



Voices from the Margins

by Rima Ghandour
MBA President

"There's really no such thing as the 'voiceless.' There are only the deliberately silenced, or the preferably unheard."

-Arundhati Roy

As I begin my fourth year of service on the MBA Board, and begin my year as President, I think back to why I joined in the first place. Why do I continue to serve? The time commitment and missed billing opportunities are not insignificant. Of course, the MBA offers many benefits - networking, great CLE seminars, pro bono opportunities and the intangible sense of legal community. Those benefits are part of my calculus, but they are not the main reason I return. I come back because through my service, I can work on issues that inform my commitment to the rule of law: diversity and inclusion, access to justice, and the amplification of the voices of our marginalized community.

All of us in the MBA live in a community - even many communities at once. Community has many definitions and many interpretations. It can be very narrow, consisting of your immediate family, friends or neighborhood, or very wide, consisting of the world community.

...through my service, I can work on issues that inform my commitment to the rule of law...

Of course, as an MBA member, you are part of the MBA community. Whether we look at community as a narrow concept or an expansive one, our exposure to voices outside of our core groupings is usually rare. We go through our daily lives often hearing only those voices of the people closest to us, the people most similar to us, and those with stories similar to ours. By doing so, there are many voices from our community that we don't hear. Those voices are from people that live on the margins, the people who lack social power. These brothers and sisters, mothers and fathers, children and grandparents, are not voiceless but for the most part they are unheard. We don't ignore them so much as we don't realize that they are speaking a language we can hear.

My aim this year, is to amplify as many of these voices as I can so that we can all hear them.

Are we talking about diversity again? Well-meaning grumbling provides a backbeat to responses I have heard. *Enough already, we get it, diversity is important.* "Diversity fatigue," the understandable sense that we've heard it all before, is just that - a fatigue that comes from exercising muscles that we need but don't always use. Diversity is not some luxury in a principle-starved environment. It is a fundamental element of our business model - like professionalism. Most issues of the *Multnomah Lawyer* contain thoughts on the function of professionalism in our daily practice. Unheard voices of the marginalized should be entitled to the same consideration. But at the moment we do not have a diverse bar. Members of our community, legal, local, countywide, statewide and worldwide, are still not heard. Community members living at the margins do not have the choice to "opt-out" because discussions become too "tedious" or "bothersome."

To which, in the spirit of our historically terrific local bar, I say that is why we are lawyers! Our competitive advantage lies in our ability to steam ahead through fatigue, adversity, insults, and systemic failures. Our strength is our commitment to advance the rule of law on behalf of all persons, from the weakest to the strongest. Empathy is not weakness; it is one of our most delicate and powerful tools. We should use it.

In some future issues of the *Multnomah Lawyer*, I will use my space to lift up some unheard voices. The bullhorn is ready. Let's listen together!

Members of our community, legal, local, countywide, statewide and worldwide, are still not heard.

The Fifth Annual Tillicum Gathering A Celebration of Diversity

On May 22, leaders from Oregon's specialty bars and representatives from the MBA and OSB gathered for the annual Tillicum Gathering. Now in its fifth year, the Tillicum Gathering is a social networking event organized by the MBA Equity, Diversity & Inclusion Committee for legal leaders committed to fostering and expanding diversity and inclusion in our legal community. Davis Wright Tremaine generously hosted the evening.

Recipients of the MBA and OSB's LSAT test preparation scholarships were honored.

The scholarships pay for an LSAT preparation course for prospective law students who have a connection to Oregon, and who will diversify our bar when they complete law school and begin practicing law. Judge Youlee You offered encouragement to the LSAT scholars before distributing the awards.

The attendees look forward to working together to promote and strengthen each group's work toward enhancing diversity and inclusion in our legal community.



LSAT scholarship recipients with Judge Youlee You

mba|CLE

To register for a CLE, please see p. 4 or visit www.mbabar.org and log in as a member to register at the member rate.

SEPTEMBER

**9.5 Wednesday
Annual Probate Update**
Judge Patrick Henry
Judge Katherine Tennyson
Judge Katherine Weber
Sibylle Baer
Parmie VanDyke

**9.13 Thursday
Cryptocurrency and Blockchain Technology in Your Daily Legal Practice**
Nathan DiNiro
Olivia Grabacki
Jacob Hasler
Mindy Montgomery
Doug Morris

**9.19 Wednesday
Working Effectively with In-House Counsel**
Lisa Kaner
Sid Khanijou
Chad Paulson
Heidee Stoller
Tom Karnes, moderator

**9.19 Wednesday
Presenting Expert Witnesses at Trial**
Judge Karin Immergut
Bonnie Richardson
Julie R. Vacura

**9.27 Thursday
Winning on Dispositive Motions**
Judge Danielle Hunsaker
Cody Hoesly

OCTOBER

**10.3 Wednesday
#Trending Ethics in a Digital Age: Exploring Social Media and Data Security**
Hong Dao
David Elkanich
Thomas Howe

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BATTLE OF THE LAWYER BANDS

Thursday, August 9

7-9 p.m.

