

Gov. Ted Kulongoski reappointed shareholder **Steven B. Ungar** as Chair of the Oregon Lottery Commission.

Ungar is Chair of the firm's White Collar Criminal Defense and Regulatory Compliance practice, emphasizing white collar criminal defense, regulatory compliance, response to federal and state agency investigations and all aspects of professional licensing.



Chris Burnett



Colin C. McKean

GEVURTZ MENASHE The firm has added **Chris Burnett** and **Colin C. McKean** as associate attorneys.

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

Tips from the Bench

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

Top 20 reasons why family law papers are returned by the court

It is very common that papers submitted to the Family Court in Multnomah County are returned because they are deficient in some way. Judge Maureen McKnight, with approval from Chief Family Law Judge Nan Waller, offers the following top 20 reasons this occurs. And yes, we know there are only 19 reasons on the list. But we all learn new things frequently, so there is still room for growth. Family law lawyers might find it helpful to share this list with their legal assistants. A more detailed description of the issues, including citations to statutes and rules, may be found on the Family Law section of www.ojd.state.or.us/mul/Family.html.

1. Missing signatures on a "Stipulated" Judgment
2. Reference to exhibits not provided
3. No filing fee paid for Supplemental Judgment
4. No finding of "unjustness" or "inappropriateness" re presumptive amount of child support and/or no financially-related factual basis for rebuttal finding
5. No findings re spousal support ordered in General Judgment
6. Missing Certificate of Pending Child Support and/or a new child support order is proposed when an order already exists involving the same obligor and same child in another case
7. General confusion about what the petitioner or parties intend
8. Required notices are missing in cases involving support
9. Adult child is not served, or has not waived rights or has not signed Stipulated Judgment
10. The parties have not attended the Parenting Education Class
11. Required term re unreimbursed health insurance is missing
12. No facts to support personal jurisdiction when service is affected out of state
13. Judgment contains terms less advantageous to respondent than those in Petition (and no stipulation)
14. Waiver of the 90 days is sought simply through Judgment language rather than by Motion and Affidavit
15. Court fees are owing but no State Judgment is contained for deferred fees



16. UCCJEA information is lacking or reveals problems
17. No second copy of support order for DOJ
18. Incorrect captioning on Judgments and Orders (particularly Limited Judgment vs. Temporary Orders)
19. Facts supporting default (i.e., reasons why Petitioner knows the Respondent is not in military)

The Family Law Advisory Committee is meeting again

A first re-organizational meeting for Multnomah County Local Family Law Advisory Committee (LFAC) was held on October 25 at the Multnomah County Circuit Court. The role of LFAC in our court is statutory. ORS 3.434 directs each judicial district to establish a LFAC for ongoing input into "plans to coordinate the provision of services to families involved with domestic relations or other family court proceedings."

Attorneys practicing in juvenile and family law areas are invited to join the family law bench and family and juvenile court services providers in discussing what practice issues should be addressed during LFAC meetings over the coming year. Ongoing meetings will be held quarterly on the fourth Thursday of the month beginning on January 24, 2008, in Room 602 of the Multnomah County Courthouse. Please join the court and practitioners to discuss a variety of issues. Committees are being formed to address call, settlement conferences, the Standard Parenting Guidelines, SLR review and revisions, safety matters and other supervised parenting issues. Minutes from the October 25 meeting may be found in the Family Law section of www.ojd.state.or.us/mul/Family.html.



By Carol Bernick, Davis Wright Tremaine and Court Liaison Committee member.

Presiding Judge's Report

Judge Koch reported that on the weekend of January 4, 2008, approximately 8-10 judges will be moving and asked that bar members be sure to check the location of judges after that date.

Judge Koch further reported that the Board of County Commissioners approved the receipt of funds from the Portland Development Commission designated for moving the off-ramp on the Hawthorne Bridge so that the block on which it currently encroaches can be sited for the new courthouse. The levy for the new building is expected to go on the ballot in 2010. The county has also approved \$3.5 million in infrastructure improvements on the current building. The significant items are a new roof, electrical system upgrades and HVAC improvements.

