



## The MBF Begins a New Chapter

by Nick Kampars  
MBF President

As part of the celebration of the 100th anniversary of the Multnomah Bar Association in 2005, a group of our fellow members, including Kelly Hagan,

Jeff Matthews, Robert Neuberger, Bob Newell, Penny Serrurier and then MBA Executive Director Judy Edwards, officially established the Multnomah Bar Foundation (MBF). The initial mission of the MBF was as simple as it was important to our profession: “promote community understanding and access to the justice system.” As the MBF now enters its 14th year in existence, the noblest of intentions in crafting that original mission have borne out, and continue to be at the forefront as the current board looks to the year ahead.

One of the shining stars of the MBF is CourtCare, a partnership between the MBF and Volunteers of America that provides free drop-in childcare at the downtown and East County courthouses for those attending a court proceeding. Since its inception, CourtCare has served nearly 17,000 children, and averages about 100 children per month. The vast majority of these children are in the courthouse due to domestic disputes or custody issues, situations which would only be complicated if the children were present during the proceeding itself.

**The initial mission of the MBF was... “promote community understanding and access to the justice system.”**

CourtCare offers relief in some measure to the adults, the children and the courthouse staff. I am sure you will hear more about CourtCare’s good work during its annual fund drive in May, but the survey responses from those who relied on the program in 2018 paint a very positive picture of its importance: 100 percent of the participants were extremely satisfied with the program. We are grateful for the contributions of time and money many of you have made to make this program the success it is.

Over the past few years, the MBF board has developed a new program designed to promote that portion of its mission related to civic education and public awareness of the legal system. The program, CourtConnect, pairs a lawyer with a Multnomah County judge to visit with a community organization to discuss the legal system and answer questions about it. CourtConnect volunteers have met with groups at Portland Opportunities Industrialization Center, Sponsors Organized to Assist Refugees (SOAR), and Lutheran Community Services Northwest. For 2019, we have reached out to these groups again, and to Catholic Charities, Lao Buddhist Center Northwest, Latino Network, Muslim Educational Trust, and Hispanic Metropolitan Chamber. We are always looking for lawyer volunteers to accompany our judges, as well as suggestions for new community organizations that would benefit from one of these sessions.

In 2018, the MBF Board voted to sunset the Civic Education Fund. The fund was established in 2006, and annually raised money from the bar to provide grants to nonprofit organizations whose civic and law-related education programs promoted civic education and engagement. Over 12 years, the CEF awarded more than \$468,000 in grants. Last year alone, the MBF awarded over \$50,000 in grants to organizations like

Elders in Action, for its Civics 101 class; to Northwest Family Services, for its Peer Court; and to SOAR, for its voter education project to newly naturalized citizens. The grants enabled many of those programs to get off the ground and improve our community’s civic awareness, and the partnerships developed between those organizations and the MBF will last well into the future.

The new courthouse has given the MBF an opportunity to work with Presiding Judge Stephen Bushong and Trial Court Administrator Barbara Marcille on a new project that will support the MBF’s mission to improve the quality and administration of the legal system here in Multnomah County. Although the project - like the courthouse itself - is still a work in progress, we hope to improve access to information and services at the new courthouse, and create a welcoming environment for the public. You’ll hear more about this program as the year progresses, and as we all anxiously await the opening of the new courthouse in Spring 2020.

None of these worthy programs would be possible without the overwhelming support we receive from you, the members of the bar. And I would personally like to thank the individuals who have devoted their time to the MBF over the last year by serving on the board of directors: Matt Donohue, Abby Wool Landon, Dana Scheele, Emilee Preble, Holly Johnston, Jen Wagner, Jim Oliver, Judge Xiomara Torres, Julie Vacura, Mackenzie Hogan, Sarah Bond and Tim Resch. And I’d like to welcome our new board members Richard Vangelisti, Jeanne Sinnott and Victoria Blachly. The next time you run into one of these folks at a bar event, be sure to ask them about the latest from the MBF.

**We are always looking for lawyer volunteers...**

## MBA 17th Annual WinterSmash

A Family-Friendly Bowling Event  
Saturday, February 2  
11 a.m.-2 p.m.



**KingPins**  
3550 SE 92nd Ave

A Multnomah CourtCare Fundraiser

Thank you to the WinterSmash sponsors.

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Register at [www.mbabar.org](http://www.mbabar.org).

## mba|CLE

To register for a CLE, please see p. 4 or visit [www.mbabar.org](http://www.mbabar.org) and log in as a member to register at the member rate.

### FEBRUARY

**2.7 Thursday**  
**Federal Civil Procedure: Crushing Pre-Trial Motions**  
Judge Stacie Beckerman  
Matt Colley  
Margie Schroeder

**2.12 Tuesday**  
**Working with Self-Represented Parties**  
Judge Steve Todd  
Shelly Matthys

**2.20 Wednesday**  
**Current Topics in Electronic Discovery**  
Ian Christy  
Bridget Donegan  
Shane Sawyer

**2.26 Tuesday**  
**The Break-Up: Terminating Ownership Interests in Closely-Held Businesses**  
Aurelia Erickson  
Bob McGaughey

**2.27 Wednesday**  
**Goldilocks and the Three Couch Surfers - Navigating the World of Establishing and Regulating Airbnbs in Oregon**  
Tony Garcia  
Kathleen Proffitt

**2.28 Thursday**  
**Collecting on Judgments**  
Eleanor DuBay  
John Parsons

### MARCH

**3.6 Wednesday**  
**Family Law Update**  
Judge Susan Svetkey  
Sarah Bond  
Amy Fassler

**3.14 Thursday**  
**Presiding Court Update**  
Judge Stephen Bushong

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DEADLINE for copy: The 10th of the month\*

DEADLINE for display ads: The 12th of the month\*

\*or the preceding Friday, if on a weekend.

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## MBF Announces Officers, Directors

by Pamela Hubbs

Office and Foundation Administrator

The Multnomah Bar Foundation is pleased to announce its new officers and directors. We asked our officers for their thoughts about the year ahead.



Nicholas Kampars

**Nicholas A. Kampars**, Davis Wright Tremaine LLP, President: “The MBF does great work, and it is my honor to chair the board for 2019. I look forward to working with our existing and incoming board members to continue the success of our existing programs, including CourtCare, and to implement our newest program, CourtSupport. With the new courthouse opening next year, our board is excited to be a part of the bar’s efforts to make it a success.”



Jennifer Wagner

**Jennifer S. Wagner**, Stoll Berne PC, Vice President: “I am honored to serve on the Board of an organization whose important mission is to promote civic education. I look forward to working with the Board to continue programs, such as CourtCare and CourtConnect, that help to better connect our community to the court system. I anticipate that 2019 will be a particularly exciting year for the Board, as we will be exploring the many opportunities for civic education presented by the opening of the new courthouse in 2020.”



Abby Wool Landon

**Abby Wool Landon**, Tonkon Torp LLP, Treasurer: “It is an honor to serve on the MBF Board because of the long history MBF has serving those in the community whose close ties to legal services and genuine need for assistance is so important to the entire county. I am looking forward to acting as its Treasurer this year.”



J. Mackenzie Hogan

**J. Mackenzie Hogan**, Harris & Bowker LLP, Secretary: “I am truly honored to continue to serve the MBF and its mission. As Multnomah County transitions to the new courthouse in 2020, I look forward to the exciting developments that await us this year.”



J. Matthew Donohue

**J. Matthew Donohue**, Holland & Knight LLP, Immediate Past President, “2019 will be a transformative and important year for the MBF. The Board has doubled-down on implementing MBF programs that directly support families that are litigants in our courts (CourtCare); the public’s understanding of the legal system (CourtConnect); and the administration of legal services in our new courthouse (CourtSupport). As I transition to my last year on the MBF Board, I look forward to working with my colleagues on these fantastic programs.”