Kennedy School

5736 NE 33rd Ave., Portland

Join the MBA Events Committee for this CourtCare fundraiser. Bands comprised of at least one Oregon lawyer will compete for the title of "Best Oregon Lawyer Band 2018." Judges from the MBA legal community will decide the winner at the end of all the performances. Bring your family and friends and cheer for your favorite band! Crowd applause and interaction is one of the judging criteria, in addition to the Audience Choice Award. Suggested donation: \$10.

The bands will compete for the title of "Best Oregon Lawyer Band 2018."

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Contact: Kristy Wood 503.724.9063
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Calendar

JULY

10 Tuesday

Perkins Coie/Specialty Bar Event

12 Thursday

Oregon Women Lawyers

Foundation Summer Event

www.oregonwomenlawyers.org

19 Thursday

MBA Family-Friendly Golf

Event at Sah-Hah-Lee

Details on p. 11

OWLS Dress for Success

Fundraiser and Fashion Show

www.oregonwomenlawyers.org

26 Thursday

OMLA Summer Social

and Auction

www.oregonminoritylawyers.org

AUGUST

9 Thursday

Battle of the Lawyer Bands

Details on p. 2

16 Thursday

YLS Pro Bono Pour

Details on p. 12

30 Thursday

OAPABA Annual Dinner

www.oapaba.org

SEPTEMBER

1 Saturday

Arab American Cultural

Center of Oregon - 8th Annual

Arab Festival

13 Thursday

Immigration Counseling

Service 40th Anniversary

Celebration

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Tim's practice focuses on civil litigation involving personal injury, labor and employment law, railroad matters, regulatory, third party, insurance, environmental and toxic torts, real estate, and product liability. He has tried over 75 cases to verdict and has handled many arbitrations and mediations. Tim is admitted to the Oregon, Washington, and Idaho State Bar.

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Sean McClendon

Sean's litigation experience includes cases involving complex personal injury, commercial and business disputes, labor and employment issues, real estate matters, and property damage claims. He is admitted to the Oregon State Bar.

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Tab Wood

Tab represents individuals and businesses in civil litigation, including complex personal injury, employment, commercial, and real estate litigation. He is admitted to the Oregon, Washington, and Idaho State Bar.

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The MBA will apply for 2 hours of general OSB MCLE credits unless otherwise noted; Washington credits may be obtained independently. Registrants who miss the seminar may request the written materials. Substitutions are welcome. Registration fees are non-refundable.

Unless otherwise noted, all classes are held at the World Trade Center, 26 SW Salmon, Portland.

Annual Probate Update
Wednesday, September 5 3-5 p.m.
World Trade Center, Auditorium
 Members \$60/Non-Members \$95

The MBA presents the 2018 Annual Probate Update, featuring **Judge Katherine Tennyson** and **Judge Patrick Henry**, Multnomah County; **Judge Katherine Weber**, Clackamas County; **Parmie VanDyke**, Washington County Probate Commissioner; and **Sibylle Baer**, Cartwright Baer Johansson PC. Ms. Baer will provide an update of recent case law and legislation. The judges and staff will discuss current practices and procedures in the metro area. This CLE seminar is a must for all probate practitioners and/or their staff.

For more information: Contact Bridget Donegan, Larkins Vacura Kayser at 503.542.3107. For registration questions, contact the MBA at 503.222.3275.

Cryptocurrency and Blockchain Technology in Your Daily Legal Practice
Thursday, September 13 3-5 p.m.
World Trade Center, Mezzanine
 Members \$60/Non-Members \$95

Did you miss the blockchain boat? It seems like everyone is talking about blockchain technology and cryptocurrency these days; you may even have clients asking you about it. This CLE seminar is designed to start at square one. Our panel of speakers **Nathan DiNiro**, Co-Founder and VP Marketing at YouBase; **Mindy Montgomery**, Product Manager for Moovel; and Miller Nash Graham & Dunn attorneys **Doug Morris**, **Olivia Grabacki** and **Jacob Hasler** will:

- Explain what a blockchain is and how it's used to power digital currencies like Bitcoin.
- Talk about how blockchain technology can be used in other settings.
- Talk about specific case studies where blockchain technology intersects with the daily legal practice.

Have you ever wondered how to transfer cryptocurrency assets in a family law or estate planning dispute? Has a business client asked you about raising capital with digital tokens? Do you need to advise a client on how their Bitcoins will be taxed? We're going to cover it all. Sign up today, and don't let this boat leave without you!

For more information: Contact Shannon Hall, Gevurtz Menashe at 503.227.1515. For registration questions, contact the MBA at 503.222.3275.

Working Effectively with In-House Counsel
Wednesday, September 19 12-1 p.m.
World Trade Center, Mezzanine
 Members \$30/Non-Members \$50

Note: One hour of general MCLE credit will be applied for.

