



MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION

1906

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

May 2011 Volume 57, Number 5



Leadership in Action

By Sarah Crooks, MBA President.

On May 17 at the MBA Annual Meeting and Awards Dinner, we will be honoring several of our members and community leaders who have demonstrated strong leadership in professionalism, pro bono and service to our profession and our community. The MBA Awards for Professionalism, Merit and Pro

Bono highlight the mission of the MBA: "Lawyers associated for Justice, Service, Professionalism, Education and Leadership for our members and our community." Inside this edition, we highlight the accomplishments and contributions of our award winners that have advanced our profession and our community, and I will not repeat those details here. But, in reflecting on this year's award recipients and their accomplishments and contributions, I am struck by the common thread of "leadership" that they share, although in different forms.

Several of this year's award recipients are elected leaders of our profession: Mike Schrunck, the Multnomah County District Attorney, and Chief Justice Paul De Muniz of the Oregon Supreme Court, who have demonstrated professionalism and have guided our justice system and judiciary. Several others are elected political leaders within our community who have championed access to justice through their work on our east county and downtown courthouses: Multnomah County Commissioners Jeff Cogen, Chair; Deborah Kafoury, District 1; Judy Shiprack, District 3; and Diane McKeel, District 4. Our Pro Bono Award recipients lead our profession through their service to the poor. We should all follow the examples in pro bono service set by Thomas Chow, Diane Gould, William Miner and Amy Joseph Pedersen. And Award of Merit recipients - Mark Hackett, Benjamin Cox and Sean Ray - lead through their extraordinary service to the profession, even though their service to our profession may not be as visible as other award recipients as they are laboring "behind the scenes" to keep our profession on track and moving forward.

Leadership is demonstrated in various ways. We usually think of leadership as coming from the person at the front, and it certainly includes the front person. But we need leadership from everyone else in the many ways that we all can lead. As John Quincy Adams said, "If your actions inspire others to dream more, learn more, do more and become more, you are a leader."

With that definition in mind, we see leadership in action every day, and as lawyers, we have unique opportunities through the practice of law to provide leadership for our profession and our community. Over the past several days, I have seen the following examples of leadership in action.

We demonstrate leadership by treating our opposing party and opposing counsel with respect even while negotiating for a fair resolution of a difficult and complex dispute. We lead by mentoring more junior lawyers on practice issues, professional development and business development. We lead by organizing and speaking at CLE programs. We lead by expressing our opinions about changes to our professional and ethical rules. We lead by taking on a pro bono matter. We lead by organizing and participating in programs like the Convocation on Equality. We lead by advising our clients on practical ways to address problems. We lead by volunteering our time to legal and community organizations. We lead by bringing a junior lawyer on a client pitch. We lead by signing up to mentor a new lawyer through one of the several mentoring programs around the state. We lead by giving our best efforts to our clients and our colleagues. We lead by maintaining the collegial and civil practice of law in Multnomah County.

Leadership is a skill we all have and one that we can continually improve for our personal benefit and the benefit of our profession and community. Being a leader does not require a large time commitment or any special training. It simply requires a commitment from you to act on behalf of and in the best interest of others and yourself. As the 2011 MBA Award recipients have demonstrated, leadership in action has tremendous benefits and rewards for our profession and community. Please join me on May 17 to applaud and celebrate these leaders.

Multnomah Bar Association Annual Meeting, Dinner and Judges Reception

Tuesday, May 17, 5 p.m.
Marriott Portland Downtown Waterfront
1401 SW Naito Parkway

Celebrating the profession and recognizing our colleagues

Professionalism Award Recipient
Michael D. Schrunck

RSVP by May 3.
Invitations have been mailed separately.
Photos from the event will appear in the July/August Multnomah Lawyer.

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MBA CLE

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

May

Tuesday, May 24

Work-Life Balance Issues for Women and Minority Lawyers

Courtney Angeli
Dee Crocker
Keith Ketterling
Julia Markley
Bonnie Richardson
Josh Ross
Margaret Van Valkenburg
Carolyn Walker

Wednesday, May 25

Multnomah County Presiding Court Update

Judge Jean Maurer

Thursday, May 26

Multnomah County Judges Trial Practices Update

Judge Stephen K. Bushong
Judge Maureen McKnight
Judge Edward J. Jones

June

Wednesday, June 1

How to Effectively Present and Defend PIP and UM/UII Claims

Thomas D'Amore
John Bachofner

Wednesday, June 8

Valuation Disputes in Commercial Cases

Joseph Arellano
Susan Marmaduke
Serena Morones

Thursday, June 9

Developing Winning Themes

Janet Lee Hoffman
Daniel Skerritt

In This Issue

Calendar..... p. 3
Announcements..... p. 4
Ethics Focus..... p. 4
CourtCare Campaign..... p. 5
Around the Bar..... p. 7
Tips from the Bench..... p. 8
News From the Court..... p. 8
Professionalism Award..... p. 8
MBA Merit Award..... p. 9
OHBA Feature..... p. 9
YLS..... p. 10
Classifieds..... p. 14
Multnomah Bar Foundation...p. 16

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

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Consider Volunteering for an MBA or YLS Committee

Please see the insert in this issue or at www.mbabar.org to sign up for an MBA 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.

MBA Committees

Continuing Legal Education (CLE)

Plans, conducts and evaluates 30 or more CLE seminars a year. Classes are developed for attorneys in practice 10 years or longer and topics reflect various areas of practice.

CourtCare Fundraising Campaign

Plans the annual fundraising campaign for free childcare in the Multnomah County Courthouse.

Court Liaison

Serves as the MBA interface with the court; fosters dialogue between our membership, the judiciary and the court administrator.

Equality

Promotes equality in the profession and justice system and identifies ways in which the MBA can promote diversity in the practice of law.

Golf

Plans several golf tournaments between April and October, including the MBA Championship, which benefits the Volunteer Lawyer Project at Legal Aid Services of Oregon.

Group Health Insurance

Monitors quality, low-cost health insurance options for MBA members; negotiates renewal rates with insurance carriers; and explores additional services to be added to the program.

Judicial Screening

Screens judicial appointment candidates and makes recommendations to the presiding judge, chief justice and the governor, in accordance with the MBA process.

Membership

Plans member events, including the annual WinterSmash which benefits CourtCare.

Professionalism

Creates and conducts programs that promote professionalism in the practice of law and assists with the nomination and selection process for the MBA Professionalism Award.

YLS Committees

Futures

This committee looks at topics affecting the evolving practice of law, such as generation gap, sustainability, mentoring, work/life balance, technology, leadership and diversity and develops and implements strategies to address the issues.

Membership

Plans drop-in, meet-the-judges, fall new admittee and other monthly socials. The committee also publishes the *New Admittee Survival Guide*.

Pro Bono

Encourages lawyers to donate their time and legal skills to the poor; publishes handbooks on juvenile rights and domestic violence; coordinates volunteers for at-risk youth programs; and sponsors a nonprofit project pairing volunteer attorneys with nonprofit organizations.

Professional Development and Education

Plans and sponsors YLS CLE seminars and sessions that help young lawyers develop their careers. These seminars address the needs of attorneys in their first five years of practice.

Service to the Public

Educates and serves the general public with efforts such as Community Law Week, the Dropout Prevention Program and the Imprint Program. The committee also trains and coordinates volunteer attorneys who act as judges in Multnomah County Animal Services hearings.

YOUthFILM Project

Organizes the annual filmmaking contest for grades K-12, focusing on the ABA Law Day theme.

CALENDAR

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

May

2-7

Monday-Saturday, YLS Community Law Week

See www.mbabar.org for details.

2-20

Monday-Friday, MBA CourtCare Fundraising Campaign

Visit www.mbabar.org for details.