Judge Maurer reported that the court, with the MBA, hosted another legislative open house for Multnomah County representatives and senators to meet with the judges. The focus of this year's open house was on the plight of the mentally ill in the justice system. It also focused on mental health courts which have been established in Clackamas and Washington Counties; one will be established in Multnomah County in the coming year. In a mental health court, the judge oversees cases involving mentally ill criminal offenders

who can be managed safely in the community, provided there is access to supervision, treatment and housing.

Multnomah County approved the site for the Gresham courthouse facility in Rockwood. The court will share space with the sheriff and the Gresham Police Department. Estimated date of completion is 24-30 months, at which point there will be four courtrooms which will hear non-custody misdemeanor matters, traffic, small claims, FEDs and temporary protective orders. The court will also serve as a filing site for East County attorneys.

Web Site Update

The committee agreed that each electronic newsletter should include a section "Do you have any questions?" and that answers of general interest should be provided in subsequent issues. Judy Edwards reported that the MBA is working on profiles for every Multnomah County Judge, Oregon Court of Appeals and Supreme Court Justice. Her staff has added a link on the MBA's site to the circuit court's list of judges, courtrooms and phone numbers.

Brown Bag Lunch Update

Judges Maurer and Koch reported that the brown bag lunch was well attended with lots of questions primarily from seasoned attorneys. A discussion was had about scheduling these more frequently.

CourtCare Report

The MBA decided to change the Campaign Task Force to a standing MBA committee.

Bar Liaison Reports

Clackamas County: Kathryn Villa-Smith was unable to attend in person but gave a written report to David Meyer which he read to the group. On November 8 they held their fall CLE.

Clark County:

Brett Bender gave the Clark County report. He said there were no significant changes but he thought that having somebody from the MBA go to the Clark County meetings as a liaison would be a good idea. Brett reported that the Clark County Court's Web site is particularly good.

Washington County:

Dawn LaGrone reported that the county is losing Judge Alexander and that there would be a retirement party for him shortly. Sixteen to 17 candidates have applied for the position. The county bar has no judicial screening committee. She also reported about changes primarily to the family law bench. She anticipates that Judge Kohl will continue as the presiding judge. She commented that Washington County has had a mental health court for some time and that it has had such good success it will be expanding next year.

MBA Seeks 2008 MBA Professionalism Award Nominations

The MBA Professionalism Committee invites member nominations for the MBA's award "for the highest ethical standards and exemplary conduct in the practice of law and for making the practice of law more enjoyable."

Eligibility

- Any MBA practicing attorney member, except a member of the MBA Professionalism Committee or the MBA Board of Directors, is eligible to receive this award. Former

nominees may be re-nominated.

- The recipient should exemplify, not simply meet, the standards in the MBA Professionalism Statement.
- The award is intended to recognize and honor personal and professional qualities, reputation and conduct.
- The recipient should be a role model for other attorneys, particularly younger MBA members.

Past recipients include **Raymond Conboy, Thomas H. Tongue, Randall B. Kester, Frank Noonan Jr., Donald W. McEwen, Don H. Marmaduke, Noreen K. Saltveit McGraw, Thomas E. Cooney, John D. Ryan, George H. Fraser, Barrie Herbold, Walter H. Sweek, Daniel E. O'Leary, Mark R. Wada, Sandra A. Hansberger, Robert C. Weaver, Walter H. Grebe, Susan M. Hammer and Carl R. Neil.**

Nominations are due by Friday, January 4. Please look for the nomination form inside this issue and at www.mbabar.org.

Profile – Doug Bray, Trial Court Administrator

By Heidi Moawad, Multnomah County Deputy DA and Court Liaison Committee member.



Doug Bray

It all started in the late 1960s at the University of Oregon. Professor James R. Klonoski was Doug's advisor when he was an undergraduate majoring in political science. Professor Klonoski taught a senior seminar called "The Allocation of Justice." The seminar featured weekly discussions with members of the "justice community."