Unlike law firms, companies do not revolve around their lawyers. In-house counsel often wear multiple hats and are working on important business decisions as well as legal tasks. **Tom Karnes**, Partner at Ater Wynne LLP, will moderate a panel discussion with **Lisa Kaner**, Vice President, General Counsel & Corporate Compliance for Portland General Eclectic, **Sid Khanijou**, Associate General Counsel for Cambia Health Solutions, **Chad Paulson**, General Counsel for Blount, and **Heidee Stoller**, Counsel at Perkins Coie, touching on unique strategies for how to create and maintain effective working relationships with in-house counsel.

Our panel will discuss the role of the legal department as part of the larger organization, strategies for building an efficient outside counsel/in-house team, and how to create value for the in-house legal department.

For more information: Contact Bridget Donegan, Larkins Vacura Kayser at 503.542.3107. For registration questions, contact the MBA at 503.222.3275.

Presenting Expert Witnesses at Trial
Wednesday, September 19 3-5 p.m.
World Trade Center, Mezzanine
 Members \$60/Non-Members \$95

The MBA presents a two-hour "how-to" program on expert witnesses at trial. Our panelists will discuss how to prepare an expert for trial, how to effectively present expert testimony to a jury, and how to cross-examine even the most experienced expert. All trial attorneys should attend this program, which will feature both plaintiff and defense perspectives as well as judicial views and pointers. The program will cover both federal and state-court practice and rules. Our dynamic speakers are **Judge Karin Immergut**, Multnomah County Circuit Court; **Julie R. Vacura**, Larkins Vacura Kayser; and **Bonnie Richardson**, Richardson Wright.

For more information: Contact Bridget Donegan, Larkins Vacura Kayser at 503.542.3107. For registration questions, contact the MBA at 503.222.3275.

Winning on Dispositive Motions
Thursday, September 27 3-5 p.m.
World Trade Center, Mezzanine
 Members \$60/Non-Members \$95

Join Washington County **Judge Danielle Hunsaker** and **Cody Hoesly**, Larkins Vacura Kayser LLP, for a discussion about how to win on a dispositive motion - either by succeeding on your own motion or by defeating your opponent's motion. This goes beyond the substance of key procedural rules to embrace practical considerations as well, such as how to decide which arguments to save for reply, and how to win both the heart and mind of the judge. This CLE seminar is designed to benefit both new and experienced practitioners.

For more information: Contact Bridget Donegan, Larkins Vacura Kayser at 503.542.3107. For registration questions, contact the MBA at 503.222.3275.

#Trending Ethics in a Digital Age: Exploring Social Media and Data Security
Wednesday, October 3 3-5 p.m.
World Trade Center, Sky Bridge
 Members \$60/Non-Members \$95

Today's electronic world moves fast. On one hand, using technology comes with undeniable benefits; on the other, there are ever-increasing risks. **David Elkanich**, Holland & Knight LLP; **Thomas Howe**, Howe & Associates; and **Hong Dao**, Professional Liability Fund will help lawyers explore some of the benefits and risks in social media and data security. First, this panel will analyze how lawyers are, and should be, using social media in their practices. Second, this panel will help you identify potential data risks at your firm, understand the ethical obligations that arise out of data management and storage, create risk-minimizing policies and procedures, and develop action strategies in case of a potential data breach.

For more information: Contact Garrett Garfield, Holland & Knight LLP at 503.243.2300. For registration questions, contact the MBA at 503.222.3275.

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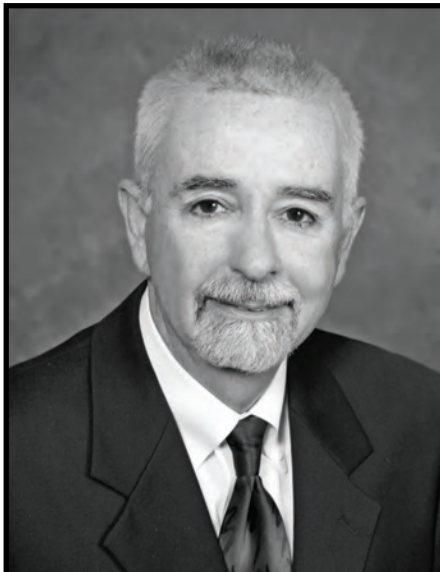
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Free CLE Webcast for MBA Members

The video webcast of the seminar "Spousal Support Claims at Trial" is now available in the Members Center at www.mbabar.org. The seminar was accredited for two hours of general OSB MCLE credit.

MBA members receive access to a rotating selection of six different CLE seminars each year - a \$360 value.

Take a Matter that Matters

Sign the MBA 2018 Pro Bono Pledge at www.mbabar.org/AboutUs/ProBono.html and commit to taking at least one pro bono case this year.

Noon Time Rides

Short fast rides with hills. Meet at SW corner of Pioneer Courthouse Square (Yamhill & Broadway) between noon and 12:10 p.m., Monday and Thursday. Contact: Ray Thomas 503.228.5222 with questions, or meet at start.