3

Tuesday, MBA CLE

The New ADA in Action

See insert or register at www.mbabar.org.

Tuesday, YOUthFILM Screening at Hollywood Theatre

See www.theyouthfilmproject.org for details.

4

Wednesday, MBA CLE

Annual Probate Update

See insert or register at www.mbabar.org.

6

Friday, Screening of Disturbing the Universe

See www.mbabar.org for details.

10

Tuesday, June Multnomah Lawyer deadline

Tuesday, YLS Board meeting

17

Tuesday, MBA Annual Meeting & Dinner

See details on p. 1.

19

Thursday, YLS PDE Seminar Starting Your Own Firm

See insert or register at www.mbabar.org.

20

Friday, Judicial Brown Bag

See Announcements on p 4. for details.

23

MBA Lawyers & Law Students Golf Event at Langdon Farms

Register at www.mbabar.org.

25

Wednesday, MBF Board meeting

Wednesday, MBA CLE

Multnomah County Presiding Court Update

See insert or register at www.mbabar.org

30

Monday, Memorial Day Holiday

June

1

Wednesday, MBA CLE - How to Effectively Present and Defend PIP and UM/UIM Claims

See insert or register at www.mbabar.org.

2

Thursday, MBA Social with Specialty Bars

See details on p. 7.

9

Thursday, MBA CLE

Trial Themes

See insert or register at www.mbabar.org.

10

Friday, July/August Multnomah Lawyer deadline

11

Saturday, MBA Board retreat

15

Wednesday, YLS Recognition Event at Kennedy School

16

Thursday, YLS Estate Planning Fundamentals CLE and Lab

See insert for details.

21

Tuesday, MBA Golf Event at Riverside Golf & Country Club

Register at www.mbabar.org.

22

Wednesday, MBF Board meeting

24

Friday, YLS Board retreat

July

4

Monday, Independence Day Holiday

14

Thursday, MBA Family & Friends Golf Event at McMenamins Edgefield

Register at www.mbabar.org.

21

Thursday, OMLA Annual Social & Fundraising Auction at WTC

Visit www.omla.org for details.



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Ethics Focus

By Mark J. Fucile, Fucile & Reising.

Memorial Day Duties to Deceased Clients



When we think of our duties to former clients, we usually focus on the former client conflict rule, RPC 1.9, and the confidentiality rule, RPC 1.6. We understand instinctively that those duties can last a long time. In a decision last year, however, the Oregon Supreme Court reminded us that our duties to former clients can even extend beyond the client's death. In this column, we'll look at both our duties of loyalty and confidentiality to deceased clients.

Conflicts

In re Hostetter, 348 Or 574, 238 P3d 13 (2010), involved a lawyer who assisted a borrower, Ingle, in obtaining a series of secured loans from a private lender, Hohn. The lawyer also later represented Ingle in obtaining partial releases from the mortgage involved. Ingle died in 2004 and her daughter was appointed the personal representative of her mother's estate. After Ingle's death, the lawyer represented Hohn on a probate claim based on the loan agreements that he had earlier prepared for Ingle. Ingle's daughter filed a complaint with the bar and the issue in the disciplinary proceeding was whether the lawyer violated the former client conflict rule when he handled the probate claim for Hohn seeking to enforce the loan agreements he had prepared for Ingle. The Supreme Court found a former client conflict.

The Supreme Court first noted that the former client conflict rule applies to deceased clients. In doing so, the court observed that both former DR 5-105(C) and current RPC 1.9(a) are framed in terms of whether a lawyer's current representation is materially adverse to the "interests" of a former client in the same or substantially related matter. As the court put it:

"The wording of those rules focuses on the *interests* of the former client [A] client's interests can and often do survive a client's death, [and] the rules' protections extend to a former client even after his or her death. But it is not just any *interests* of the former client that must survive. In the context of the disciplinary rule, it is the former client's interests that pertain to the matter in which the lawyer previously represented the former client. It is those interests that must survive the former client's death." 348 Or at 584 (emphasis in original).

The court found the requisite link in the case at hand and also concluded that the respective positions of the former client and the current client were materially adverse. Under the facts before it, *Hostetter* focused largely on our duty of loyalty to former clients. The court noted, however, that the duty of confidentiality to former clients can also create a disqualifying conflict. We'll next turn to the duty of confidentiality.

Confidentiality

The duty of confidentiality in Oregon is rooted in both RPC 1.6 and ORS 9.460(3). Both are broad in scope and neither has an expiration date. The duty of confidentiality is also fiduciary in character (see *In re Lackey*, 333 Or 215, 229, 37 P3d 172 (2002)). It encompasses the attorney-client privilege, but is not limited solely to attorney-client communications. RPC 1.6, for example, frames the duty as "[a] lawyer shall not reveal information relating to the representation of a client[.]" ORS 9.460(3), in turn, requires that lawyers "[m]aintain the confidences and secrets of the attorney's clients[.]"

Other than a narrow exception involving testamentary disputes, the attorney-client privilege is generally construed to survive the death of the client. The United States Supreme Court in *Swidler & Berlin v. United States*, 524 US 399, 118 S Ct 2081, 141 L Ed2d 379 (1998), surveyed the long history of this facet of the privilege and concluded that it remains as central to fostering the privilege today as it did a century ago. Our own federal district court relied on *Swidler* comparatively recently in making this same point in *United States v. Regale*, No. CRIM. 01-321-KI, 2006 WL 696312 (D Or March 14, 2006) (unpublished). Under OEC 503(e)(3), the privilege of deceased client is vested in the personal representative, however, it remains the duty of the lawyer to assert the privilege on behalf of the deceased client pending further direction of a reviewing court.

The OSB in Formal Ethics Opinion 2005-23 (2005) examined the duration of the broader duty of confidentiality encompassed within RPC 1.6.

ANNOUNCEMENTS

MBA Judicial Brown Bag May 20

Please join the judges of the Multnomah County Circuit Court for a brown bag discussion at noon on May 20. The biannual judicial brown bag series provides MBA members an opportunity to have an informal discussion with our judges. The main topic of discussion this time will be discovery disputes - including disputes about electronic discovery - but other questions are also welcome. Please bring your lunch and your questions to presiding court (courtroom 208) on Friday, May 20, from noon- 1 p.m.

Commitment to Professionalism

The professionalism statement developed by the MBA Professionalism Committee is available for MBA members to order and display in their offices. The statement is printed on quality 11x14" parchment paper and is suitable for framing. Reconfirm your commitment to professionalism; order your free professionalism statement at www.mbabar.org/docs/Profcertorder.pdf.

MBA Noon Time Rides

Gather at SW Yamhill and Broadway between noon and

12:10 p.m. on Mondays and Thursdays. Contact Ray Thomas at 503.228.5222 with questions, or meet at the start.

Multnomah County Courthouse Closed Monday-Friday 7 p.m.-7 a.m.

Until further notice, the downtown courthouse is closed between the hours of 7 p.m. through 7 a.m. The law library hours are 8 a.m. to 6 p.m., Monday-Friday and 9 a.m. to 4 p.m. Saturday. The library is closed Sundays.

Queen's Bench Events

Monthly Luncheon

Please join Queen's Bench at Trees Restaurant, 1211 SW 5th Ave., on Tuesday, May 10, 11:45 a.m.-1 p.m. Cost is \$14. The speaker is Alisa Blum from Alisa Blum & Associates. The topic is multigenerational communication techniques.

Get off the Bench - Wednesday Walks

Meet on 12:10 p.m. on Wednesdays at the Salmon Street Fountain to walk for 40 minutes on the Hawthorne to Morrison loop.

For more information on Queens Bench activities, contact Vice President Christine Coers-Mitchell at coers@comcast.net.