One of the visitors to the class was David J. Saari, then the first trial court administrator in the state. Saari spoke for two hours about the business of administering the Circuit Court in Multnomah County. Professor Klonoski's seminar provided a framework for looking at the courts in America as both constitutional and social institutions. Saari's presentation gave a practical perspective on this dual nature of the court as a community institution. Doug remembers thinking that Saari had a pretty interesting position.

Following military service and while doing post-baccalaureate studies in the School of Community Service and Public Affairs, an opportunity arose for Doug to do an internship at the then newly established Office of the State Court Administrator, created in 1971. The intern was assigned to work on projects for the Chief Justice and the Chief Judge of the Court of Appeals. It was a perfect situation for him. He recalls that Chief Justice Kenneth J. O'Connell and Chief

Judge Herbert Schwab were very good and demanding mentors.

Doug left the Office of the State Court Administrator 15 years later. During that time he worked in the trenches, behind the scenes, contributing small parts to the creation of a true, integrated state court system. He also took advantage of the near proximity of Willamette University to earn a Masters in Business Administration and a Juris Doctor. While working almost full time when attending the business and then the law school programs, he established a pattern of work that plagues him to this day. Doug recalls a recent cartoon with the punch line "I work to relax," strange, but true.

He began working in Portland in 1987. He was hired as an administrative analyst and was appointed to the position of Trial Court Administrator four years later. Since that time, except for two years working as a Deputy to the State Court Administrator (1996-1998), he has served as the executive officer for the Presiding Judge of the Multnomah County Circuit Court. Doug says "it is the perfect job for a kid with an attention disorder; there is something new coming into your office every 10 minutes."

Doug notes that the court is an ever-changing perpetual motion machine; it never stops and it is never the same for any significant

period of time. Laws change with cyclical regularity; judges and key personnel change constantly, and the structure of Oregon's judicial branch of government - the Judicial Department - changes with each decade (state funding in 1981 and consolidation of the circuit and district courts in 1998 have been the most significant evolutions). Ballot measures also have impacted courts directly by changing substantive and procedural law and indirectly as resources needed for community programs disappear.

There have also been some significant cultural changes within the court. First, the judicial membership of the court is more diverse now than it has ever been. Second, the judges, who have always understood the importance of their legal roles, also now act upon their role as leaders in our community; they are regularly out of the courthouse working with others to solve common community issues. Finally, while the crown jewel of American civil and criminal jurisprudence, the jury trial, remains essential, every judge is committed to assisting the parties to settle a dispute at the earliest possible time in the life of the action.

Doug says currently he has three priorities. First, the circuit courts need to move as quickly as possible to emulate the federal courts in removing a reliance on paper

documents from the system. He has been working very hard for the last four years on Chief Justice Paul J. De Muniz' eCourt program. In the Chief Justice's current schedule, Multnomah County should begin e-filing in the first half of 2009. Moving to an electronic, Web-based system, with paper on demand, is a key part of the court's strategy for continuity of operation. The federal courts in New Orleans experienced no loss of records during the Katrina flooding due to their electronic documents. The federal court managers just assigned available staff to work locations outside of the flooded areas. The federal courts, with a Web-based system and electronic documents, were back in business within a few days. "We need that protection," he says.

Second, the new Gresham court facility needs to be finished and opened. "Our ability to serve the East County has been constrained for the last 15 years by the current facility," he says, "and the Board of Commissioners have done just about everything necessary to make this new facility available within the next 24 months."

And, third, continue to move forward the replacement of the current Multnomah County Courthouse. "The courthouse will hit 100 around 1911 to 1914 - the gap is due to the original construction being done in two phases; the Salmon and 4th

Avenue sides of the building are two years older than the Main and 5th Avenue sides - and it would be nice to have a replacement moving closer to reality as the community turns the corner on a century of court service in this building," he said. "The current building is deficient by all modern standards, and it is too small for the court's current needs for a downtown courthouse," he continued. He notes that the Board of County Commissioners have taken this project closer to reality than any board in the past by designating the western bridgehead for the Hawthorne Bridge as the future site and by arranging funding to prepare the site by re-routing existing traffic ramps.