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Ethics Focus

Unraveling: When Conflicts Develop in Joint Representation

by Mark J. Fucile
Fucile & Reising LLP



Imagine this scenario:

You are a litigator defending an employment claim against both a company manager and the company. You recommended that each have separate counsel, but the company did not want to pay for a second lawyer. You went along with that because the company is a good client and because there were no conflicts at the outset - with both the manager and the company asserting that the incident at issue never happened. You are now defending the manager's deposition. The manager just admitted on the record that the offending incident did, in fact, occur. If the company had known

When conflicts develop mid-matter...the unraveling can be very uncomfortable...

that when it happened, its policy and practice would have resulted in the manager's immediate termination. When the manager's unanticipated testimony came spilling out, you recessed the deposition. What now?

Joint representation is common in many practice areas ranging from business formation to litigation. Most of the time, joint representations proceed without event. When conflicts develop mid-matter, however, the unraveling can be very uncomfortable for all concerned. In this column, we'll look at two aspects of that unraveling. First, what happens when conflicts develop? Second, are there steps that lawyers can take up front to address conflicts that may develop later?

When Conflicts Develop

RPC 1.7(a)(1) controls conflicts between current clients and defines them as occurring when "the representation of one client will be directly adverse to another client[.]" The Oregon Supreme Court parsed the meaning of the word "adverse" within the joint representation context in *In re Ellis/Rosenbaum*, 356 Or 691, 713, 344 P3d 425 (2015). The Supreme Court took a practical approach and looked to the plain-language dictionary definition: "acting against or in a contrary direction." The Supreme Court also reviewed its earlier decisions in concluding that adversity extends beyond outright cross-claims to include situations in which commonly represented clients' legal positions have become opposed - such as when one client wants to "point the finger" at another to shift the risk of an unfavorable outcome. In our opening illustration, for example, the respective legal positions of the two defense clients are no longer aligned because the company will likely want to distance itself from the manager.

When a conflict arises mid-matter, the focus then usually turns to the question of whether the lawyer must withdraw altogether. Comment 29 to ABA Model Rule 1.7 on which Oregon's version of the rule is now patterned, supplies the general answer: "Ordinarily, the lawyer will be forced to withdraw from representing all of the clients if the common representation fails." This stark result flows directly from the corresponding provision in RPC 1.7 governing waivers between current clients. Under RPC 1.7(b)(3), a waiver is only available if "the representation does not obligate the lawyer to contend something on behalf of one client that the lawyer has a duty to oppose on behalf of another client[.]" This approach to "non-waivable" conflicts is consistent with long-standing Oregon case law, such as *In re Barber*, 322 Or 194, 199-200, 904 P2d 620 (1995), where a lawyer was disciplined for failing to withdraw once a conflict developed between two jointly represented clients.

In theory, one of the clients could agree to become a former client voluntarily and then waive the former client conflict involved. Under RPC 1.9(a), all former client conflicts can be waived by the clients involved (both current and former) because our duties are narrower to a former client than to a current client. In practice,

however, former clients are usually reluctant to permit their old lawyer in the same matter to represent another party that has become an adversary. Further, under the so-called "hot potato rule" (discussed in OSB Formal Opinion 2005-11 n. 1 (rev 2016) and Unified Sewerage Agency of Washington County v. Jelco, 646 F2d 1339, 1345 n. 4 (9th Cir 1981)) a lawyer cannot "fire" a client to turn the client involuntarily into a former one.

Anticipating Conflicts

Given the disruption that inevitably occurs when conflicts develop mid-matter, lawyers should carefully assess the possibility of conflicts when they are considering taking on a joint representation. Two approaches are available if conflicts are reasonably anticipated.

The first is to only represent one client. Typically, this will be the lead party - for example, the company in our opening illustration. Because the lawyer is only representing one client,

...a lawyer cannot "fire" a client to turn the client involuntarily into a former one.

a later rift between co-parties will not trigger a multiple-client conflict. At the same time, the lead counsel can coordinate with separate counsel for the other and most communications between them should be protected under the common interest doctrine reflected in OEC 503(2)(c).

The second is to incorporate a provision into a joint representation agreement under which one client agrees to become a former client in the event a conflict develops and prospectively waives any former client conflict involved. Oregon permits advance waivers of potential future conflicts under OSB Formal Opinion 2005-122 (rev 2016). The key to any waiver, however, is "informed consent," which under RPC 1.0(g) is only effective if the lawyer adequately explained the material risks and alternatives. A potential problem with this second approach is that a client will claim later that the client did not understand the advance waiver and, consequently, the waiver is invalid because the requisite informed consent was not secured.



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Around the Bar



Max Miller, Jr.

Tonkon Torp

Partner **Max M. Miller, Jr.** has joined the Board of Directors of Faithful Friends Mentoring Program. The community-based program matches at-risk children with mentors - selected from partnering churches - who provide support and stability over the course of a year or more.



Alex Tsiavos

Cosgrave Vergeer Kester

Alex Tsiavos has joined Cosgrave Vergeer Kester as an associate. Prior to joining Cosgrave, he

worked in solo practice, handling a diverse array of litigation and non-litigation matters. His career has included legal work in litigation, business formation, governance matters, business transactions, bankruptcy, and general estate planning.