## Calendar

### FEBRUARY

**2 Saturday**  
**WinterSmash**  
Details on p. 1

12 Tuesday  
League of Women Voters  
Women and Justice Panel  
bit.ly/2F9c1Rw

**15 Friday**  
**MBA Solo & Small Firm**  
**Committee presents**  
**Overcoming Challenges with**  
**Client Communications**  
Details on p. 8

15 Friday  
OHBA 13th Annual Awards  
Dinner  
oregonhispanicbar.org

21 Thursday  
CEJ 28th Annual Awards  
Luncheon  
cej-oregon.org/events/

22 Friday  
ACLU of Oregon 2019 Liberty  
Dinner  
aclu-or.org

**23 Saturday**  
**Portland Children’s Museum**  
**Social**  
Details on p. 12

### MARCH

16 Saturday  
Lewis & Clark Law Firm and  
Business Career Fair  
bit.ly/2Rzf6w7

28 Thursday  
CEJ Justice Trivia  
cej-oregon.org/pdx-trivia/



Victoria Blachly



Richard Vangelisti



Jeanne Sinnott

New directors are **Victoria D. Blachly**, Samuels Yoelin Kantor LLP; **Jeanne K. Sinnott**, Miller Nash Graham & Dunn LLP; and **Richard J. Vangelisti**, Vangelisti Mediation.

Continuing directors are **Sarah H. Bond**, Zimmer Bond Fay & Overlund LLC; and **Julie R. Vacura**, Larkins Vacura Kayser LLP. **Emilee Preble**, Professional Liability Fund, is the current MBA Board Liaison.

## MBA & YLS Board Elections

The MBA bylaws provide for nominations for MBA and YLS Board positions from the membership at large. MBA members may self-nominate for the MBA Board, and YLS members for the YLS Board. MBA and YLS Board nominating petitions must be endorsed by the nominee and at least 10 other MBA or YLS members, respectively. Petitions must be received by 5 p.m. on Friday, February 22. New MBA and YLS Board members will be announced at the MBA Annual Meeting on Tuesday, May 14.



The MBA will apply for 2 hours of general OSB MCLE credit unless otherwise noted; Washington credit 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.

### Federal Civil Procedure: Crushing Pre-Trial Motions

Thursday, February 7 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

Civil litigators spend the majority of their time in the pre-trial phase of litigation, and pre-trial motion practice is an indispensable tool for any strategic litigator. Please join the **Honorable Stacie Beckerman** of the U.S. District Court of Oregon and **Margie Schroeder** and **Matt Colley** of Black Helterline in discussing how to crush your next pre-trial motion in federal court. Topics include: motions to dismiss, discovery motions, motions for summary judgment, and motions in limine.

**For more information:** Contact Emily Miller, Miller Nies LLC at 971.255.1407. For registration questions, contact the MBA at 503.222.3275.

### Working with Self-Represented Parties

Tuesday, February 12 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

It happens to all of us - we find ourselves with a self-represented party on the other side of a case. Sometimes the person is cooperative, sometimes not. In any case, the challenges presented by a self-represented party can be frustrating at best, infuriating at worse. How do you approach a case with a self-represented party? Can you even get the case resolved? Is there anything you can do to ease the case along? Our experienced speakers will assist us with learning how to work with self-represented parties. Come learn the tricks of the trade from those "in the trenches." Our speakers are **Shelly Matthys**, Matthys Family Law, formerly Executive Director of St. Andrew Legal Clinic, and **Judge Steve Todd**, Multnomah County Judge pro tem.

**For more information:** Contact Terry Wright, Willamette College of Law at 503.375.5431. For registration questions, contact the MBA at 503.222.3275.

### Current Topics in Electronic Discovery

Wednesday, February 20 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

Litigants face considerable expense and risk in navigating the increasingly complex landscape of electronic discovery. This program will explore recent developments in electronic discovery law and practice, with an eye toward practical solutions to common problems. **Ian Christy**, Miller Nash Graham & Dunn LLP; **Bridget Donegan**, Larkins Vacura Kayser LLP; and **Shane Sawyer**, Streamline Imaging will discuss recent case law and offer tips for managing preservation, collection, review, production, and discovery motions in a cost-effective and efficient manner.

**For more information:** Contact Cody Elliott, Miller Nash Graham & Dunn LLP at 503.205.2465. For registration questions, contact the MBA at 503.222.3275.

### The Break-Up: Terminating Ownership Interests in Closely-Held Businesses

Tuesday, February 26 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

This CLE will provide a comprehensive look at all aspects of business breakups, including shareholder disputes, LLC member disputes, oppression claims, squeeze-out mergers, and reverse stock splits. Our speakers, **Bob McGaughey** and **Aurelia Erickson**, with the law firm McGaughey Erickson, will cover considerations for planning when forming entities as well as litigation that ensues over breakups in closely-held businesses. This is the ideal CLE for anyone advising businesses or engaged in business litigation.

**For more information:** Contact Jovanna Patrick, Hollander Lebenbaum et al at 503.222.2408. For registration questions, contact the MBA at 503.222.3275.

### Goldilocks and the Three Couch Surfers: Navigating the World of Establishing and Regulating Airbnbs in Oregon

Wednesday, February 27 4-5 p.m.

World Trade Center, Mezzanine

Members \$30/Non-Members \$50

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

This CLE will address the nuts and bolts of creating and regulating short-term rentals/Airbnbs within the city of Portland and elsewhere in Oregon, including a discussion regarding the various private restrictions an owner/operator of an Airbnb will need to consider before launching their operation (e.g. restrictive covenants, liability insurance, nuisance claims). Join speakers **Tony Garcia**, Portland Office of City Attorney and **Kathleen Profitt**, Profitt Law PC for this informative class.

**For more information:** Contact Adele Ridenour, Ball Janik LLP at 503.944.6062. For registration questions, contact the MBA at 503.222.3275.

### Collecting on Judgments

Thursday, February 28 3-5 p.m.

World Trade Center, Sky Bridge

Members \$60/Non-Members \$95

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

In this seminar you will learn:

- How to strategically use debtor interrogatories and exams;
- Options for enforcement proceedings, including writs and executions;
- Understanding the effects of a bankruptcy on your judgment;
- How to tee up a sheriff's sale or foreclosure.

**For more information:** Contact Emily Miller, Miller Nies LLC at 971.255.1407. For registration questions, contact the MBA at 503.222.3275.

### Family Law Update

Wednesday, March 6 3-5 p.m.

World Trade Center, Auditorium

Members \$60/Non-Members \$95

On March 6, the MBA will hold its annual two-hour Family Law Update. Multnomah County Chief Family Court **Judge Susan Svetkey** will be joined by **Sarah Bond** of Zimmer, Bond, Fay & Overlund and **Amy Fassler** of Schulte, Anderson, Downes, Aronson & Bittner. Our speakers will provide family law practitioners with information on changes, updates, and reminders regarding Multnomah County Family Court procedures and practices, as well as valuable updates on appellate case law, including the most recent spousal support cases.

**For more information:** Contact Terry Wright, Willamette College of Law Director of Externships at 503.375.5431. For registration questions, contact the MBA at 503.222.3275.

### Presiding Court Update

Thursday, March 14 3-5 p.m.

World Trade Center, Auditorium

Members \$60/Non-Members \$95

In this session, Multnomah County **Presiding Judge Stephen K. Bushong**, the Chief Judges and court staff will present on the state of the court, review new Supplemental Local Rules, and provide tips on issues unique to practicing in Multnomah County. Judge Bushong will also give an update on the new courthouse, which is scheduled to open in 2020. This seminar is designed for attorneys at all levels of experience and questions are strongly encouraged.

**For more information:** Contact Karen Thompson, Attorney at Law at 971.340.0963. For registration questions, contact the MBA at 503.222.3275.

To register for these classes, see page 4.

**What I Learned as a JAG: Lessons From The Military Justice System That Every Civilian Litigator Should Know**

Tuesday, March 19 3-5 p.m.  
World Trade Center, Sky Bridge  
Members \$60/Non-Members \$95

Former JAG lawyers will share stories from their days trying cases in military justice courts, during times of war and peace. JAG lawyers receive training and experience not available to civilian lawyers. **David Angeli**, Angeli Law Group and former Lieutenant, US Navy, will moderate the panel made up of **Judge Christopher Ramras**, Multnomah County Circuit Court and former Captain, US Air Force; **Adrian Brown**, Assistant US Attorney and former Captain, US Air Force; and **Renee Stineman**, Attorney-In-Charge, Special Litigation Unit, Oregon Department of Justice and former Lieutenant Commander, US Navy. The panelists will share lessons they learned during their military legal careers that they believe have advantaged them in their civilian practices. Their unique perspectives are sure to benefit newer and experienced litigators alike.