Finally, Doug notes that it is his great staff and the staff working for the judges that make the court what it is today. It really is pretty good when compared to other metropolitan courts, and, he says, "The judges and those of us on the administrative staff are always working on it."

Workplace Leader Award Recipients

At its fall conference, OWLS recognized the law firms of **Farleigh Witt, and Bodyfelt, Mount, Stroup & Chamberlain** as the joint recipients of the second annual OWLS Workplace Leader Award.

OWLS created the award to recognize legal employers who are taking innovative measures to maximize opportunities for women and minorities to succeed in the workplace and advance to positions of influence and leadership.

Both law firms are characterized by a progressive culture that favors professional fulfillment over maximizing the bottom line: moderate billable hour expectations, openness to flexible hours and part-time work, and transparent management practices that give women a meaningful voice. Over time, both firms have managed to retain a proportionately high number of women who are raising children, and in each case, these women have become leaders in their respective firms.

Moderate billable hour expectations

In many, if not most, law firms with a similar client base, a minimum billable hour goal of at least 1,800 hours per year is the norm, and attorneys are often expected to bill significantly more. Both Farleigh and Bodyfelt, however, have a substantially lower expectation for their attorneys.

Flexible hours and openness to part-time work

In many firms, "part-time" lawyers do not really work part-time, and lawyers feel pressure to be in the office during certain hours and to maintain a more than full-time schedule. Lawyers at Farleigh and Bodyfelt structure their work schedules taking into account their individual or family needs, with no office "face time" requirements. As a result of the pioneering efforts of women lawyers, both firms have adopted a flexible attitude toward working at home. At Farleigh Witt, nearly all the women lawyers have worked part-time at some period during their careers, yet do not feel as though they are viewed as lacking in commitment.

Women succeeding and becoming leaders

At a time when the national and local trends show women leaving the profession prematurely and when the ranks of women partners remains smaller than law school admissions numbers would indicate, Bodyfelt and Farleigh are trending in the opposite direction. At Bodyfelt, two of the five partners are women, and both started at the firm early in their careers. At Farleigh, seven of 13 shareholders are women and a woman has served as president of the firm for several years. Most of these women have spent the bulk of their careers at their respective firms while raising children and all of them have had significant influence on management decisions.

OWLS congratulates Farleigh Witt and Bodyfelt, Mount, Stroup & Chamberlain for their business success and for their leadership in creating a workplace culture that allows both women and men to thrive.

For more information about the Workplace Leader Award or about OWLS, call 503.595.7826 or visit www.oregonwomenlawyers.com.

The YOUTHFILM Project 2008 is here!



Registration has begun for the YOUTHFILM Project, an annual, statewide student filmmaking contest, sponsored by the YLS with support of the Classroom Law Project. The YOUTHFILM Project provides students (K-12) with an opportunity to express themselves creatively, learn more about the rule of law, win prizes and have fun.

Top films will be screened for the public at the Hollywood Theatre in Northeast Portland on April 29, 2008. Prizes will be awarded at the screening by honorary guests, including Oregon Supreme Court Chief Justice Paul J. De Muniz. Prizes include a Video iPod, iPod Shuffles, gift cards to the iTunes Store and movie tickets.

A number of social studies, civics, film and drama teachers have informed us that they are

integrating the YOUTHFILM Project into their curriculum as a group project or as an extra-credit assignment.

Please encourage the kids you know, as well as parents, teachers and group leaders, to participate. For details, see the 2008 registration materials available at www.theyouthfilmproject.org, along with last year's award-winning films.

New this year: teams that submit their registration forms on or before January 17 will be eligible to participate in free workshops lead by professional filmmakers. Film submissions are due March 14.

10 Questions for the Qualified

As young lawyers, we often find ourselves looking for mentors and role models in the legal field. These experienced attorneys teach us how to avoid common mistakes and how we can mold our practice in order to become the attorneys that we want to be. It is for this reason that we are excited to introduce a new feature: 10 Questions for the Qualified.