Tsiavos' practice experience includes work in a variety of industries, including beverage, hospitality, healthcare, insurance, manufacturing, and more. He is also experienced in personal injury and property damage liability law.



Jessica "Jess" Osborne

Ater Wynne

Jessica "Jess" Osborne has joined the firm's Litigation Group, where her practice is focused on commercial litigation, employment litigation, professional liability defense and business disputes. Osborne joins Ater Wynne from the litigation department of a national law firm.



Florence Mao

Davis Wright Tremaine

The firm welcomes **Florence Mao** as the newest employment associate in our Portland office. Mao joins the Portland team of employment attorneys and litigators, where her practice will focus on defending employers against claims of workplace harassment and discrimination, retaliation, and wrongful termination.



Sarah Freeman



Traci Ray

Oregon Women Lawyers Foundation

The Oregon Women Lawyers Foundation is excited to announce our Board Officers for the year that runs from May 1, 2018 through April 30, 2019: President **Sarah Freeman**, President-Elect **Traci Ray**, Secretary/Historian **Trudy Allen**, and Treasurer **Katerina Kogan**.



Trudy Allen



Katerina Kogan

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

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Accessing Justice through Technology A Successful First Hackathon

by Andrew Schpak
MBA Past President

On Thursday, May 17, members of the local legal and tech communities came together to collaborate and develop new approaches to improving access to justice and services for self-represented litigants and the homeless. We called the event the MBA Hackathon, borrowing the term from the tech sector.

There were four teams, each with a different focus. The first team worked with Legal Aid Services of Oregon (LASO) to identify ways to harness technology to connect lawyers to pro bono opportunities. The second team partnered with Transition Projects, Inc.

end of the competition. Instead, they gravitated toward whichever team was focused on the issue that most resonated with them, and began furiously brainstorming a list of different approaches for addressing the issue presented. Everyone went home for the evening after an initial round of brainstorming, even though many participants continued to develop ideas overnight.

We all came back together early on May 18 to discuss where each team was, make sure that each participant had found a spot on a team, and help each other work through any roadblocks encountered. The teams then



to brainstorm about how we can make it easier for the most vulnerable segments of the homeless population to find open shelter beds and join eligible wait lists. The third team worked with a representative of the Multnomah County Court to develop technology that helps self-represented litigants navigate the courthouse. The fourth team partnered with a representative of the Multnomah County Court to develop technology to assist self-represented litigants in figuring out when and where they need to be for court appearances, as well as directions and transit options to support those with differing levels of financial resources at their disposal.

The hackathon began with the “team leader” for each team making a brief pitch to the participants about the obstacles blocking access to justice, as well as some initial thoughts about how that team might be able to work through those obstacles.

Most participants did not quite know what to expect, or how a final product might look at the

broke out and retreated to separate rooms to spend the rest of the day developing their ideas and accompanying pitches.

At 5 p.m. there was a hard stop, and teams were required to put the pencils (and keyboards) down and submit their presentations to our master of ceremonies, Dina Moy. Each team had five minutes to talk about the concept they had developed and give a demonstration. Presiding Judge Stephen Bushong, Justice Lynn Nakamoto, and Joint Office of Homeless Services Director Marc Jolin acted as the judges. They asked important questions about the scalability of each proposal and any remaining impediments preventing implementation and adoption of the ideas. You can watch the presentations in full by following this link: bit.ly/2yJtD3o.

Even though all four teams did an incredible job and developed concepts that were already close to completion, only one team

Continued on page 11



News from the Courthouse

by Jennifer Truzzolino
Court Liaison Committee

Trial Court Administrator’s Report - Barbara Marcille

Judges

Judge Susan Svetkey is the new Chief Family Law Judge, effective June 15. Judge Svetkey has been on the bench for 18 years, and has a strong focus in family and juvenile law. We thank Judge Maureen McKnight, who remains on the bench, for her hard work as Chief Family Law Judge including her statewide efforts for changes in the law, forms reform, improving access to justice, and juvenile work. Judge Amy Holmes Hehn will continue as lead juvenile judge.

Website

The web design for the court transitioned in May with content moving to a SharePoint site. The Multnomah County homepage now has the same format as the main OJD webpage, and the Deschutes and Clackamas counties’ websites. The goal is to have a standardized template across the state that can be platform independent (fit for use on a smartphone or tablet), and provides more indexing and better search functionality. If you have trouble finding content or discover broken links, please contact Rachel McCarthy, Public Information Officer for the Multnomah Circuit Court, at 503.988.4794, or call court administration for assistance.

Supplemental Local Rules

On July 13, the current draft of the SLRS will be submitted to the OSB and posted for comment. The proposed rules will then be submitted to the UTCR committee on September 1. The new SLRs go into effect in

February 2019. The changes proposed so far are not as extensive as they were last year.