US District Court Bankruptcy Judgeship Opportunities

One opening is in the Northern District of California (Oakland) and closes May 12, and one is in the Eastern District of California (Fresno) and closes May 19. Visit www.mbabar.org/courts.htm for more details and an application.

OSB and Law Schools Collaborate on Pro Bono Web Site

The OSB and the three Oregon law schools announce a new tool to support lawyers who provide pro bono services to clients and to give law students an additional venue to work with practicing attorneys: ORprobonostudent.net. The site is designed to connect lawyers handling a pro bono matter with law students who can provide pro bono student help. Lawyers from across the state, as well as students from all three law schools - Lewis & Clark, U of O and Willamette - have access to the site.

Questions and tips about the new Web site may be directed to Catherine Petrecca, Pro Bono Coordinator for the OSB at cpetrecca@osbar.org.

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The opinion uses the example of a retired lawyer who would like to give some of his files to an educational institution for historical research. The files contain confidential information that the lawyer obtained from

clients over the years. The bar concluded that the lawyer could not do so because, even with the passage of time, the information remained confidential and the lawyer remained bound by the duty of confidentiality.

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

CourtCare's 8th Annual Fundraising Campaign May 2-20

By Jenna Mooney, Davis Wright Tremaine and CourtCare Fundraising Committee member.



The Multnomah County Courthouse can be a very scary place, even for adults. Now, imagine the many young children who visit the courthouse with caregivers who are embroiled in difficult, and often disturbing situations. Many of their parents are involved in domestic violence hearings, testifying at trial or to the grand jury, attending eviction proceedings, participating in drug and alcohol treatment programs, or going through custody disputes. Before CourtCare, these children had nowhere to go; they roamed

the courthouse halls unattended or, worse, witnessed adult conflict and other traumatic scenes in courtrooms. Now these children do what they should be doing - playing with toys and reading books.

CourtCare, a project of the MBA, is operated by Volunteers of America Oregon and located in a converted jury room. The program has cared for nearly 9,000 children (ages six weeks to five years) since opening its doors in December 2001. The children receive individual attention from state-certified childcare providers.

The program is made possible by the generosity of our legal community. It receives some public funding, but depends primarily on the financial support of individual lawyers, legal assistants, paralegals, law firms and judges. Most of CourtCare's funding comes from the annual campaign. Last year, more than 1,000 people contributed a total of over \$100,000. Virtually every Multnomah County Circuit Court judge has contributed to the campaign in each of the past several

years - a testament to the value placed on the program by those who see it in operation every day.

The 8th Annual CourtCare Campaign will run from May 2-20, with a goal of raising more than \$100,000. Every dollar helps, but the campaign will especially recognize donations at the \$150 and \$500 levels.

For those who wish to participate, the CourtCare Campaign stages a competition among law firms and other organizations. Last year the law firm of Buchanan Angeli Altschul & Sullivan received the "Loftiest Leap" award for the highest per capita contribution to CourtCare. The law firm of Davis Wright Tremaine made the largest total contribution to the campaign, capturing the "Proudest Pride" trophy.

To learn more, contact campaign chair Hwa Go, at hwa.go@harrang.com. Also, please see this month's insert to make a donation by mail, or visit www.mbabar.org, to make a donation online.



In court, being loud isn't the same as being prepared. Jurors might find theatrics and exuberant posturing amusing. But in the end, better arguments prevail.

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Leading by Example - Amy Pedersen, 2011 Pro Bono Award of Merit

By Cathy Petrecca, OSB.

Amy Pedersen claims that she does pro bono work because she's "selfish at the core." Perhaps we should all be so selfish. Amy is a 2011 Pro Bono Award of Merit recipient because of the incredible commitment she has shown in working with clients from the Stoel Rives/Legal Aid Services of Oregon Night Clinic. In a longstanding partnership between the firm and LASO, Stoel Rives opens its doors two Thursdays a month for clients pre-screened by LASO. Every other clinic is open to volunteer attorneys outside the firm. The cases cover many areas, including consumer issues, small claims cases, criminal record expungements, landlord/tenant damage claims, estate planning, nonprofit incorporation

and more. The volunteer attorneys typically provide continuing legal representation to clients with whom they meet.

Amy usually has two or three pro bono matters from the Night Clinic in her caseload at a time. In addition, she took over the Stoel Rives management of the clinic at the start of this year. This provides her the opportunity to mentor new lawyers and encourage them to always include pro bono work in their practices. As she states, "Everyone is busy and everyone knows how much more they can take on. I realize that people have other commitments; I do more now than I did when my kids were little. Incorporating pro bono work

into your practice is as simple as coming to understand that it is part of your job."

Amy feels strongly that lawyers should include representation of the poor as part of their practice. She notes, "Lawyers have always had a special role in our society. We make the rules and advise the politicians. Our advocacy skills generally determine who wins and who loses. I believe that because of that special role, we all have an obligation to provide services to those who can't afford to pay for an attorney's help. The justice system is often not very "just" and would be far less so if only those who could afford attorneys had access to them. I do pro bono work because I believe it

is part of my duty as a lawyer, and because it makes me feel good."

A 1982 graduate of the U of O and a 1985 graduate of the UVA School of Law, Amy currently focuses her practice mostly on employment matters. In addition to the clinic, she has served for over 15 years on the Janus Youth Programs Board of Directors. She also serves on the Board of the United Way of the Columbia-Willamette, and co-chairs Stoel Rives' charitable giving campaign. In the past she has served on the boards of Mt. Hood Community Health Center and the Children's Land Trust. She has helped Youth, Rights and Justice (formerly Juvenile Rights Project) with special projects



and is currently representing an incarcerated young man seeking clemency on a Measure 11 offense.

If you are interested in more information on how to get involved volunteering with the Legal Aid Night Clinic, contact Catherine Yarnes at probono@lasoregon.org.

Bill Miner's Dedication to Service Merits Pro Bono Award

By Sharon Brown, Oregon Law Center.

William D. (Bill) Miner of Davis Wright Tremaine has been awarded the Pro Bono Award of Merit for his steadfast dedication to promoting pro bono within his firm, as well as dedicating 125 hours to pro bono matters in 2010. Bill began as a summer associate with the firm in 2003 and worked with pro bono matters from the beginning. In seven years, he has handled pro bono matters for clients on diverse matters including quiet title actions, will and trust disputes, dissolutions, child custody matters, small claims actions, landlord/tenant problems and challenges to garnishments. He has also drafted wills, assisted clients in obtaining pension benefits, helped with an estate matter and handled contract disputes. Bill volunteers to do family law intake on a monthly basis with St. Andrew Legal Clinic in Multnomah County. Joel Overlund, Executive Director

of the clinic noted in his letter in support of Bill's nomination, that although Bill does not practice family law at his firm, he has taken the time to learn the basics of family law and is very good at interviewing and counseling.

One of Bill's proudest accomplishments in the pro bono arena was helping a family obtain guardianship over their two pre-teen nieces who were residing with an alcoholic grandparent. As a result of Bill's work on the case, the girls now live with their aunt and uncle. Bill receives regular reports that the girls are now thriving, doing well in school, and are looking forward to a bright future.

He served on his firm's pro bono committee for three years, including a stint as the committee's vice chair. Prior to that, Bill served



on the YLS Pro Bono Committee, where he worked with fellow Davis Wright Tremaine attorneys Carol Noonan, Scott Warnick and others to create the Outside/In Legal Clinic. This clinic serves Portland's homeless youth and continues to operate to this day.

In recognition of his pro bono work, Bill was awarded the 2011 Davis Wright Tremaine Heart of Justice Award, presented each year to an associate who has exhibited exceptional pro bono commitment and performance.

"A spot-on instinct for qualified candidates."