**For more information:** Contact Judge Benjamin Souede, Multnomah County Circuit Court at 503.988.3972. For registration questions, contact the MBA at 503.222.3275.

# CLE BOGO

The MBA is pleased to offer its buy-one-get-one CLE policy for participants in the MBA and OSB mentor programs.

OSB and MBA mentors: When you register for an MBA CLE, you can register your mentee to attend with you for free.

Contact Kathy Modie at 503.222.3275 or [kathy@mbabar.org](mailto:kathy@mbabar.org) to add your mentee to the registration list.

**GREAT PRO BONO OPPORTUNITY!**

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## New Housing Notice Clinic

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- ◆ Attorneys sign up in advance for a specific week to receive a direct referral.
- ◆ A new training seminar and comprehensive training materials are available.



For more information or to sign up to volunteer, please contact Jill Mallery at [jill.mallery@lasoregon.org](mailto:jill.mallery@lasoregon.org) or 503.481.1138.

# THIS MAY BE YOUR FINAL ISSUE

February is the final *Multnomah Lawyer* issue delivered to unrenewed members. **Renew your membership online at [www.mbabar.org](http://www.mbabar.org) or by contacting us at 503.222.3275** to continue to receive our publication and take advantage of other member benefits.



Photocopy, complete and mail or fax the registration form with payment to the MBA to reserve your space. Self-study materials from past CLE classes may be downloaded at [www.mbabar.org](http://www.mbabar.org).

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Registration forms with payment must be received in the MBA office by 3 p.m. the day before the seminar. Registration forms may be mailed or faxed to the address or number below. Accommodations available for persons with disabilities; please call in advance for arrangements.

**Photocopy registration and mail or fax with payment to:**  
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 503.222.3275 ■ Fax to: 503.243.1881

**Register online and order or download MBA self-study materials at [www.mbabar.org](http://www.mbabar.org).** Reduced fees for unemployed members are available and are assessed on a case-by-case basis. For details, call the MBA at 503.222.3275.

**Seminar Selection:**

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

- 2/7 Federal Civil Procedure: Crushing Pre-Trial Motions**  
 Class Registration (\$60 Members/\$95 Non) .....\$ \_\_\_\_\_  
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  - 2/12 Working with Self-Represented Parties**  
 Class Registration (\$60 Members/\$95 Non) .....\$ \_\_\_\_\_  
 CD-ROM & Written Materials (\$60 Members/\$95 Non) ..\$ \_\_\_\_\_
  - 2/20 Current Topics in Electronic Discovery**  
 Class Registration (\$60 Members/\$95 Non) .....\$ \_\_\_\_\_  
 CD-ROM & Written Materials (\$60 Members/\$95 Non) ..\$ \_\_\_\_\_
  - 2/26 The Break-Up: Terminating Ownership Interests in Closely-Held Businesses**  
 Class Registration (\$60 Members/\$95 Non) .....\$ \_\_\_\_\_  
 CD-ROM & Written Materials (\$60 Members/\$95 Non) ..\$ \_\_\_\_\_
  - 2/27 Goldilocks and the Three Couch Surfers: Navigating the World of Establishing and Regulating Airbnbs in Oregon**  
 Class Registration (\$30 Members/\$50 Non) .....\$ \_\_\_\_\_  
 CD-ROM & Written Materials (\$30 Members/\$50 Non) ..\$ \_\_\_\_\_
  - 2/28 Collecting on Judgments**  
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  - 3/14 Presiding Court Update**  
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# Why ORS 20.080 is Critical for Oregon Plaintiffs

by Ben Cox and Aaron D. Reichenberger



Ben Cox



Aaron Reichenberger

In the December issue of the *Multnomah Lawyer* (“One Extra Dollar: The Impact of Attorney Fee Awards in Small Claims”), the author took issue with a fee-shifting statute that hundreds of Oregon lawyers regularly utilize in comparatively modest claims to achieve fair outcomes against insurance companies. As two such lawyers, we are writing to share our perspectives.

In claims seeking no more than \$10,000 in damages to person or property, ORS 20.080 states that when a plaintiff makes a properly-supported pre-filing demand and provides at least 30 days to respond, if the case can’t be settled and the plaintiff eventually recovers more in litigation than the best pre-filing offer, the plaintiff will be entitled to her

reasonable attorneys’ fees, as well as her damages.

The author correctly notes that, “ORS 20.080 was passed in 1947 to address the problem of small tort claims [...] Insurers in particular had discovered they could simply defend against every claim, and since the legal cost of prosecution was likely to exceed the claim’s economic value, there was no practical way for a claimant to ever collect.” This is as true today as it was in 1947. In fact, the insurance companies that defend these claims have become more aggressive with low-balling tactics than at any point in recent memory, and regular Oregonians with modest tort claims need the protection of this law more than ever before.

Insurance companies know that the worst enemy of an injured person with a modest claim is simple math. If a case is reasonably worth about \$6,500 at trial, it makes no financial sense for either: a) the victim to pay an attorney by the hour, b) the attorney to work up, litigate, and try such a case for a maximum contingent benefit of a few thousand dollars, or c) even to represent oneself and incur the non-recoverable costs of pursuing such a verdict (e.g. \$2,000 or more for the treating doctor to testify so the proper evidentiary burden may be met). This is why the Oregon Supreme Court has said: “Unless [the victim] could collect with his claim a fair attorney fee, it would be impracticable for a plaintiff to pursue his legal remedy against a reluctant defendant.”<sup>1</sup>

However, even with the fee provision for litigated claims, most of these cases settle pre-filing. Oregon Justice Department (OJD) statistics reveal that any fear of rampant, opportunistic ORS 20.080 litigation is not well-founded. In 2016, over 700,000 matters were filed in the state’s circuit courts.<sup>2</sup> Over 73 percent were criminal cases.<sup>3</sup> In June 2018, OJD’s Civil Justice Improvements Task Force reported that less than 1 percent of all matters were filed under the Tort-General code, which is where an ORS 20.080 case would be filed.<sup>4</sup> Of that 1 percent, only 38 percent sought \$10,000 or less.<sup>5</sup> Seventeen percent of Tort-General filers were unrepresented, which means that the highest possible responsible

estimate of attorney-represented ORS 20.080 cases filed statewide in 2016 yields just 2,096 matters.<sup>6</sup>

Having demonstrated there is no large-scale litigation problem, let’s take a small-scale example of the law in action. Lawyer represents Helen. Helen was hurt in an ordinary, rear-end auto collision, required six months of treatment, and is not responsible for medical reimbursement. Everyday claims like Helen’s can range widely in value, but let’s say her verdict range is \$5,500 to \$7,000.

Lawyer makes a properly-supported \$10,000 demand. Within 30 days, the insurer offers Helen \$4,500. If the case settles now, Helen will receive \$3,000 and Lawyer will be paid \$1,500. If the case is filed and Helen fails to beat the offer, Lawyer will work far harder for the same (or less) fee. If instead Helen recovers more than \$4,500, Helen will receive the awarded amount (minus non-recoverable costs) and Lawyer will receive a reasonable hourly rate for all work necessary to obtain the outcome. Considering the extra risk and work involved, very few attorneys will advise Helen that filing suit is a smart risk to run, and the case will settle for \$4,500.

The further below \$4,500 the insurer offers, the better the chance that Helen and Lawyer will decide the risks of pursuing the full value of the claim justify filing the case. This is precisely how ORS 20.080 is supposed to work: the law’s existence means Helen will have the benefit of counsel, counsel will advise Helen not to inflate her claims beyond \$10,000

because of the advantages this statute provides, and the carrier will have to promptly respond with a reasonably fair offer if it wants to avoid paying both Helen’s damages and her attorneys’ fees. In the Oregon Supreme Court’s words: “[ORS 20.080 exists] to encourage settlement of small claims, to prevent insurance companies and tortfeasors from refusing to pay just claims, and to discourage plaintiffs from inflating their claims.”<sup>7</sup>

Without ORS 20.080, attorneys would not be able to assist a large class of Oregon’s tort victims. Rather than engendering needless litigation, ORS 20.080 instead increases access to justice and fair outcomes for those who would otherwise go unrepresented and undercompensated. Oregonians should celebrate this law, not criticize it.