Preliminary Hearings

The court is continuing to examine the process used for felony preliminary hearings as an alternative to grand jury indictment. A collaborative group of representatives from the court, the District Attorney’s office, the public defenders, and the Sheriff’s office meets on a regular basis to discuss challenges and plan adjustments as necessary. Initially, a morning and afternoon docket were established in one courtroom with hearings set for 30 minutes each. This was expanded to dockets in two courtrooms as the number of cases designated for preliminary hearings increased. Over the last few months, there have been a significant number of hearings that are set but not held due to out of custody defendants failing to appear; the State reporting that they are unable to proceed; witness unavailability; and other reasons, resulting in down time for the courtrooms. To minimize down time, the approach moving forward will be to set two hearings per hour with the same start time. This will allow for more docket flexibility and reduced waiting time.

Hackathon

The court participated in the “Improving Access to Justice through Technology” hackathon that was sponsored by the MBA and the Technology Association of Oregon. It was an inspiring event that helped develop options to improve access to the court. One project focused on providing resources to assist in directing people to court

from wherever they are in the community through a mobile application. For example, the app would include maps, instructions for obtaining TriMet fare assistance, and options for childcare. The second project focused on ways to help navigate the court system once a person arrives at the courthouse and to answer frequently asked questions. This project team developed a web interface called PATH (providing access to help) that could run on old iPads in the courthouse to provide information. Given the space and technology limitations in the current courthouse, volunteers could carry iPads around the courthouse and direct people to areas on the website that can answer their questions.

Law Library

The court was notified that Jacquelyn Jurkins, Director and former long-time librarian for the Multnomah County Law Library, was selected by the American Association of Law Libraries (AALL) to receive the Bethany J. Ochal Award for Distinguished Service to the Profession. This award recognizes a member of the Government Law Libraries Special Interest Section who has made a noteworthy contribution to the field of law librarianship and who is near the end of her library career. Ms. Jurkins received the MBA Award of Merit in 1986 for her dedicated service to the public, the bench, and the bar in Multnomah County. In addition to her work locally, Ms. Jurkins was active at the state and national levels of the AALL throughout the 1970s and 1980s and was a founding member of the Western Pacific Chapter of AALL, which recently celebrated its 50th anniversary. Congratulations to Ms. Jurkins on this recognition of her valuable contributions.

Hackathon

Continued from page 10



could “win” this particular competition. That distinction went to the LASO team, who developed an interactive website that allowed volunteer lawyers to filter all volunteer opportunities by practice area and length of project, while also “signing up” to take specific cases directly on the website. The website also allowed LASO to manage the volunteer opportunities and track volunteer activity with a separate interface. The consensus among the hackathon judges was that, with the current LASO pro bono opportunities email list only going to roughly 400 of the approximately 12,000 active

our generous sponsors: Barran Liebman, Orrick, Miller Nash Graham & Dunn, Judge Nan G. Waller and Paul S. Bovarnick, and the University of Oregon. Likewise, our Hackathon Planning Committee members and event supporters worked hard to make sure the event went off without a hitch: Alix Devendra, Theresa Jelderks, Emily Johnson, Tony Kullen, Steven Mastanduno, Jill Mallery, Billy McGee, Dina Moy, Zac Padgett, Roger Rand, Darin Sands, and Laura Schantz. Finally, we owe a great deal of thanks to Deryn Isaac, Kathy Modie, and Guy Walden for their support in making this event a success.



resident lawyers in our state, this concept stood the greatest chance of improving access to justice by making it easier for LASO to communicate the pro bono opportunities that are available to potential volunteers while also simplifying how lawyers sign up to take a case.

Everyone present was amazed by how far each concept progressed through development stages, with each team finishing with something that could be expanded and used, even if it was still in a beta or pre-beta version. Most teams plan to keep working on their concepts, with the goal of finalizing the projects and having something concrete and ready to implement.

None of this would have been possible without the support of

The vast majority of participants enjoyed the hackathon and voiced an interest in holding another one in the future. The MBA is entertaining the possibility for 2019 or 2020, as well as the prospect of hosting “hack nights” in the meantime, where new and returning hackathon participants can meet and continue to advance the projects. If you’re interested in helping the MBA plan the next hackathon, or if you would like to connect with one of the four teams about helping them move their concept forward, please do not hesitate to reach out to me (aschpak@barran.com, 503.276.2156) and I will connect you with the appropriate contact person.

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Each year, the host course varies, and in 2018 we are fortunate to be hosted by the Willamette Valley Country Club in Canby. Willamette Valley is one of the most highly respected 18-hole championship golf courses in the Pacific Northwest. While the event is open to players of all abilities, it traditionally draws between 60-100 players, most of whom are experienced golfers. Register as an individual or a group and compete in the scramble or in the open format. See you in October!

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mba | Young Lawyers Section

What is the YLS?

An inclusive section of the bar, which includes any MBA member in practice less than six years or under the age of 36. The YLS provides leadership, networking, professional development and service opportunities. And we have fun!

Ask the Expert

Dear Expert,

Ever since starting my practice, I am routinely approached to join boards of different kinds. While most, if not all, are worthy causes, I am struggling to find the right balance between my desire to help and my other professional and personal obligations. Any thoughts?