In this first installment, Judge Jean Maurer, the soon-to-be Presiding Judge for the Multnomah County Circuit Court, provides her answers to our 10 questions. Judge Maurer earned her B.A. from U.C. Berkeley and her J.D. from Santa Clara University. She moved to Oregon where she practiced as a district attorney, moved into private practice and then transitioned back to being a district attorney before being appointed to the bench in 1996.

1. *Knowing what you know now, if you could go back in time to the first year of your legal career and give yourself some advice, what would it be?*

Have fun. Lighten up. Become involved in local bar activities to meet lawyers whose areas of practice differ from your own.

2. *What is the most common mistake that you see young attorneys make?*

I will mention two: Failing succinctly to identify and address the issue before the court and speaking directly to opposing counsel instead of to the judge.

3. *What was your best day as an attorney (highlight of your legal career)?*

There have been several “best days” which include the day I was sworn in as a lawyer, the day I won my first jury trial and the day I was appointed to the bench.

4. *What was your worst?*

The day I lost an important trial that I should have won.

5. *What changes do you see happening to the practice of law over the next 10 years?*

I am concerned that the practice will become less professional (and therefore less enjoyable) as the community of lawyers grows larger. I also worry that lawyers will fail to develop trial skills because of the skyrocketing costs of jury trial litigation. On the upside, I think there will be greater diversity among the bench and bar, which will better reflect the community we serve.

6. *What are your hobbies outside of work?*

Walking, reading, chatting and eating good food (especially good ice cream).

7. *What advice would you give to a young attorney who would like to eventually end up in your position?*

Treat everyone, especially opposing counsel, with respect, regardless of the intensity of the case.

8. *What is your favorite book, and what are you currently reading?*



Judge Jean Maurer

Too many to list, but two of my recent favorites are *Mountains Beyond Mountains* by Tracy Kidder and *A Fine Balance* by Rohinton Mistry. I am currently reading *Snow* by Orhan Pamuk.

9. *Tell me about one of your mentors.*

Both of my parents were my mentors. Without them and their strongly held beliefs that women could and should pursue whatever goals they set for themselves, I would not have entered this profession. They taught me to work hard and to value people regardless of their personal circumstances.

10. *If you could change one thing about yourself, what would it be?*

To worry less about things over which I have limited control and to find better balance between my professional life and my life outside of work. (In other words, to apply to myself the advice I give to new lawyers.)

YLS Volunteers Help Those in Need

By Jodie Ayura, Bodyfelt Mount et al and YLS Service to the Public Committee member.

The YLS Service to the Public Committee hosted two Community Project Days at the Oregon Food Bank (OFB) in October. Both days were a huge success. Approximately 25 volunteers packaged food for emergency food boxes for distribution throughout Oregon at the OFB's Volunteer Action Center. Attorneys brought their significant others, friends, and children to help out. Over the last year, the OFB has distributed over 750,000 emergency food boxes. If you are interested in volunteering at the OFB or want more information, please visit www.oregonfoodbank.org. Keep an eye out for additional volunteer event announcements in the *Multnomah Lawyer* this winter and spring. The Service to the Public Committee will be hosting volunteer events at nonprofit organizations including

the Oregon Humane Society and Friends of Trees.

The YLS Service to the Public Committee also coordinates volunteer opportunities for those attorneys who seek to make a contribution to the community over a period of time. One such project is the Imprint Program, which brings middle and high school students together with volunteer attorneys to read a novel and correspond through letters. Through the letters, volunteers and students are able to develop mentor relationships and friendships. At the end of the two month program, the students and volunteers get to meet at a luncheon hosted by the committee. If you are interested in volunteering for the Imprint Program, please contact committee chairs Cashauna Hill at chill@ashcroftwiles.com or Josh Ross at jross@ssbls.com.