*Ben Cox is a former YLS Board Director; Aaron Reichenberger is a current YLS Member.*

- 1 *Johnson v. White*, 249 Or 461, 463 (1968).
- 2 OJD 2017 Circuit Court Case Statistics, Table 1 - Cases Filed Trend Data (Comparing 2016), pg. 1.
- 3 *Id.*
- 4 OJD’s Civil Justice Improvements Task Force Report to the Chief Justice, Appendix B, Fig. 1.
- 5 *Id.* at Appendix B, Fig. 2.
- 6 *Id.* at Appendix B, Fig. 3.
- 7 *Rodriguez ex rel. Rodriguez v. The Holland, Inc.*, 328 Or 440, 444 (1999)

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### Statement of Diversity Principles Available to Sign

The MBA Equity, Diversity & Inclusion Committee invites you to sign the Statement of Diversity Principles. Read and sign the diversity statement and pledge at [www.mbabar.org/about-us/diversity.html](http://www.mbabar.org/about-us/diversity.html).

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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.

## Cyber Threats Protecting Your Firm Against External and Internal Threats

by Elise Bouneff  
Columbia Bank



- Force logoff when the machine is idle
- Install email spam filters and web filters

Incorporating protections such as these can help to protect your firm's information and property. Educating staff and clients about potential threats can also go a long way toward protecting against fraud.

While unfortunate, technology fraud is often perpetrated by an internal threat - someone inside the organization. IT tends to be a largely unmonitored function, thereby giving technology professionals access to highly sensitive data and expensive equipment.

Further, smaller firms often require staff members to wear many hats, resulting in technology management being handled by a non-IT staffer. As with any type of risk management, it is critical to identify the types of risks at play and how a company can and should work to prevent them. Work with in-house IT personnel or a consultant to identify the potential technology risks within your organization.

These days, law firms' reliance on technology can leave the door wide open for fraud to occur. Whether the source is internal or external, firm owners and partners must be aware of the dangers of technology fraud and put in place plans and controls to prevent security violations.

*Elise Bouneff is Senior Vice President and Commercial Relationship Banking Officer at Columbia Bank. She can be reached at [ebouneff@columbiabank.com](mailto:ebouneff@columbiabank.com).*

For small firms, the threats that managers worried about in the past almost all had to do with physical security breaches, including break-ins and theft within or regarding the property of the company. Today, however, the internal and external threats to a firm come more often from online and digital scams and breaches.

Law firms most prone to technology fraud are those that do not have adequate protections in place to guard their informational assets. This flaw allows for external threats to attack your place of business. It is vital to have an information technology (IT) manager or consultant on board to maintain equipment and software, develop internal controls, and ensure appropriate security measures are adhered to. Some examples include:

- Install anti-virus/malware software and keep its definitions updated
- Implement a strong firewall
- Ensure updated security patches are installed on computers
- Isolate computers used to access sensitive data
- Implement an Intrusion Detection and Prevention system

## Ethics Focus

### Honest Broker: Lawyers as Escrow Agents

by Mark J. Fucile  
Fucile & Reising LLP



Lawyers occasionally act as escrow agents. Although the concept is deceptively simple, serving as an escrow agent can create significant risks for the lawyer and the lawyer's law firm. In this column, we'll look at three: conflicts; coverage; and claims.

#### Conflicts

Any Oregon lawyer considering serving as an escrow agent should be thoroughly familiar with OSB Formal Opinion 2005-55 (rev 2014), which is available on the OSB website. Formal Opinion 2005-55 examines conflict issues both when the lawyer does not represent any parties in the transaction involved and when the lawyer does.

On the former, Formal Opinion 2005-55 reasons that "[t]here is no reason that a lawyer cannot play this role in a transaction in which the lawyer does not represent any of the parties." Formal Opinion 2005-55 is predicated on the assumption that the lawyer is providing the services involved under the auspices of the lawyer's firm and, therefore, falls within the exception granted by ORS 696.520(2) from the general regulation of escrow services when conducted by "[a]n attorney at law rendering services in the performance of duties as an attorney at law."

On the latter, Formal Opinion 2005-55 finds that the dual roles of lawyer and escrow agent creates an inherent conflict. On one hand, the lawyer owes a duty of loyalty to the lawyer's client. On the other, assuming the role of escrow agent creates a duty to act as a neutral to all of the parties involved. As the opinion puts it quoting the Oregon

Court of Appeals: "The word 'escrow' by definition means 'neutral,' independent from the parties to the transaction." The conflict is under RPC 1.7(a)(2), which addresses situations in which the lawyer's professional judgment on behalf of a client may be materially limited by (among other things) duties to non-clients. A lawyer's actions on behalf of a client regarding the adequacy of documentation required for the disbursement of funds, for example, might be tempered by the lawyer's corresponding duties toward other parties to the transaction if the lawyer is also acting as an escrow agent for all involved. Formal Opinion 2005-55 counsels that conflicts under RPC 1.7(a)(2) can be waived - but only with the "informed consent" (confirmed in writing) of the client under RPC 1.7(b).

Formal Opinion 2005-55 notes that it does not address an associated issue: does providing compensated escrow services to a client trigger the "business transaction" rule - RPC 1.8(a)? In *In re Spencer*, 355 Or 679,

#### On one hand, the lawyer owes a duty of loyalty to the lawyer's client.

330 P3d 538 (2014), however, the Supreme Court disciplined a lawyer for failing to obtain a conflict waiver meeting the extremely strict requirements of RPC 1.8(a) when he provided real estate brokerage services to a client.

Formal Opinion 2005-55 concludes by counseling that "[t]here is no reason ... a lawyer cannot hold client funds, documents, or other property as part of a transaction involving a client as long as the lawyer is not described as an 'escrow agent' and the lawyer's role is not otherwise misdescribed or misrepresented." This qualifier addresses, for example, the relatively common scenario where a claimant's lawyer receives settlement funds that are subject to medical liens that will be satisfied out of the funds involved. OSB Formal Opinion 2005-52, in turn, outlines the duties of a lawyer holding funds for a client against which medical or other liens have been asserted.

#### Coverage

Lawyers who are considering acting as escrow agents should also carefully review whether they are covered under their firm's malpractice or general liability policies.

The OSB Professional Liability Fund primary plan, for example, contains an exclusion - Exclusion 21 - for escrow activities:

"This Plan does not apply to any Claim arising from a Covered Party entering into an express or implied agreement with two or more parties to a transaction that in order to facilitate the transaction, the Covered Party will hold documents, money, instruments, titles, or property of any kind until certain terms and conditions are satisfied, or a specified event occurs."

Exclusion 21 goes on to explain that it does not apply to situations like the earlier example of a claimant's lawyer receiving settlement funds for a client or a family lawyer holding funds to be distributed consistent with a judgment:

"This exclusion does not apply to a Claim based on: (a) a Covered Party's distribution of settlement funds received from the Covered Party's client, or from an opposing party, in order to close a settlement; or (b) a Covered Party's distribution of funds pursuant to and consistent with a limited or general judgment in a domestic relations proceeding."

#### Claims

In the May 2018 issue of the PLF's *In Brief* newsletter, the PLF Claims Director neatly summarized the risks of civil damage claims underlying Exclusion 21 when there is an asserted error in disbursing or failing to disburse funds held as an escrow:

"[T]he risks of serving as an escrow agent can be highly disproportionate to the fee charged by the lawyer. Frequently, the lawyer is

#### ...[t]here is no reason...a lawyer cannot hold client funds, documents, or other property as part of a transaction involving a client...

taking responsibility for very large sums of money for very little reward. As a result, the PLF is of the opinion that if the parties need an escrow agent, they should hire a title company or some other person or entity that regularly provides these services as a neutral."

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## Say hello to Tania Manners,

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skilled negotiator, and now,  
Of Counsel at our firm.

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## Around the Bar



Heidi Mandt

### Williams Kastner

The firm is pleased to announce that **Heidi L. Mandt** has joined the Portland office. Mandt focuses her practice on advising and representing clients involved in malpractice and professional liability matters, as well as product liability and toxic torts claims. Her practice covers general insurance defense and insurance coverage matters as well. In addition, Mandt has significant experience handling complex matters, including construction liability and breach of contract claims, catastrophic personal injury and death cases, and first- and third-party insurance claims.



Nadia Dahab

### Stoll Berne

Attorney **Nadia Dahab** was recently named President of the Board of Directors for the Arab American Cultural Center of Oregon. Dahab will serve a two-year term.