Alarmed Altruist

Dear Altruist,

Congratulations on starting your practice. Your law school education most likely warned you about long-lost family members suddenly coming out of the woodwork to ask for your help on their will or with a dispute with a neighbor, but it may not have prepared you for the onslaught of board membership requests.

First, take a minute to pat yourself on the back. You have an important analytical skill set that is regularly sought by other board members to round out their group. You have also likely done something to catch the eye of the board member recruiting you. But, as you indicated, you can't say yes to everything, so here are some helpful tips in working towards that balance.

Most importantly, you should only accept board positions for organizations that you truly care about. Other board members and constituents of the organization will recognize and reward genuine interest. Conversely, those people will quickly see through a person who is simply on the board for resume-building or networking purposes. You should not ignore the potential return on your investment of time, but with so many requests, make sure you take the time to evaluate each organization and pick those that truly excite you.

Along those same lines, narrowing down the number of

boards that you ultimately sit on will allow you to put your full energy into the cause and avoid being stretched too thin. As a new lawyer, you have obligations pulling you in many directions, and it is important that you limit new obligations to those that you can fulfill. It is easy to want to say yes to everyone and everything, but you also have to learn to say no. You, and the board that you decline, will ultimately be better off. If you find it hard to turn down the request outright, see if there is a sub-committee or smaller, more limited project that you can take on to test the waters.

Limiting the number of boards you serve will also allow you to take on leadership roles within those boards, where you will better develop your skill set and truly have a chance to show your stuff.

As you limit your board memberships, be sure to also diversify them. Make sure that not all of the boards you sit on involve legal issues or causes. Consider taking on a board position in an area that is outside of your normal comfort zone. Take some chances and test yourself a bit, just be sure you understand what is expected of you and that you feel confident you can meet those expectations.

Finally, if you find yourself overwhelmed with your board obligations, be honest with yourself and the boards you serve and consider rolling off a few boards to make room for someone with more time and energy. When rolling off, you can help with the transition by nominating a successor that you have spoken to about taking your spot. Your recommendation is likely to carry some weight, and your successor can still tap you from time to time for your institutional knowledge.

Now get out there and do some good!

Annyika Corbett YLS Member Spotlight

by Kirsten Rush
YLS Board of Directors

Annyika (Nyika) Corbett practices employment law at Schwabe Williamson & Wyatt and served as a member of the YLS Continuing Legal Education (CLE) Committee for the last three years. Nyika grew up on a ranch in Coos County that had both cattle and timber. Unlike the summer jobs of most teens, she spent her summers outdoors logging with her dad and building fences. A college athlete, Nyika ran cross country and mid- to long-distance track at Swarthmore College in Pennsylvania.

Nyika's love for the outdoors and her home state brought her back to Oregon to attend Lewis & Clark Law School. Her background in ranching led her to initially pursue studies in natural resources law, but after gaining practical experience in employment law, she never looked back. Nyika was encouraged by a mentor to apply for a job with the Oregon Department of Justice Labor and Employment Section for the summer after her 1L year and from then on, she was hooked. Nyika worked at the Labor &

Employment Section from that first summer up to her graduation from law school. It was the hands-on experience at DOJ that made Nyika want to practice employment law; she enjoyed assisting in administrative proceedings and seeing the arguments she researched and helped to craft being used by the attorneys in real-time. Today at Schwabe Williamson & Wyatt, Nyika's favorite parts of her practice are building relationships with employers and advising them on workplace issues and compliance. While Nyika enjoys the advice part of her practice, her competitive spirit thrives on litigation and there are few things she enjoys more than the adrenaline rush of appearing before the court at oral argument.

Nyika first became involved in the YLS after a mentor recommended she get involved in a professional organization like the MBA. Nyika joined the CLE Committee, which is responsible for choosing CLE topics that are relevant to YLS members, finding engaging speakers, and assisting at the CLE classes. Nyika has enjoyed



Annyika (Nyika) Corbett

her service on the committee, which she describes as a fun, organized group. Her favorite aspects of being a part of the committee have been building relationships both with other committee members and with the speakers who are experts in their fields.

An outdoor enthusiast, Nyika spends her free time hiking, backpacking, fishing, and camping. She finds the best part of being back in the Pacific Northwest is the proximity to so many amazing outdoor resources and the ability to escape on an outdoor adventure so easily. You can ask her for her favorite hiking and backpacking trails; just plan on taking a vow of silence first - she isn't ready for the world to know some of Oregon and Washington's best kept secrets.

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Cheryl Coon: Rise to the Occasion

YLS Pro Bono Spotlight

by Kay Teague
YLS Pro Bono Committee

Cheryl Coon was eight years old when her family began traveling the world, which marked the beginning of a series of moves across the globe. Cheryl's experiences traveling to diverse locations made her acutely aware of what it meant to be an outsider and feel as though she didn't belong. These experiences, combined with Cheryl's volunteer experience at Community Legal Services in Philadelphia, gave her an appreciation for the potential to help individuals through the law.