Finally, the YLS Service to the Public Committee is excited to announce that Community Law Week will take place April 28 - May 3, 2008. Community Law Week is an opportunity for members of the legal community to help educate the public about the legal system. The committee will host a week of activities centered on the ABA's 2008 Law Day Theme: “The Rule of Law – Foundation for Communities of Opportunity and Equity.” The week will include such successful events as Legal Information Centers, Tell it to the Judge, Dress for Success and the YOUthFILM Project's screening of short films created and directed by local high school and middle school students. We look forward to MBA volunteers participating, supporting, and hosting another successful week of activities for the community.



October YLS Drop-in Social

On October 24, the YLS held a drop-in social at The Thirsty Lion Pub. The event was well attended, with approximately 40 people stopping in over the course of the evening. The social was a great chance to catch up with colleagues and to meet some of the new admittees.



Amanda Goodman, Marisol Cordero-Goodman and Ginger Skinner at the October YLS Social

MBA YLS New Admittee Social

By Christopher Lombard, YLS Membership Committee member.

A mixture of approximately 60 established MBA members and new OSB admittees made for a particularly lively gathering on November 8 for this year's YLS New Admittee Social. This social is the MBA's primary tool for reaching out to the newest members of our legal community, in order to familiarize them with the opportunities available through and advantages of MBA involvement. This year's event was held within the “classic lounge” atmosphere of the Crown Room, owned by former practicing attorney (and YLS Membership Committee member) Brad Macomber. The crowd enjoyed the comedic stylings of YLS President David Bean, as well as brief introductions by Thom Brown, current MBA President and each of the YLS Committee chairs. As new bar member Nathan Pliska observed, “it's nice to know that you aren't alone out here.” You certainly aren't.



New Admittee Alex Trauman and YLS Membership Committee member Forrest Collins at the November 8 Social

come celebrate the season at the YLS drop-in social and toy drive

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cooperation should begin. Various valuation approaches and methods are identified and outlined according to their practical uses in divorce cases. The text then turns to trial procedure, such as preparing the expert witness, tactics and strategies for direct and cross-examination. Discussed in detail are how to format and present tax and financial information and how to effectively communicate the data to the decision-maker.

The MBA member price for this publication is \$39.95, regularly \$44.95. To purchase this book or to

We also encourage you to attend the *The Bottom Line: Discovery and Presentation of Financial Information in Civil Litigation* CLE seminar on December 11.

see what others have said about it, log onto www.ababooks.org and enter your member discount source code PAB5EMUL. Your member discount applies to these or any publications featured on the ABA Web site.

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Pro Bono Fundraiser Thursday, January 17, 2008 square deal wine company

Please join us for an evening of great wine, great food, and to support a great cause!

The Pro Bono Committee of the MBA Young Lawyers Section invites you to mix business with pleasure. Buy your tickets now for our first annual fundraiser and calendar the following essential information into your PDA of choice:

What: An evening of fine wines and edible delicacies. You and 50 of your peers will mingle in an intimate, cocktail setting, where you'll eat, drink, learn about great food and wines and exchange lawyer jokes.

All donations will support the Pro Bono Domestic Violence and Juvenile Rights Handbooks published by the YLS of the MBA.

Where: Square Deal Wine Company,

When: Thursday, January 17, 2008, from 6-8 p.m.

Cost: Tickets are \$50 per person and are available by contacting the MBA at 503.222.3275. Prepayment by Visa, MasterCard or check is required by January 7.

Along with a fabulous night, each attendee will receive a \$10 gift certificate redeemable towards the purchase of wine at Square Deal. In addition to ticket proceeds, 10% of the evening's wine sales will be donated by Square Deal.

This event is brought to you with the generous support of the Square Deal Wine Company, the MBA, and the family law firm of Gevurtz Menashe Larson & Howe PC.

www.mbabar.org/MBA_yls-events.htm

Sponsored by the Pro Bono Committee of the MBA YLS, Square Deal Wine Company and Gevurtz Menashe Larson & Howe PC.