— Brenda K. Baumgart, Partner, Barran Liebman LLP, Attorneys at Law

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AROUND THE BAR



Joseph Voboril

TONKON TORP

The firm has formalized its longstanding work on behalf of nonprofit and charitable organizations by creating a nonprofit and tax exempt entities practice group. Attorneys in the multidisciplinary group serve the specific needs of all nonprofit entities, including educational, arts, religious, fraternal, social welfare and human services organizations.

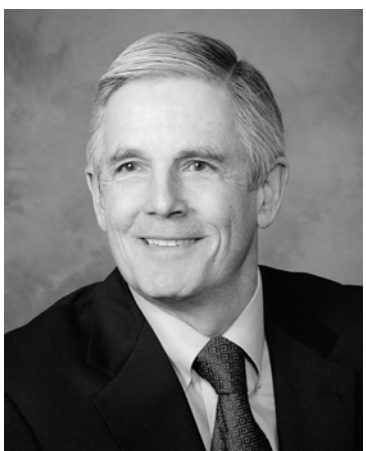
The new practice group is chaired by Tonkon partner **Shouka D. Rezvani**, who counsels public charities as well as operating and non-operating private foundations on organizational and operational issues. She also is a member of the firm's wealth planning practice group, which advises families and business owners about business and succession planning, estate administration and charitable giving.

Real estate attorney **Joseph Voboril** joined the board of directors of the Portland Art Museum. He has volunteered hundreds of hours of his time and legal expertise in his four previous terms on the museum's board.

Voboril's practice focuses on complex commercial real estate transactions and land use.

Tonkon Torp is one of the sponsors of the upcoming *Contemporary Northwest Art Awards* exhibition that will be displayed June 11-September 11.

STAHANCYK, KENT & HOOK The family law firm was recently honored by *Oregon Business Magazine* by being named one of the "100 Best Companies to work for in Oregon."



Michael R. Silvey

LANE POWELL Shareholder **Michael R. Silvey** received the Commercial Association of Realtors' Humanitarian Award, which honors him as one of the commercial real estate industry's highest achievers in humanitarian work, recognizing him for his involvement in the Clackamas Community Land Trust, the Multnomah Circuit Court Mediation Program and the YMCA of Columbia-Willamette.

Silvey focuses his practice on representing developers, investors and businesses in all aspects of commercial real estate, including purchase transactions, loans for acquisition, development and refinancing, construction agreements, leasing and land use approvals.



Annelisa Smith

MCKINLEY IRVIN The firm, which focuses exclusively on divorce and family law, has added **Annelisa Smith** as an associate. Smith works with veteran attorney and international family law expert **Kathy Root**.



Michelle K. Freed



Tim L. Eblen

EBLEN FREED **Michelle K. Freed** and **Tim L. Eblen** have opened their own practice, Eblen Freed. Their firm offers legal services to families and small businesses. The attorneys will continue to offer

individualized counsel on debtor or creditor issues, including litigation/dispute resolution and bankruptcy. Their general practice includes collaborative family law, basic estate planning and business transactions.



Julia Markley

PERKINS COIE **Julia Markley** has been promoted to partner in the firm's litigation group. Markley focuses her practice in the areas of complex business litigation, intellectual property litigation and federal and state appellate work.

MARKOWITZ, HERBOLD, GLADE ET AL

Renée Rothauge joined the firm as a shareholder. Rothauge will continue practicing intellectual property and business litigation. In addition, **Chad Colton**, a business litigator, joined the firm as an associate.



Maryann Yelnosky-Smith

BULLARD SMITH JERNSTEDT WILSON Lewis & Clark Law School honored shareholder **Maryann Yelnosky-Smith** with the 2011 Harpole Attorney Award, which is presented annually to a lawyer who is dedicated to the pursuit of justice while maintaining a sense of balance among career, family and community.



Tamsen Leachman

FISHER & PHILLIPS

Tamsen Leachman is now a partner in the firm. Leachman brings nearly 20 years of experience assisting employers in all areas of employment and labor law.



Frank Langfitt



Leslie Bottomly



Kay Abramowitz

ATER WYNNE

Frank Langfitt, chair of the firm's litigation department, has been re-elected as chair of the board of The Campaign for Equal Justice.

Langfitt focuses his law practice in a variety of litigation and client consultation areas, including business and commercial disputes, business torts, insurance coverage issues, casualty/product liability cases and environmental cases. He serves as the litigation department chair.

Leslie Bottomly, a partner in the firm's labor and employment group, has been elected to the board of Raphael House of Portland, a multi-faceted agency dedicated to ending domestic violence. **Kay Abramowitz**, chair of the firm's wealth preservation group and family owned business group, has been elected to the Portland Opera Board of Directors.

Bottomly focuses on advising organizations on strategic employment matters and advising healthcare organizations on a broad range of business and compliance matters.

Abramowitz counsels individuals and business owners on asset protection and wealth preservation through estate planning, estate and trust administration, entity formation and business planning.

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. All items are edited to fit column format and used on a space-available basis. Send submissions to carol@mbabar.org.

Judicial Department Budget (excerpts from the OSB Capitol Insider)

The Joint Ways and Means Committee Public Safety Subcommittee held hearings on SB 5516, the 2011-13 Oregon Judicial Department budget bill.

The Governor's budget made no recommendation for this budget, but included the amount of the legislatively approved budget for 2009-11 as a placeholder, in the amount of \$297.2 million general fund, and \$368.8 million total funds.

The chief justice recommended a general fund appropriation of \$385.5 million and a total fund appropriation of \$457.1. This recommendation includes funding for a number of services and programs that are not part of current services, from creation of an additional three-judge panel on the Court of Appeals, to preservation of the Supreme Court building, to rebuilding from the 2009-11 budget reductions.

The final budget will probably not emerge until mid-June or later.

save the date! MBA'S FIRST THURSDAY JOINT SOCIAL with specialty bar associations

June 2, 5-7 p.m. at Ater Wynne
(1331 NW Lovejoy, 9th floor)

The MBA Membership Committee is pleased to co-sponsor an event with other state and local bar associations that support and celebrate the contributions of diversity and inclusion in the legal profession. Sponsors are the OSB Diversity Section, the Oregon New Lawyers Division (ONLD), OGALLA, OWLS, Ater Wynne and MBA. Please join us for a social with hosted food and drinks, then visit art galleries and enjoy First Thursday in the Pearl District!

Space is limited, so RSVP to kathy@mbabar.org, to reserve a spot or for your organization to become a co-sponsor of this popular event.

Tips from the Bench

By Leslie Roberts, Multnomah County Circuit Court.

At the courthouse we've read that an esteemed senior advocate will soon give a seminar on the secret of persuading judges. Some of my fellow judges have talked of attending to learn how this is done. As a persuade-ee, I have a few thoughts on the subject that I'll pass on for free.

1. Know the judge's preferences for that judge's courtroom.

Go to the individual judge's page on the court Web site, which may be reached at the following link: www.mbar.org/courts.htm.

Many judges post memos to explain their preferences and practices in their courts. We're human, and so we feel better about people who bother to find out what we want. If there are other questions, no one minds answering them. You don't want to unknowingly distract the judge by violating courtroom guidelines.

2. Make life easy for the court and court staff.

Pay all necessary fees in advance. It is easy to check the rules or accounting to find the fee for a motion, for recording proceedings and for an order. The judge's clerk is busy and should not be expected to explain fees to attorneys. Don't use time set aside for your case to rush to the cashier's window.

Don't add new motions to time for an earlier-filed motion without express permission of the court. We have another matter set immediately after your motion. Time will not expand magically to accommodate your new issues. When you argue, get to the point without reiterating your written motion and state clearly and succinctly what you want the court to do.