Over the course of her legal career, Cheryl spent time at Drinker, Biddle & Reath in Philadelphia; worked as Assistant Attorney General in the US Virgin Islands; spent six years in Congress working for the Senate Commerce Committee and the House Science, Technology and Space Committee; and, in 2010, stepped in to rebuild the Social Security disability practice at Swanson Thomas & Coon. While building the disability practice, she began volunteering at Immigrant & Refugee Community Organization (IRCO) and saw a need to educate newcomers about our legal system and connect them to the appropriate legal resources. It was during this volunteer work that Cheryl saw a way to tie together the loose ends of her childhood.

Cheryl decided to embark on a new chapter in her legal career by helping refugees and immigrants with disabilities here in Oregon feel as though

they belong. In 2016, she left her law firm to create Refugee & Immigrant Services and Empowerment (RISE), which provides representation for those seeking Social Security disability benefits.

Currently, RISE helps disabled immigrants and refugees address not only the legal aspect of their disability, but also connects clients with culturally sensitive and compassionate medical care. The organization is working to expand its services to help immigrants and refugees find work after immigrating to Oregon.

Of particular importance to Cheryl when creating RISE was the composition of the board overseeing and managing the nonprofit. The board of RISE includes 11 individuals, nine of whom are first-generation refugees, immigrants and asylees from nine different countries. The unique composition of the RISE Board ensures that the voices of our refugee and immigrant communities are taken into consideration when creating programs and services at RISE.

Despite its youth, RISE has achieved greater success in approval of disability benefits than the national average. The national average for individuals successfully obtaining disability benefits is approximately 35 percent, and can take up to two years. RISE has a 90 percent success rate and has succeeded in the majority of its cases within three to four



Cheryl Coon

months. Cheryl explains that the disability system does not encourage quick success because attorney fee provisions of the law provide that the longer a person waits, the greater the legal fee their attorney will receive. RISE provides this legal service focused on sparing refugees and immigrants from a long wait.

As we all know, nonprofit organizations such as RISE are in need of funding. In addition, RISE is always seeking attorneys from the legal community to volunteer 10 hours a month on an ongoing basis. Volunteers need to have a comfort level working with clients from around the world with limited English skills. With reliable volunteer attorneys, RISE can focus on funding and programs for the communities they serve.

Sometimes it is difficult to imagine a gratifying way to volunteer our time professionally. RISE is an excellent option to consider when making the commitment to provide pro bono services.

If you are an attorney who would like to volunteer for RISE, please contact Cheryl Coon at cheryl@risenw.org. You can also tour their website at www.risenw.org for more information.

YLS Community Service Day at Albina Co-op

by Kyle Rohrer
YLS Service to the Public Committee

Despite the intermittent downpours, the June 9 urban gardening at the Albina Co-op was a great success. Members of the MBA planted peppers, picked weeds from a variety of onions, and ate strawberries with fellow members of the community. Dan, the on-site gardening guru, explained to the volunteers the types of weeds that typically grow in this ecosystem, when harvest season is for Walla Walla onions, and how to sustain a burgeoning community garden. Thank you to all the volunteers who got their hands dirty for a good cause on that Saturday morning.





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- 3+ years of relevant experience, preferably in employment defense litigation
- Oregon Bar Admission with "active" status required
- Attention to detail and ability to multi-task in a fast-paced environment
- Strong organizational, time management, and project management skills
- Excellent written and oral communication skills

- Ability to work in a highly collaborative, team environment
- Outstanding academic credentials

This is a general description of the duties, responsibilities and qualifications required for this position. Physical, mental, sensory or environmental demands may be referenced in an attempt to communicate the manner in which this position traditionally is performed. Whenever necessary to provide individuals with disabilities an equal employment opportunity, the firm will consider reasonable accommodations that might involve varying job requirements and/or changing the way this job is performed, provided that such accommodations do not pose an undue hardship.

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Farleigh Wada Witt, a mid-sized AV-rated firm located in downtown Portland, is seeking an associate attorney with an interest in business law and estate planning/probate/trust administration.

We are looking for candidates with 2-plus years' relevant experience, the proficiency to offer practical solutions to clients, the ability to manage multiple projects efficiently, impressive writing and speaking skills, and an entrepreneurial mindset.

We work hard on a variety of interesting projects, but we also

have a culture that encourages outside interests and balance.

Farleigh Wada Witt is proud of its commitment to providing work-life balance for our attorneys and staff. We feel our dedication to alternative work schedules and quality of life helps us foster creative, efficient and innovative approaches to providing legal services.

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lwinkle@fwwlaw.com or Farleigh Wada Witt, 121 SW Morrison St., Suite 600, Portland, Oregon 97204.

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Litigation/Bankruptcy Associate

Farleigh Wada Witt, a mid-sized AV-rated law firm located in downtown Portland, is seeking an associate attorney with an interest in litigation and commercial insolvency related work.

We are looking for candidates with 3-6 years' relevant experience (judicial clerkship experience a plus); ability to handle court hearings in state and federal courts, including bankruptcy court, in Oregon and Washington (and willingness to seek admission in Washington); the proficiency to offer practical solutions to clients; the ability to manage multiple projects efficiently; impressive writing and speaking skills; and an entrepreneurial mindset.

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