Lauren Blaesing

### Markowitz Herbold PC

**Lauren Blaesing** has become a shareholder with the firm.

Blaesing represents business clients in complex disputes. She has litigated cases involving partnership and commercial lease disputes, non-compete and non-solicitation agreements, financial elder abuse, business torts, breach of contract, class actions, and professional negligence claims.

Blaesing served on the board of the Women's Law Forum and worked as a judicial extern for Idaho Supreme Court Justice Roger Burdick.



Trevor Caldwell

### Barran Liebman

Barran Liebman is excited to welcome **Trevor Caldwell** to the firm's labor team. He specializes in traditional labor matters including the negotiation of collective bargaining agreements, contract administration, arbitration, and representation before state and federal agencies. Caldwell also serves as an attorney in the Office of the Staff Judge Advocate General (JAG) and served on active duty as a Captain in the US Army prior to his career in private practice.



Joseph Arellano

### Garvey Schubert Barer

The firm has named **Joseph Arellano** its Office Managing Director in Portland. Arellano joined GSB in 2017 and has over 35 years of experience representing clients in securities, commercial, and tort litigation, as well as in professional liability defense. He also advises clients in investigations by the SEC, DOJ, IRS, and their state counterparts. Arellano takes over for Eric Lindenauer who retired in December 2018 after 34 years of practicing at GSB.



Dan Keppler

**Dan Keppler** and **Matthew Yium** have both been promoted to Principal.

Keppler focuses on complex business litigation, securities litigation, professional malpractice, appeals, and alternative dispute resolution. He also counsels professional and institutional clients on securities law risk management issues.



Matthew Yium

Keppler is chair-elect of the OSB Securities Regulation Section.

Yium's focus is business litigation, as well as professional liability defense, real estate, and securities. He has represented professionals, hospitals, emerging companies and national retailers in multi-million dollar actions.

### Fisher Phillips

The firm has expanded its presence in the Washington, DC area by acquiring The Farrington Law Firm. With the acquisition, Fisher Phillips now boasts 14 attorneys in the Washington, DC region. Among its 30-plus locations, the firm also has an office in Portland.



Pamela Paluga

### Abbott Law Group

The firm is excited to announce that **Pamela Paluga** has joined our firm as a minority shareholder. She began her career in California, and relocated to Portland in 2010. Paluga is a civil trial attorney, specializing in business litigation, construction defect litigation and general liability litigation. She also handles transactional work. Paluga is licensed in Oregon and Washington, and holds an inactive license in California.



Holly Johnston

### Lane Powell

The firm is pleased to announce that two of its Portland attorneys have been elected shareholders.

**Holly Johnston** counsels clients on strategically developing and managing their US and foreign intellectual property portfolios. She handles all aspects of IP procurement and counseling. Johnston is

admitted to practice in the US Patent and Trademark Office and is a trained engineer experienced in prosecuting patents in numerous disciplines, including medical devices and diagnostics, software, electronics, green technologies, manufacturing equipment and consumer products.

Johnston serves on the school board for Springwater Environmental Sciences School, a charter school in the Oregon City Public School District that is dedicated to developing in each student a love of learning through an integrated science curriculum and a focus on field studies and outdoor school.



William Weiner

**William Weiner** handles employment litigation, strategic HR consulting and a wide range of employment agreements. He has taken multiple cases to trial before federal and state courts and administrative agencies, and obtained numerous favorable outcomes from juries, judges and arbitrators. Weiner also advises employers on complex HR issues and high potential exposure employment events, and works with clients to develop tailored employment-related contracts.

Weiner currently serves on the compensation committee as a pro bono consultant for Galt Foundation, a provider of staffing services for individuals with disabilities, and the Local Civil Rules Advisory Committee for the District Court of Oregon.



Tania Manners

### Rizzo Mattingly Bosworth PC

Portland law firm Rizzo Mattingly Bosworth PC is pleased to announce that **Tania Manners** has joined the firm as Of Counsel. Her practice will focus on personal injury and civil rights litigation. Manners has represented both plaintiffs and defendants in many practice areas, including personal injury, professional malpractice, products liability, asbestos defense, real estate, civil rights, and complex litigation. She has tried multiple cases to verdict in New York and Oregon courts.

*The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. The submission deadline is the 10<sup>th</sup> 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](mailto:mba@mbabar.org).*

The MBA Solo & Small Firm Committee Presents

## OVERCOMING CHALLENGES WITH CLIENT COMMUNICATIONS

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Join us on February 15 for a workshop that goes beyond the basics, addressing the practical challenges practitioners face communicating with clients. **Barbara Long**, Vogt & Long, PC, **Joel Christiansen**, Voge & Christiansen, and **John Robb**, Kevin Sali, LLC, will lead the workshop and discuss their approaches, logistics, resolution of common challenges, and the degree to which they employ tech-based solutions to these issues. Particular attention will be paid to the presenters' practice areas (advising sex abuse victims, small businesses, and criminal accuseds, respectively), but attorneys in all areas of practice are encouraged to attend and participate.

Cost: \$20 members/\$60 non-members.

Lunch is provided.

The MBA will apply for one hour of CLE credit.

Register at [www.mbabar.org](http://www.mbabar.org).



# Pro Bono Opportunity: LASO Opens New Pro Housing Notice Clinic

by Sheila Potter  
MBA Public Service Committee

Legal Aid Services of Oregon has started an exciting new pro bono clinic in Portland, coordinated by the Volunteer Lawyers Project, which allows lawyers to get involved to help with the housing crisis in and around Portland. The pilot program launched at the start of January.

LASO receives a staggering number of requests for assistance from tenants threatened with

eviction, who have no resources to hire counsel to help them. In a study of June 2018 data from the FED court, LASO found that tenants were unrepresented in about 92 percent of their cases, whereas landlords were represented in almost 90 percent of the cases, either by counsel or by agents. Legal Aid lawyers represent thousands of tenants each year, but the need

continues to grow. In Oregon, 807,000 people qualify for legal aid services. Due to high demand and limited resources, legal aid services are able to meet less than 15 percent of the legal needs of income eligible individuals.

To meet more of this need, with its limited staff and funding, LASO is now unveiling this new pro bono pilot program: the Housing Notice Clinic is an exciting new way for tenants to receive advice and help from lawyers in the Portland metro area. Those who volunteer with the clinic will sign up to review eviction notices against a comprehensive checklist developed by LASO, to determine whether the

notice is valid and whether there are any defenses that the tenant might put forth. If the notice is not valid or there are defenses, the pro bono lawyer may volunteer to take the next step of contacting the landlord or appearing in court on the tenant's behalf. "Even if the notice is valid," LASO attorney Jill Mallery, who coordinates the program, points out, "having an attorney review this notice for the client and give solid legal advice is still really valuable. Then the client knows that they need to make preparations for their next step."

The process is simple and easy to work into a lawyer's busy schedule. Volunteer attorneys will sign up weekly to be "on call," for as little as one case or as many as they might like. When a potential client contacts LASO with a notice, LASO will review the notice, take down all necessary information, and collect the relevant documents. LASO will then contact one of the on-call volunteer attorneys with the conflict information and confirm that the lawyer can accept the referral. Once the volunteer lawyer has accepted the referral, LASO will give

them the rental agreement, termination notice, and client contact information. (Translation and interpretation services are available where they're needed.) This schedule allows the volunteers flexibility to find time in their day to perform the review, and of course they choose where to do that work. Attorneys may then agree to assist the client with contesting the notice.

Because many lawyers interested in pro bono work may not be trained in landlord-tenant law, LASO has prepared training materials and a CLE video available at [www.oregonadvocates.org](http://www.oregonadvocates.org). More comprehensive training is available once a volunteer signs up for the clinic. LASO also has staff attorneys who can answer volunteer attorneys' questions that may come up in the course of the representation.

For more information or to volunteer, lawyers may contact Jill Mallery ([jill.mallery@lasoregon.org](mailto:jill.mallery@lasoregon.org)) or Erin White ([erin.white@lasoregon.org](mailto:erin.white@lasoregon.org)). They can be reached by phone at 503.224.4086.