3. Be reliable.

The best way to increase your odds of winning in court is to be right. This is widely known but the ramifications don't seem to be appreciated.

Lawyers often blame themselves for losing and congratulate themselves for winning; yet the merits are the biggest factor in the outcome. The lawyer can only help or hinder on the margins of the controversy. Nevertheless, lawyers can influence matters by smoothing the court's path to the correct outcome, or weighing the odds for one among competing, legally justifiable results.

To have any positive effect at all, however, an advocate must earn the court's confidence.

An ineffective lawyer may still prevail simply because he happens to be on the right side, but in that case, my poodle would have done equally well.

To earn confidence, the advocate is forthright about the problematical aspects of the argument as well as its strengths.



She or he is well informed about the facts and law, and reasonable in the arguments advanced. Advocates must take responsibility to resist a client's demand for an unmerited result. Advocates are professionals. They, not the clients, choose the arguments to be made in court.

After a loss, the advocate will return to argue again on something else. Credibility gained in a losing cause is rewarded by earned trust when the advocate holds a better hand. If the court concludes that lawyer may ignorantly or intentionally mislead the judge, that lawyer can no longer help his client by argument.

No attorney, however silver-tongued, is persuasive without thorough grounding in the law and facts; any attorney, however unprepossessing in delivery and appearance, can be an effective advocate if he or she has taken the time and effort to develop information and insights that the court can be assured are trustworthy tools in the judge's task of seeking the right outcome.

4. Be gracious in adversity.

Lose well. Judges are trying, according to what skill and knowledge we may have, but we can't always reach the right result. If you lose, it isn't personal to you. It won't help you now or later to make a show of disgust at an unfavorable result. Have pity on us. We did our best.

You need to listen respectfully and calmly to opposing arguments. You gain nothing by shows of emotion. You will have your turn to say you disagree. It is a psychological fact that your positions will seem less reasonable and logical if you are visibly in the grips of runaway emotions. Act as if you are simply, sadly, forced to contradict your honored friend solely because of the applicable law. Let your demeanor suggest that you look forward to a sociable cup of coffee together after court – even if in reality you will cross the street to avoid him.

Refrain from impugning your opponent for all the incidental abrasions and discourtesies he or she has committed. Over months of conflict the friction can raise blisters on the nerves of zealous attorneys. However, the court isn't there to referee these disputes. There is nothing you can win by talking about them.



By Terry Wright, Lewis & Clark Legal Clinic and Court Liaison Committee member.

Courthouse Update

Doug Bray reported that the last two weeks had seen Oregon Judicial Department's (OJD) budget presentations at the legislature. He and Judge Maurer had been involved in discussing various budget issues with legislators, especially the Public Safety Subcommittee of Ways and Means. The subcommittee seemed supportive of the OJD presentation to them. In addition to funds for operations of the courts for the 2011-13 Biennium, the OJD is asking for continued funding to implement eCourt on a statewide basis and for \$1.3 million in order to purchase furniture for the East County Courthouse.

Ways and Means has reported that its budget proposal did not cut as much from the OJD's and Indigent Defense Services budgets as it had from other entities, but has not provided any solid figures related to this budget.

HBs 2710 and 2712, the HB 2287 "fix" bills addressing filing fees and criminal case revenues, are moving their way through the legislature.

Doug noted that, even with the referee lay-offs which require that circuit court judges are routinely covering courts in the Justice Center, every civil case ready for trial on the presiding judge's call docket is getting sent to a judge every day.

Feedback to the Court

Eric Dahlin reported that he is working with Judge Maurer to develop a method for lawyers to provide feedback to individual judges.

Spring Brown Bag Lunch with Judges is May 20

The topic is discovery disputes. Attorneys are invited to bring their lunches and their questions to courtroom 208 on Friday, May 20 at noon.

Expedited Jury Trials

As a reminder: there is a Multnomah County expedited jury trial process. Some cases are "in the pipeline," but none had yet gone to trial.

Michael Schrunk - 2011 MBA Professionalism Award Winner

The 2011 MBA Professionalism Award will be presented to Multnomah County District Attorney Michael Schrunk at the MBA Annual Meeting on May 17.

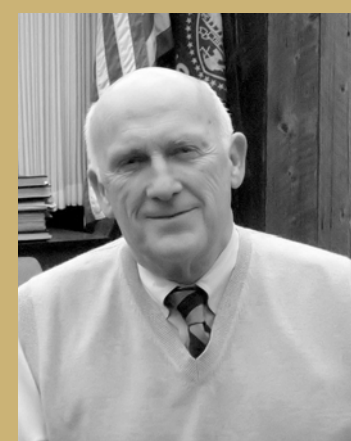
The MBA Professionalism Award is the organization's highest honor and only candidates who exemplify, not simply meet, the standards set forth in the MBA Professionalism Statement are considered.

Schrunk has been the Multnomah County District Attorney for 30 years, since 1981. He was nominated for the MBA Professionalism Award by attorneys and judges from across the spectrum. His nominators include current and former deputy district attorneys and criminal defense lawyers,

and judges from the county's criminal and civil bench.

Nominators said that he:

- Gives thoughtful consideration to the rights of both the victim and the accused.
- Has a collaborative and inclusive style.
- Devotes an enormous amount of his time and energy to ensuring that his office will work hard, ethically and professionally, to meet the community's expectations.
- Practices thoughtful and straightforward dealings with the court, lawyers and the public safety system.
- Constantly works to make the public safety system better.
- Sets high standards for the lawyers in his office to "do the right thing" and instills in staff



that "questionable behavior is not allowed."

- Models the high expectations he has for those who work for him.

Congratulations to Multnomah County District Attorney Michael Schrunk, recipient of the 2011 MBA Professionalism Award.

Even accurate complaints on the level of lawyer-on-lawyer discourtesy work against your client's interest. They compete for time and attention (always in scarce supply) with what matters to the client. There isn't any way to raise them and avoid sounding like an angry kindergartener. Instead of fighting over the petty

misdeanors of law practice, smile at your opponent and call him or her worthy and learned; then win. It's the best revenge.

5. But you can't win them all.

The best of lawyers (like the worst of them) win some and lose some. The art of advocacy is choosing your battles and shifting the odds

in favor of your client. By adhering to these principles you will still lose some. But you will have done the best that can be done to present your case while building habits of professionalism and reliability that will help you in the many conflicts to come.

2011 MBA Awards of Merit

Congratulations to this year's Merit Award recipients! This award is presented to members and nonmembers who demonstrate an enduring commitment to the MBA mission of promoting justice through service, education or leadership to the MBA, the legal profession and the community.

The awards will be presented on May 17.

Chief Justice Paul J. De Muniz is being recognized for his commitment to safe and efficient state court facilities. Awards are also being presented to Multnomah County Chair **Jeff Cogen** and Multnomah County Commissioners **Deborah**

Kafoury, Judy Shiprack and Diane McKeel for their efforts to build the new East County Court Facility and for studying ways to upgrade the downtown courthouse.

Mark Hackett will receive the award for his pro bono services to the MBA. Additionally, he has provided ongoing pro bono legal advice to Mercy Corps, the Portland Children's Museum and various other nonprofit organizations. He was a valuable member and chair of the MBA CLE Committee. Mark was among the Oregon volunteer lawyers who went to the Gulf Coast to provide legal assistance in the aftermath of Hurricane Katrina.



Chief Justice Paul J. De Muniz



Jeff Cogen



Judy Shiprack



Deborah Kafoury



Diane McKeel



Mark Hackett

Oregon Hispanic Bar Association - a small bar with big results

Mark your calendar for the 2011 Convocation on Equality on November 4

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

The Oregon Hispanic Bar Association (OHBA) focuses on representing the voice of Latinos in Oregon's legal community, encouraging them to become attorneys, supporting and mentoring Latino law students and legal professionals, promoting advancement of Latino legal professionals, retaining them in Oregon, providing social networking opportunities, collaborating with other organizations and raising the awareness of Latino legal issues.