PRO BONO VOLUNTEERS

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

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

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

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

Ronald Atwood
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Jonnel Covault, *Moment's Rest*, 2004

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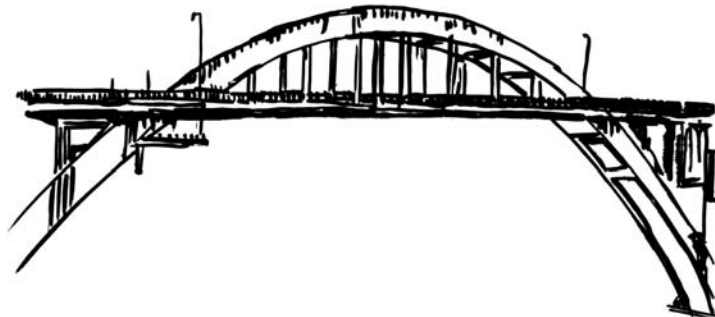
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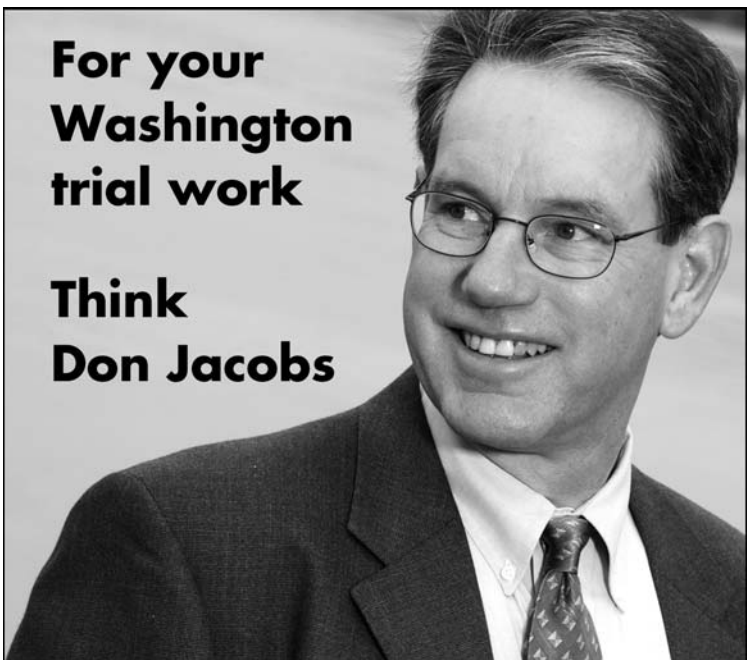
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Foundation Awards \$5K to NW Constitutional Rights Center



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

The Multnomah Bar Foundation (MBF) has awarded a \$5,000 grant to the Northwest Constitutional Rights Center of Portland. The advocacy group is dedicated to safeguarding the rights of people of color, immigrants, the homeless and other vulnerable populations through education, advocacy, improved community relations and litigation.

The money will go toward NW Constitutional Rights Center's "Campaign to End Racial Profiling" and "Community Policing and Civilian Oversight" programs, which serve the Portland metro area.

The projects help to improve police-community relations by partnering with police, the city and other community groups to find policy solutions that will eliminate racial profiling.

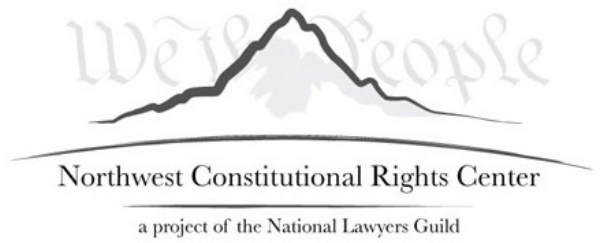
The group also plans to organize listening sessions where community members and police can engage in meaningful dialogue. It plans between 36 and 40 "Protect Your Rights" workshops in 2008.

The MBF Grants Committee, chaired by Multnomah Circuit Court Judge Adrienne Nelson, was impressed with the group's plans to perform outreach and education on an individual level and its plans to reach

out to the underserved. Visit www.nwrc.org for information about the organization.

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