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## Tips From the Bench

by Judge Patricia McGuire  
Multnomah County Circuit Court



By the time you read this, the Multnomah County Family Court Department will have recovered from the 2018 Year End Rush to Get Judgments Signed. There were a few common issues that held up judgments; if you remember these tips, your proposed judgment will move more quickly to a judge's electronic queue for signing.

### The required parenting class really is required.

If there are children in the case, before a judgment can be signed: at least one parent has to take the parent education class, there must be a motion/declaration/order to defer the class for the other party, and your judgment should state that the non-complying party must first complete the parenting class before they can ask the court for relief related to the children (except for emergency relief). TIP: check OECE to see whether the parenting class has been taken *before* you file the Judgment. EVEN BETTER TIP: have your client register to take the parenting class within 60 days of filing the petition or response, so they can get the class discount (from \$70 to \$55).

### The Money Award is different from the CIF/UTCR 2.130.

UTCR 2.130 prohibits certain confidential personal information (SSN, DOB, ODL, former names, employer's name) from being included in documents filed with the court. However, the money award *requires* the last four digits of the judgment debtor's SSN and driver license (and state of issuance). Per UTCR 2.130(2)(b), the rule prohibiting the disclosure of confidential personal

information does not apply to a money award under ORS 18.042(2)(b). TIP: If you want a money award in your judgment, you need to include the last 4 digits of the judgment debtor's SSN and driver license (and state of issuance). EVEN BETTER TIP: Update your judgment template to remove any reference to UTCR 2.130 in the money award section for the judgment debtor.

Here are a few tips to get your case out more quickly at trial assignment:

### If the issue is "the best interests of the child," mediation is required.

If custody or parenting time is at issue (*even for temporary relief*), you must complete mediation before trial assignment will assign you out for a hearing. The only relief from the mediation requirement is an order waiving mediation. If you are at trial assignment and custody or parenting time is at issue but you haven't completed mediation, expect to get an order sending the parties to mediation, and a new trial assignment date. TIP: Check OECE to see if there is a valid restraining order between the parties; if so, promptly file your motion/declaration/order to waive mediation.

### If the only issues are spousal support and distribution of assets/debts, ADR is required.

Multnomah County SLR 8.016(1) requires some form of appropriate dispute resolution, even if the only issues are spousal support and distribution of assets/debts. ADR can mean a neutral-assisted settlement conference, judicial settlement conference, mediation or arbitration. You also need to file a certificate confirming that ADR has taken place. TIP: if you don't have an ADR certificate, you can use Form #05-31 as a template, which you can find in the forms appendix in the 2018 Multnomah County Attorney Reference Manual, available on the MBA home page at [www.mbabar.org](http://www.mbabar.org).

## Highlighting Multnomah County's Juvenile Court Referees



Referees Sandra Vallejo, Morgan Wren Long, Linda Hughes and Carol Herzog

### Referee Carol Herzog

by Andrea Ogston  
Court Liaison Committee

Referee Carol Herzog has served as a juvenile court referee for 23 years. She loves her work and her ability to positively impact the lives of families and children appearing before her. A young adult recently reached out to Herzog, describing the profound impact Herzog had on the young woman's life and her current successes; feedback like that helps make the long hours of reading and demanding caseloads worthwhile.

As a young person growing up in rural northeastern Nebraska on a farm and cattle ranch, Herzog was exposed to the civil and social justice movements of the 1960s and early 1970s mainly through television and print media. These powerful images would return to her when deciding the direction of her career. She attended Northwestern University in Evanston, Illinois, graduating with a degree in English with a focus on comparative literature in translation. While she enjoyed the cultural amenities and urban experience of the Chicago area, she decided to attend law school at Lewis & Clark Law School

because she was ready for a new, more nature-oriented setting.

Following law school, Herzog had a career which allowed her to see legal advocacy from many different perspectives. First, she lobbied for the ACLU, next she worked at Multnomah Defenders (MDI) representing criminal defendants, followed by a stint at the Tualatin City Attorney's office as the municipal court prosecutor, and her last position before joining the bench, an attorney for children at the former Juvenile Rights Project. Each of these positions allowed her to develop different legal skills and a broader understanding of both the court system and the people impacted by it. This inspired her to become a judicial officer because she felt her experiences would make her an informed, fair decision maker.

Over the course of her tenure at the juvenile court, Herzog has seen the complexity of cases dramatically increase, as the issues affecting the families appearing before her have multiplied. She attributes some of the increase to better reporting and awareness of child abuse,

particularly sexual abuse. The policy of "one family, one judge" adds to the complex history of cases but she also believes is critical to making sure the whole picture is before the court. She appreciates the way her work exists at the intersection of law, psychology, and social work even if that can often mean long hours of additional reading and preparation.

Herzog encourages new lawyers to try out different areas of law, as what interested them when a student may not be the best fit for them as a practitioner. On a more practical level, she has found the use of technology to have drawbacks for lawyers in her courtroom that can negatively impact engagement. For instance, if it is absolutely necessary to use a cell phone in the courtroom, she advises asking for the court's permission, even when accessing information relevant to the case.

While she looks forward to reading more for pleasure in retirement, she does find time to read books by authors showcased through the Portland Arts and Lectures literary series, a community event she has attended since its inception. She also enjoys extensive travel with her husband and hearing live music.

## Referee Sandra Y. Vallejo

by Stephanie Engelsman  
Court Liaison Committee

Referee Sandra Y. Vallejo joined the bench at the Donald E. Long Juvenile Justice Center in September 2018. She is the fourth, and newest, referee dedicated solely to juvenile cases in Multnomah County.

Prior to joining the bench, Vallejo was an attorney at Multnomah Defenders, Inc., (MDI). She joined MDI in 1996, beginning in the misdemeanor

unit. In 1998, she moved to the juvenile unit, where she practiced for the next 20 years. Prior to starting at MDI, Vallejo was an attorney with Oregon Legal Services in the Migrant Farm Worker Program. This work came naturally to her, having grown up with a mother who as a teacher primarily taught the children of Texas migrant farm workers. Vallejo has a large family in the

Rio Grande Valley, where she grew up. She graduated from the University of Texas, Austin, with a degree in journalism and literature. She then moved to Portland and attended Lewis & Clark Law School, where she was involved with the Public Interest Law Project (PILP). She graduated from Lewis & Clark in 1993 and immediately joined the OSB. Vallejo is also a member of the MBA.

After three months on the bench, Vallejo loves her new position. She is inspired by her colleagues to try to make a different kind of impact from the

bench. She takes the time to talk to parents and delinquent youth from the bench.

Her advice to young lawyers is to maintain good communication with your client base, advocate for what your client truly wants, and provide your client sufficient time to talk to you, even when appointments have been missed and time is elapsing. She advises lawyers to be well-versed in the case law and the supplemental local rules before appearing in court. She looks forward to meeting more lawyers as they appear in her courtroom.

In her free time, Vallejo likes to spend time with her 14 year-old boy/girl twins. They spend a lot of time outdoors, and share their indoor space with a Labrador and three cats. Her husband works for Laika Studios.

## Referee Morgan Wren Long

by Stephanie Engelsman  
Court Liaison Committee

Referee Morgan Wren Long joined the bench at the Donald E. Long Juvenile Justice Center in May 2017 after being a sole practitioner in Washington County. She joins a team of family law judges and referees dedicated to making a difference from the bench and hard-working support staff going above and beyond from behind the scenes. She is one of four referees dedicated solely to juvenile cases.

Originally from Northern Virginia, her mother became a foster parent when Long was 10 years old, providing a home to over 50 foster children. Long's two youngest sisters were adopted from the foster system. This upbringing made Long know she wanted to work in the criminal and juvenile justice worlds.

After graduating from Virginia Commonwealth University, Long moved to Portland where she worked as a receptionist at a massage school for a year before starting law school at Lewis & Clark. While in law school, she obtained the Criminal Law Certificate and worked for Emily Cohen doing juvenile work and in the Washington County District Attorney's Office, where she had the honor of being the first-ever clerk assigned to the juvenile department.

After graduating, she joined Bertoni & Associates doing dependency and delinquency work. In that capacity, she learned a lot about practicing law while juggling a huge caseload, a skill she applies to the busy docket

she now presides over. She then joined Ridehalgh & Associates, practicing adult criminal law and juvenile work, before starting her own firm. After the birth of her first son, she did contract work in Multnomah County and then joined the Oregon Defense Attorney Consortium doing juvenile and adult Measure 11 cases. While on maternity leave with her second son, Referee Long applied for her current position, interviewing by telephone from her brother's basement in Virginia.