2011 board members are Graciela Cowger, Stolowitz Ford Cowger; Kevin Diaz, ACLU of Oregon; Susan Felstiner, Cable Huston; Marisol McAllister, Farleigh Wada Witt; Sandra Naranjo, Naranjo Prosser Law; and Judith A. Parker, Hinshaw & Culbertson.

"The organization works with other minority lawyer organizations in Oregon to provide a course to teach legal professionals from diverse backgrounds on how to become a judge," stated Marisol McAllister.

Each year OHBA presents a CLE, ranging in topics from Latinos on the bench and in public office; to helping diversity students in Oregon law schools prepare for a successful legal career, to training lawyers, in conjunction with the Juvenile Rights Project (now Youth, Rights & Justice), who are interested in representing Latino students with school discipline issues.

Kevin Diaz's idea to establish an annual award program and dinner has led to one of the legal community's premier events.

Appeals for the Federal Circuit this month. Subsequently, the award has been awarded to Hon. Angel Lopez (2008), at the time a criminal defense attorney, Daniel P. Santos (2009), who was a member of the Governor Kulongoski's staff, Hon. Kathryn Villa-Smith (2010), previously a litigator in a domestic relations firm, and to John Haroldson (2011), currently the Benton County District Attorney.

The annual dinner event has grown significantly, including tables filled by students from all of Oregon's law schools. The evening is "an atmosphere of celebration, with everyone coming together and having a good time and honoring the achievements of very successful people who have contributed a lot to the community," says Susan Felstiner, the first OHBA president.

With the help of corporate sponsors, the annual dinner also raises funds to send law students to the national convention to give them an opportunity to network with other Latino attorneys. The organization has also donated to the Portland Hispanic Metropolitan Chamber for Latino student scholarships.

One challenge "is making sure we're connecting with people outside Portland, including Eugene and Salem attorneys and the law schools. It is important that we keep the channels of communication open and that we are working together," stated Graciela Cowger. "We try to do a little more each year to retain and support new lawyers. There is a large Latino community with so few Hispanic lawyers," she continued.

The OHBA is open to all attorneys, paralegals, law professors and judges with an

interest in supporting the Latino legal community. It is a regional affiliate of the HNBA, which has allowed the OHBA access to key decision makers at the highest levels of government, including those within the White House.

OHBA members regularly participate in HNBA's board meetings and other activities. Dues are \$10/year for law students and recent graduates and \$40 for everyone else.

Pictured at the 2011 annual dinner



L to R - Danny Santos, advisor to former governor Kulongoski and the 2009 recipient of the Paul J. De Muniz Professionalism Award; Mick Konowal, senior attorney at Microsoft (sponsor); John M. Haroldson, Benton County District Attorney and the 2011 recipient of the Paul J. De Muniz Professionalism Award; and Oregon Supreme Court Chief Justice Paul J. De Muniz



L to R - Kevin Diaz, ACLU Legal Director for Oregon; Mick Konowal, senior attorney at Microsoft (sponsor); Judge Marco A. Hernandez, U.S. District Court, District of Oregon; Judge Kathryn L. Villa-Smith, Multnomah County Circuit Court and the 2010 recipient of the Paul J. De Muniz Professionalism Award



Even though the initial small nucleus of local Latino lawyers started meeting informally just 10 years ago, they've evolved into a well-recognized formal bar that received its nonprofit IRS status in 2005. The OHBA's influence, in part, has led to the appointments of Latino judges in Multnomah County, Hon. Lopez and Villa-Smith, and the newest U.S. District Court Judge Marco Hernández.

"We created the OHBA to be a resource for Hispanic attorneys, including an organization that would openly advocate for increased appointments of Hispanics to the judiciary. We have had some success at that both at the state and federal level," said Román Hernández.

"We started our annual dinner to showcase the depth and breadth of talent in the Latino legal community and to recognize the enormous contributions OHBA members make to Oregon," said Kevin. The OHBA award, the Paul J. De Muniz Professionalism Award, honors an individual who exemplifies the spirit of professionalism and who makes significant contributions to the Latino Community and Oregon.

The first award was given to its namesake at the inaugural dinner where the Hispanic National Bar Association (HNBA) president, Jimmie Reyna, spoke. He was just confirmed to the U.S. Court of

Pro Bono Spotlight: Nik T. Chourey

By Ben Cox, associate at Dr. Aaron DeShaw, Esq. and YLS Pro Bono Committee member.

Nik is a Gainesville, Florida native who received his undergraduate education at Lawrence University in Appleton, Wisconsin, and his J.D. from Willamette University School of Law in 2005. While in law school, Nik served as a trial clerk for the Oregon Department of Justice. After graduating, he served as trial and clerk for Presiding Judge Jean Kerr Maurer. Nik began practicing as a litigation attorney in 2008 and is currently an attorney at Lehner & Rodrigues, which specializes in litigation defense.

In early 2010, Nik connected with Legal Aid Services of Oregon and was trained to handle cases, primarily from the Domestic Violence Project as well as clients who needed attorneys for unemployment hearings and appeals. He has represented clients in contested restraining order and stalking protection order hearings.

Why do you do pro bono work?

"Because it gives me a direct and meaningful connection to the well-being of my community. [It's] a chance to help clients move past those circumstances that prevent them from realizing a fulfilling and productive life."

What types of pro bono work do you do?

"Domestic violence is one of the most serious issues our community faces. My domestic violence cases have involved victims who are men, women, the elderly and people with disabilities. Across the diversity of these cases, the constant is that all of these victims were overwhelmed by the collapse of their sense of safety, shelter and peace.

One of my most factually complex and evidence intense cases involved a bench trial regarding contested dueling petitions for stalking orders. I used the case to reconnect with the rules of evidence, and help my client get past a destructive situation."

Chourey added, "[Representing domestic violence victims] will make you comfortable in court and proficient at applying the law to the facts."

Do you have any advice for attorneys considering pro bono work, who might feel they don't have the expertise or the support of their employer?

"By nature of the practice, we are always learning, and pro bono work accelerates the progression of those skills. Some law firms know that pro bono representation will make their associates better attorneys. But, do get a clear understanding of your supervising attorneys' work



expectations and keep your staff closely in the loop on your pro bono docket and obligations."

How can a lawyer find pro bono opportunities in our community?

"Portland is a city leading in public service, and it is full of non-profit public service groups. It is incredibly easy to connect with groups that need help to protect against exposure to liability, or other legal services. For example, I completed a review of Hands on Greater Portland's volunteer waiver forms for minors and adults. I've worked with the St. Johns Farmers Market to advise the board on matters of liability, dispute resolution, incorporation and amendment of bylaws."

Additional opportunities for pro bono work can be found at: www.mbar.org/probono.htm.

Hanging Out Your Shingle

By Aaron Bals, Harrang Long Gary Rudnick.

Right around the time the legal profession took its hardest hit from the recession, the ABA began to exalt a supposedly new breed of lawyer: the "Legal Rebel." These were "pathfinders" and "mavericks," dedicated to changing "status quo" of the legal profession by charging affordable rates, using technology and practicing solo or in small firms.

Many of these are certainly practicing in Multnomah County by "hanging out a shingle." Alex Trauman and his business partner Nicholas Henderson did just that when they graduated from Lewis & Clark Law School in 2007.

"It's got to be a mindset," Trauman said. "You have to spend about the same time marketing as you are doing the work, which is true no matter the size of your firm."

Relying on mentors, a commitment to marketing in the local legal community, and a willingness to employ flexible fee arrangements, they built a book of business in areas such as partnership disputes, employment law and business entity formation. Trauman said that he and Henderson started their own firm not because of necessity, but because they felt that the Portland legal community provided them all of the resources they needed to succeed.

"The local community is very supportive," Trauman said. "There is no shortage of people who are

willing to help if you catch them at the right time."

In 2009, Trauman and Henderson joined with firm Motschenbacher & Blattner, which now has five attorneys. Trauman said that in doing so, they gained administrative support and a greater degree of financial stability, without sacrificing the sense that their practice is their own.

Caryn Jones had the same desire to set her own course as a 2L at Lewis & Clark, but given the demands of raising her young son, thought she would do so later in her career. In particular, she imagined a practice focused on advocating for women, in which she could draw on her own experience with divorce and raising two young sons.

"I saw an advertisement for a men's divorce firm," Jones said. "It seemed crazy to me that there's a men's divorce firm in Portland but not a women's divorce firm."

When the recession hit and most of her class was struggling to find work, she decided to speed up those plans upon graduation in 2009. Already on her third office, Jones' family law practice is steadily growing, supplemented by business, employment and estate planning work. She even has a few male clients.

"I tell them, if you are uncomfortable with my Web site that says 'women's law' all over it, maybe I'm not the lawyer for you," Jones said. "So far, no one has turned me down."

For those harboring their own dreams of a solo practice, the YLS is hosting a CLE on May 19 at Kells Irish Pub titled "Starting Your Own Firm: The New Lawyer's Perspective." Trauman, Jones and Gregory Levinson will discuss what they learned by starting their own practices.

YLS Drop-In Social and Distillery Tour Wednesday, May 25

Join the YLS Membership Committee for a Drop-in Social and distillery tour at Rogue Distillery and Public House, 1339 NW Flanders St., in the Pearl District on Wednesday, May 25 beginning at 5:30 p.m. Distillery tours will be offered between 5:45 and 6:45 p.m. The tour is free and tastings are \$1. Come tour the distillery and mingle with friends and colleagues after work in the heart of Portland's historic brewing district.

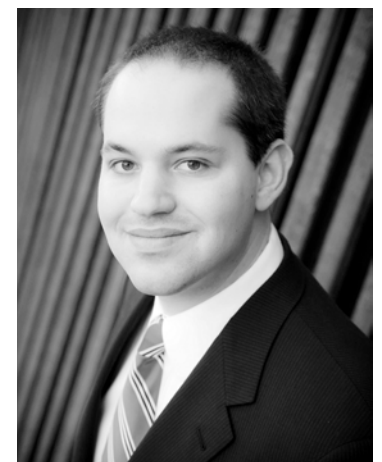


2011 YLS Award of Merit Recipients Announced

By Kim Griffith, YLS President.

I am pleased to announce that I will be presenting the 2011 YLS Award of Merit at the MBA Annual Dinner on May 17 to Sean Ray and Ben Cox. Both gentlemen demonstrated outstanding leadership on their YLS committees this year, and have a record of exemplary contributions and commitment to the quality of YLS programming and member services.

willingness to step up and help whenever needed.



Ben Cox
Described by committee members as the "Swiss Army knife" of the YLS Pro Bono Committee, in his two years of service on this committee Ben has had a hand in all of the good work it does. This year he coordinated the process of updating the Domestic Violence and Juvenile Rights Handbooks, which the committee provides to members and the public free of charge. Although Ben does not practice in these areas, he improvised and recruited law students to do research and draft many of the updates, then paired them with experts who edited their work. Ben has consistently contributed to the monthly pro-bono spotlights in the *Multnomah Lawyer*, in addition to finding a staffing solution for the Child Support Calculation Project, and assisting in the planning and development of a joint-committee CLE and Pro Bono Training project with the YLS Professional Development and Education Committee. Ben's remarkable leadership skills are complemented by his quick wit, ironic sense of humor and professional camaraderie.



Sean Ray
Sean Ray personifies the YLS tag line, "quid pro quo." He has worked hard to ensure the YLS Membership Committee events are valuable and fun, and, in turn, he has himself taken full advantage of YLS member services and leadership opportunities. He is a regular at the drop-in socials, this year often attending with his flip-camera to capture film for the YLS Annual Recognition Event movie. Sean took the lead planning and executing of this year's socials - the Toys For Tots drive - which falls during the busy holiday season and the end of the billable year. Sean's commitment to giving back through service in the YLS is also evidenced by his participation in other YLS committee events, and his



YLS members and their families gathered at Hopworks Urban Brewery on Saturday, March 19 for a YLS Membership Committee kid-friendly social. The kids enjoyed the play area, the adults enjoyed the conversation and everyone enjoyed the pizza.

Tom Chow Honored with 2011 Michael E. Haglund Volunteer Lawyers Project Award

By Catherine Yarnes, Legal Aid Services of Oregon.

Ask Tom Chow what he does for a living and he will tell you he has owned his own business, Alpha Management, for over two decades. Ask him what he does for fun and he will tell you he volunteers for Legal Aid Services of Oregon (LASO). Actually, Tom volunteers a lot!

In recognition of his dedication to the program, Tom will receive the 2011 Michael E. Haglund Volunteer Lawyers Project Award. This award is given to a new lawyer who, in the tradition of Mike Haglund, founder of the VLP, has displayed a special commitment to pro bono services in the previous year. There can be no doubt Tom Chow has definitely made a special commitment to pro bono services.

After graduating from law school at Lewis & Clark and passing the bar in 2007, Tom began volunteering with LASO. Tom says he had no intention to practice law for profit; he simply wanted to put

his education and skills to what he determined to be the best use by helping the low-income citizens of Multnomah County with their legal problems. And help he did! Since he began volunteering, Tom has helped over 75 clients and donated more than 475 hours to the program. Tom volunteers in five of the seven pro bono projects at LASO including the Domestic Violence Project, the Tax Clinic, the Senior Law Project, the Legal Aid Night Clinic and he takes cases for direct representation off of the ProBonoOregon Listserv.

According to Tom, "I like the variety. It keeps me young!" But he says his favorite cases are those where he knows he has made a significant difference in the life of his client. "Each time I meet with one of my clients who has few resources but is facing life-changing events, such as a victim of long-term domestic abuse or a fragile elder with no family support, it reminds me all over again why I went to law school."



Tom would like to thank his colleagues and mentors who, he says, "give me the confidence to help others." In particular, Tom would like to thank David Elkanich of Hinshaw & Culbertson LLP and all of the clinical professors at Lewis & Clark including Richard (Dick) Slottee, Theresa Wright, Mark Peterson and Jan Pierce.

MBA Spa Night

While the cold rain of another early spring evening in Portland kept some people at the office late, on March 16, approximately 60 Portland attorneys brightened their evening by enjoying the MBA's first "Spa Night" at the Portland Spa and Boutique, which included the Pink and White Nail Salon, and the Organic Bronze Bar, along with food and drink from Thirst Wine Bar.

we received are proof that the event was well received," said Cody Elliott, who, along with Annamarie Shoen, organized the event for the MBA Membership Committee. "This event was a great way to finish the day and meet with other attorneys in a different and fun, relaxed environment. The organizers did a wonderful job," noted Traci Ray of Barran Liebman.

"We wanted to try something a little different, and the smiles and number of positive comments

The event was sponsored by the law firm of Miller Nash. If you or your firm is interested in sponsoring a similar event in the future, please contact Kathy Modie at kathy@mbabar.org.



Attendees at the MBA Spa Night

MBA Lawyers & Law students golf event Monday, May 23 at Langdon Farms, Aurora

The focus of this event is to bring law students, particularly students of color, to the game of golf and give them the opportunity to meet and network with members of the legal community. Foursomes will be made up of two lawyers or judges and two law students.