What Long loves most about being on the bench is being able to interact with people on a personal level throughout the day. Long's fantastic clerk, Krystal Mundy, who has been with the Oregon Judicial Department since she was 18 years old, came up with the idea to set up a "toy and book store" for children who appear in their courtroom. Kids

accompany Ms. Mundy after court to choose a toy and book from the "store." Long and Mundy want the children to have a positive experience after what can be a stressful courtroom hearing, and use their own funds to keep the shelves stocked. Long has been impressed with the amount of caring and commitment to procedural fairness shown by her colleagues.

Dedicated to making a difference, Long works hard when not on the bench. She is a long-standing MBA member, and past chair of the OSB Juvenile Law Executive Committee. She is on the Editorial Board for the Juvenile Law Bar Books revision currently underway, is a member of the National Council for Juvenile & Family Court Judges, and is on the Equity & Diversity Committee for Multnomah County Courts.

In her free time, Long loves to spend time with her family, which includes baking and hiking with her sons. Each weekend, she makes a point of taking "adventures" with her kids to explore new and exciting parts of Portland. Referee Long's husband is the Chief Information Officer for the Clackamas Education Service District.

Long's advice to new lawyers is to create boundaries, and to create them early. She urges lawyers to keep time for themselves to avoid burnout from the vicarious trauma that comes with the work, and to avoid emotional entanglement with cases. It is too easy to get compassion fatigue in this area of the law, so it is important to take care of oneself before taking care of others.

## Referee Linda Hughes

by Andrea Ogston  
Court Liaison Committee

Referee Linda Hughes joined the bench in 1998 after more than 20 years working for the Metropolitan Public Defenders (MPD). She is currently the longest serving full-time referee. She was born and raised in Portland. She graduated from college with a degree in English, with early aspirations of becoming a writer and an archaeologist. Many hours of watching Perry Mason were partially responsible for her change of career direction.

During her tenure at MPD, Hughes practiced in both Washington and Multnomah counties and represented individuals in a wide array of criminal matters. She attributes this experience with giving her a broad perspective on the whole system, including the ways in which our dependency and delinquency system feed into the criminal justice system. Working with individuals engaged in the criminal justice system over her long career at MPD instilled in her a deep compassion for the incredible challenges facing some individuals in our community.

As we turn the page on a new year, Hughes is excited about the direction of juvenile justice in particular and the courts generally in Multnomah County. While funding remains an issue, she is proud of the innovation and leadership our courts continue to show in dealing with demands to do more with fewer resources. She is also heartened by the reduction in incarceration rates for youth, fewer violent crimes committed by youth, and more innovative approaches to assisting families in dependency cases. She attributes some of this success to increased educational

resources, more wraparound programs, and a willingness by members of the bench to assess what we can do individually to promote positive changes within the local and statewide judicial community.

Her advice for new attorneys is a reminder that integrity and professionalism remain the bedrock of a successful career. The integrity and professionalism she views in her courtroom comes in many forms. For example, she appreciates advocates who strive to maintain the humanity of families and children. Hughes reflects that it is often the case that people appearing before her have been deprived of their ability to be viewed as an individual with their own compelling history and background. Advocates that give voice to the strongest case that can be made for a client, while maintaining candor and transparency with the court, help individuals maintain dignity in the process. More simply, it can also mean dealing with an overly hostile opposing counsel in a calm and even-handed manner that refuses to engage in conduct that erodes civility in the courtroom. She also encourages attorneys to not be afraid to correct errors with the court.

Her interest in ancient civilizations and love of travel and warm climates have combined to inspire trips across the globe, including adventures to Egypt, Greece, and Jordan. She also enjoys hiking, and outrigger canoe racing - think Big Sister to dragon boating. If you ask nicely, she may agree to sing you a Christmas carol in Latin, evidence of her four years of high school Latin.

## MBA 2019 Mentor Program Kicks Off



Whitney Stark and Alex Hostetler



Vivek Kothari and Sam Imperati



Donovan Bonner and Jeremy Pyle

The MBA Mentor Program, administered by the MBA Professionalism Committee, kicked off the year with a reception on January 14. Thirty-two pairs are participating in this year's program, which matches YLS members with esteemed and experienced MBA members for a six-month period. The mentors and mentees attended a brief welcome and heard words of wisdom from Carolyn Walker, the 2018 MBA Professionalism Award recipient. Thank you to all who are participating!

The MBA CLE Committee offers a two-for-one registration at MBA CLE classes for mentor pairs. Mentors who sign up for an MBA CLE can bring their mentee for free. Contact the MBA for more information.

**mba** | Young Lawyers Section

**What is the YLS?**

An inclusive section of the bar, comprised of 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,  
I am a relatively new attorney with an opportunity to open my own firm, and I am unsure if I am prepared for the commitments and unknowns. What are the main things I need to consider prior to making the decision to open my own law firm?*

*-Going Solo*

Dear Going Solo,  
The opportunity to become your own boss and balancing responsibilities as an attorney while supporting your business is a situation with many benefits and challenges. The thought of opening your new practice in line with ethical and local rules, while also worrying about marketing and finances, can be overwhelming. Fortunately, the idea of launching a solo firm can be far more daunting than the reality. Unlike many of other businesses that require a lot of capital at the beginning stages, you may find that you do not need much aside from your own skills to get your solo firm going. Furthermore, Oregon attorneys have a multitude of resources available to assist with opening a successful firm.

Your first step should be contacting the PLF Practice Management Advisors. Practice Management Assistance through the PLF is available to all Oregon lawyers with a wide range of needs. Take the time to sit down with an advisor to discuss all aspects of opening your firm, and keep their contact information for when you need further clarification. The advisor should be able to help you develop a plan for case management software, calendar and docketing systems, conflict check systems, trust accounting and bank recommendations,

IOLTA requirements, malpractice insurance, CLE reporting, how to set up and retain your client files, accounting, and more.

Once you have an idea from your advisor meeting of everything you need to get started, make a plan for your finances. It is important for you to know what income goal you need to meet each month to cover your firm and personal expenses. Make a plan for what you will need to do to meet that financial goal. This should include a plan for how you will bring in necessary business through your website and marketing, what office space is best for your resources and needs, what technology you will need to purchase or upgrade, and whether you need, or can afford to hire, staff.

If you are unsure about your ability to stay afloat in your own firm, sitting down with other solo attorneys to discuss challenges they faced in opening their own practice can be a big help. Seek out the experience of other attorneys who have been in your shoes for out-of-the-box solutions that you will not have to learn the hard way. This is also a great way to start networking for your solo business, which will be a crucial part of creating your brand and bringing in enough business to meet your financial goals. Remember to reach out to anyone in your network who may be willing or able to refer clients.

Going solo is challenging, especially when you consider the need to generate business, manage the day-to-day tasks, and occasionally repair your own office equipment, but having your own firm can also be tremendously rewarding. Good luck!

**Taryn Basauri**  
**YLS Member Spotlight**

*by Nikki Abercrombie*  
*YLS Board*

Taryn Basauri is an outgoing and friendly young litigator at Williams Kastner, so it is only fitting that she serve on the YLS Membership Committee - the “party planning” branch of the YLS. Taryn grew up in Boise, Idaho and attended Boise State University for an undergraduate degree in psychology before getting her juris doctorate at the University of Idaho. She has been passionate about litigation since law school and clerked for the Honorable John M. Melanson of the Idaho Court of Appeals. Taryn has done work on a variety of matters including product liability, toxic tort, personal injury, and commercial litigation.

When she moved to Portland nearly two years ago, Taryn didn’t know a soul. But she attended a drop-in social through the YLS and got involved in the YLS Membership Committee shortly thereafter. Having served as the Director of Social Relations for the *Idaho Law Review* during law school,

Taryn had experience in (as she calls it) “party planning” and enjoys organizing events where people can meet one another and build their professional network. This is Taryn’s second year on the committee, and through her involvement she has gotten to know the Portland legal community better. Taryn likes the drop-in socials best because they are the most informal type of networking event - no RSVP or ticket required, so there’s no pressure for the often-uncertain schedules of young associates. Plus, it’s more about meeting people than passing out business cards. That kind of community and collegiality, she notes, can turn into a referral down the road, but the immediate aim of the event is purely social.