Open to all law students, Lewis & Clark, University of Oregon and Willamette University law schools are partnering with the MBA to keep the registration affordable for students. This event is supported by OMLA, the OSB Affirmative Action Program, the ONLD and the MBA YLS.

Entry fee is \$70 for lawyers and judges. Register by May 2. No refunds after May 8. Shotgun begins at 1:45 p.m.; check in at 1:15 p.m.

Register to play at www.mbabar.org/docs/golf.pdf or contact Pamela Hubbs at 503.222.3275 or pamela@mbabar.org.

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Zimmer Family Law, LLC would like to announce that Attorney, Sarah Bond welcomed a new baby and is leaving the firm to spend time at home with her three daughters. We wish Sarah all the best.

We are pleased to announce that Katie A. Carson has come on board as an associate attorney. Katie Carson graduated from Lewis and Clark Law School in 2009 and joins our firm after serving as a judicial clerk for Multnomah County Circuit Court Judge, Kathleen Dailey.

Our firm consists of Gary Zimmer and three associate attorneys, Angela Bentz, Carey Haladay and Katie Carson. Gary Zimmer has been settling and litigating family law cases since 1978 and continues to do so. He has been listed in the "Best Lawyers in America" for nearly 20 years and has also been listed in the top 10 or 50 "Super Lawyers" in Oregon for several years.

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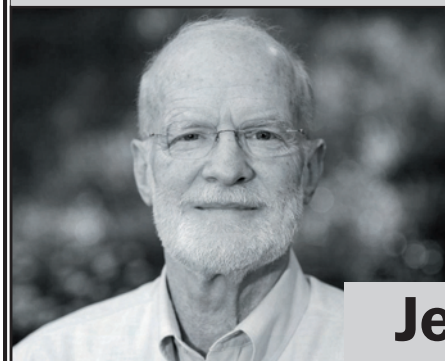
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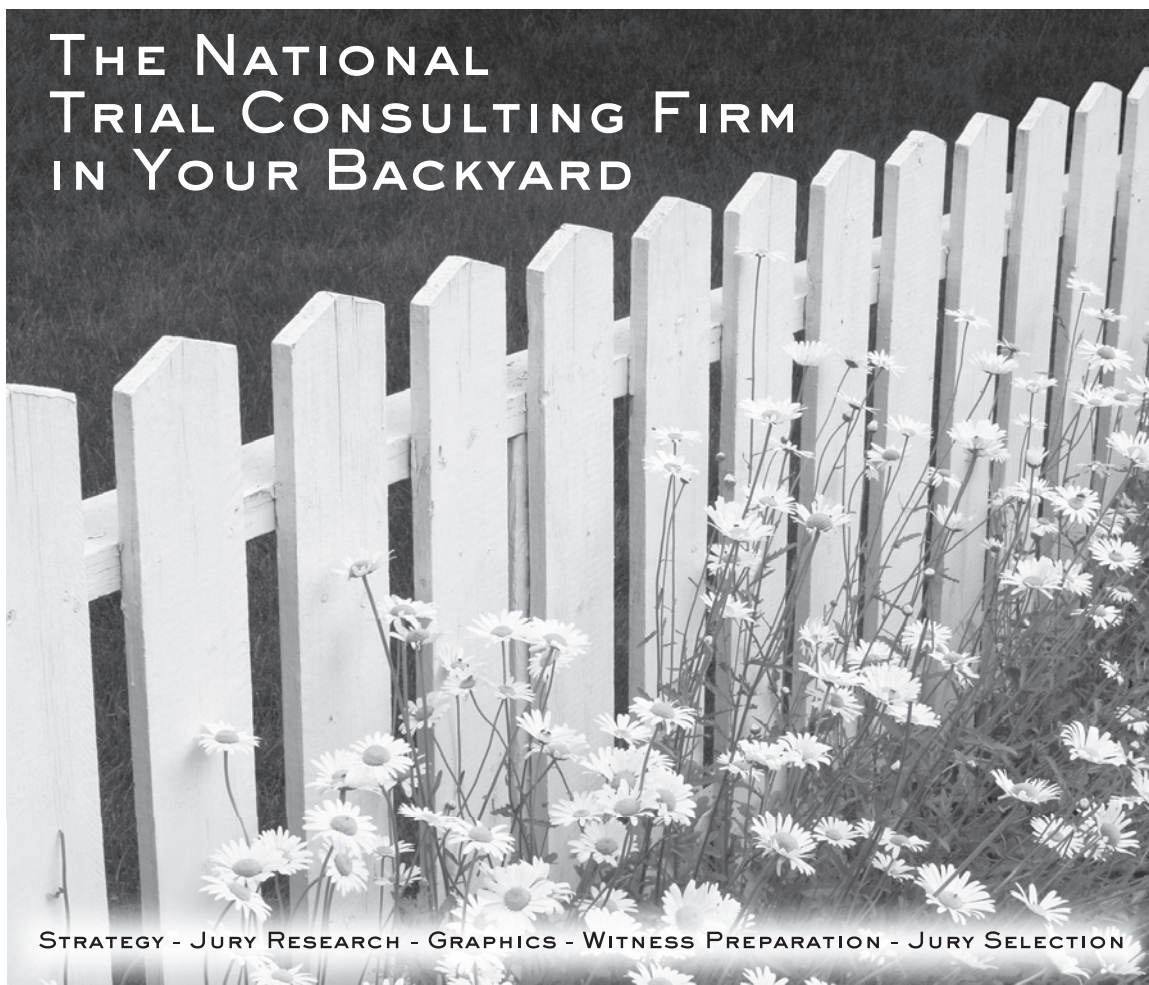
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Emily C. Auerbach is an active participant in the Portland legal community focusing her practice on business law and estate planning. Emily graduated in 2010 from Lewis and Clark Law School with an Environmental and Natural Resources Law Certificate. Ms. Auerbach is a member of the Owen M. Panner Inn of Court and Oregon Women Lawyers. Emily is admitted to practice law in Oregon.




James S. Bruce will focus on business law with an emphasis on entity formation, employment law, administrative law, and general transaction work. Mr. Bruce was a founding member of the New Avenues for Youth Ambassador Board and has served as Chair of the CLE Subcommittee for the Oregon New Lawyers Division since 2007. James graduated cum laude in 2001 from the University of Oregon and obtained his business law certificate from the University of Oregon in 2006.

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Chuck Tauman Joins MBF Board

By Pamela B. Hubbs, Office and Foundation Administrator.



The MBF is pleased to welcome **Charles S. Tauman** to the Board of Directors. Chuck has been a hard-working trial lawyer and a dedicated political advocate for more than 30 years. In his private practice, he focuses almost exclusively on tobacco litigation. One of his most memorable cases involved a 1999 verdict against a major tobacco company that included three trips to the US Supreme Court before ending

successfully in 2009. Chuck established a donor advised fund with a portion of the fees with some of the funds being used to support anti-tobacco advocacy by the Tobacco Free Coalition of Oregon.

Chuck has been an active political advisor, advocate and fundraiser, working for campaign finance reform in Oregon; serving as campaign chair for the No on Ballot Measures 21 and 22 Committee in opposition to two constitutional amendments that would politicize the election of judges in Oregon; and chairing

a successful campaign to defeat Ballot Measure 40, another attack on judicial independence.

Chuck is president of the Tobacco Trial Lawyers Association, a national group specializing in tobacco litigation; president of the Tobacco Free Coalition of Oregon, the anti-tobacco advocacy group that was instrumental in passing the 2007 Oregon Smokefree Workplace law; a leader in the Oregon Fire Safety Coalition which lobbied successfully for passage of the Oregon Firesafe Cigarette law; and served as the

executive director of OTLA from 1993-1998.

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