This year, Taryn was part of the team that organized the Toy Drive to Benefit CourtCare and used an Amazon Wishlist in order to best match donations to CourtCare’s needs and capacity. This was a change from past



*Taryn Basauri*

years and received positive feedback. She plans to continue her involvement with the Membership Committee and the MBA and hopes to expand more events to include law students. She knows what it’s like to enter a legal community without knowing anyone and knows how intimidating it can be, so she uses her involvement to foster an environment of inclusivity.

*The YLS Membership Committee assists in the recruitment and involvement of MBA young lawyer members, to improve member participation in the YLS, and to organize a variety of networking activities for YLS members. They host approximately one event per month.*

**Dress for Success**  
**YLS Community Service Opportunity**

*by Margaret Davis*  
*YLS Service to the Public Committee*

Dress for Success is looking for volunteers to assist them with their triannual closet sale. Three weekends every year, the organization opens their doors to the public and sells unneeded inventory. All of the proceeds go to fund the organization and their job training programs.

Volunteers will run the cash register, assist with stocking, and returning items to shelves after customers have tried them on. Meals and snacks are provided, and volunteers can look forward to a presentation on the organization and explanation of how to get more involved.

**JOIN US**

**When:** Sunday, March 17 from 10:30 a.m.-1:30 p.m.

**Where:** Dress for Success Hollywood Store, 1532 NE 37th Avenue, Portland, OR 97232 (Dedicated parking available at the Banfield Motel parking lot; please car pool if possible).

**Contact:** RSVP to Ryan Mosier at [ryan@mbabar.org](mailto:ryan@mbabar.org) or contact Margaret Davis at [mdavis@victimrights.org](mailto:mdavis@victimrights.org) with specific questions about the event.

**mba yls | EVENT**

**MBA Visits the Portland Children’s Museum**

**Saturday, February 23**

**5:30-7 p.m.**

**4015 SW Canyon Road, Portland**

Every year, the YLS Membership Committee reserves the Portland Children’s Museum for this private networking event. Families will have free reign to explore the museum and complimentary refreshments will be provided for kids and adults. Admission is free.

Generously sponsored by:



Please register early as space is limited.

Submit your party’s RSVP list to [lauren@mbabar.org](mailto:lauren@mbabar.org).

## In Memoriam Honorable Owen Panner July 28, 1924-December 20, 2018



Owen Murphy Panner, United States Federal Judge, Army Officer, champion golfer, passionate horseman, public servant, civic leader, friend, mentor, storyteller and Oregon legend passed away on December 20, 2018. Owen was one of Oregon's most loved and influential citizens.

For many years, attorneys and fellow judges recognized Judge Panner as one of the best lawyers and judges in the country. As a Federal Court Judge, Owen focused on efficiency and brevity so people could get their cases decided quickly and fairly. Although he could be tough on lawyers, he had a big heart and the utmost respect for the legal profession. He always said the law was the greatest profession because you can make a real

difference in people's lives. Owen often said, "There is no greater good than helping people solve their problems."

Owen was born on July 28, 1924. He was raised in a strict but loving family in the Oklahoma Indian Territory, living first in Whizbang and then in Shawnee, Oklahoma. He developed his passion for Native American and human rights, a civic responsibility and hard work ethic while growing up in Indian Territory during the Great Depression and Dust Bowl era.

In 1941, Owen enrolled in the University of Oklahoma on a golfing scholarship. Following the attack on Pearl Harbor, Owen enlisted in the Army and commanded troop transports on several Atlantic Ocean crossings. At the end of the war, Owen was honorably discharged with the rank of First Lieutenant. He graduated from the University of Oklahoma Law School in 1949 with highest honors. He initially planned to practice law in New Mexico or Colorado; however, on a road trip after graduation, Owen discovered Bend, Oregon. He fell in love with the region's snow-capped mountains, scenic beauty, seasonal climate and friendly people.

In Bend, Owen began one of Oregon's most successful and influential law practices. He practiced there for almost 30 years and represented people from all walks of life. He helped the poor and working-class families, as well as business professionals and wealthy people. Owen provided legal services to US senators, congressmen and even one governor.

Owen was passionate about Native American people and their culture. He represented the Confederated Tribes of Warm Springs for many years. Owen was at the forefront of economic development for Oregon Native Americans, including the development of Kah-Nee-Ta Resort in Warm Springs. One of Owen's instrumental legal cases established the Native American traditional fishing rights on the Columbia River.

Owen was one of the founders of and legal counsel for Mount Bachelor Ski Resort. He was also a founder and active supporter of the Bend High Desert Museum. Owen enjoyed animals, and had a life-long love of horses. He raised Arabian horses and served as President of the American Arabian Horse Association.

Owen Panner's accumulated honors and accolades are too numerous to list. He had his name attached to legal organizations and awards that were important to him, including the Owen M. Panner Inn of

Court in Portland and the annual Oregon State Bar Owen M. Panner Professionalism Award.

In addition to his love of the law, Owen became an exceptional golfer. He played and won numerous tournaments. He played in the Los Angeles Open and the California Amateur Tournament. He won 10 consecutive golf championships at the Bend Country Club beginning in 1951. Eventually, Owen stopped competing in order to make room for others to win. Owen was an active member of the Rogue Valley Country Club.

In 1979, President Jimmy Carter nominated Owen to serve as a US District Court Judge. Over the years, Owen served as Chief Judge. During his years on the US District Court, Owen presided over numerous cases throughout the Ninth Circuit. Notable cases included the case of Olympic ice skater, Tonya Harding, the Far West Savings and Loan litigation and cases involving the Bhagwan Shree Rajneesh community in Antelope, Oregon. During his years on the bench, Judge Panner presided over more than 100 cases as a Justice on the US Court of Appeals. Judge Panner came to the courthouse weekly until shortly before his death.

Owen believed passionately that democracy and freedom are fragile and only held together by the rule of law. He was not shy about holding those

in power accountable. Owen believed it was a great privilege to be entrusted with upholding the integrity and credibility of democracy. He mentored many lawyers over the years. Countless young people were inspired by the example set by Owen Panner to become attorneys and judges. He left us with important life lessons, including to always keep our humanity, treat others with kindness and respect and inspire people to be better. He believed in the power of redemption. Owen had a love for humanity and for life. He never hesitated to help a friend in need. His compassion for others was boundless, and he lived his life in service to others and the communities in which he lived.

Owen was a great storyteller. His stories usually involved real life characters and were often enlightening. More importantly, Owen's stories usually contained a moral or principle for leading a better life. He always maintained his wonderful spirit and positive outlook. The Bible and its teachings were an integral part of Owen's life.

We remember Owen's spirit. We are all better for having been able to know, work, and benefit from his knowledge, generosity and friendship. Owen is survived by his beloved wife, Nancy, his son, Owen Panner, Jr., his daughters, Kathleen Panner, Rene Panner Levy, and Mary Ann Panner.

## The Oregon Judicial Diversity Coalition

by Maxine Tuan  
YLS CLE Committee

Diversity is an essential component of a fair and impartial judiciary. Diversity includes a myriad of characteristics, including gender, race, ethnicity, national origin, sexual orientation, gender identity, socio-economic background, physical ability, and professional background. Having diverse experiences and perspectives allow judges to make better informed decisions and increases public confidence in their rulings. This in turn, improves the community perception of the legal profession. Here in Oregon, the Oregon Judicial Diversity Coalition (OJDC) has been quietly, but diligently, working on advancing the mission of judicial diversity.

OJDC's mission is to identify and support judicial candidates who are exemplary attorneys that have demonstrated a commitment to supporting and advancing the interests of underrepresented communities. It accomplishes this by interviewing judicial candidates applying for vacancies across Oregon and providing endorsements to the governor. OJDC is comprised of the Oregon Asian Pacific American Bar Association, the Oregon Chapter of the National Bar Association, OGALLA: the LGBT Bar Association of Oregon, and the Oregon Hispanic Bar Association.

Each affinity bar group invites individuals from its respective membership to sit on OJDC.

OJDC has seen great progress in creating a more diverse bench, committed to understanding and improving the experiences of diverse citizens in their interactions with the judicial system. Most recently, Magistrate Judge Mustafa T. Kasubhai was appointed to serve as a US Magistrate Judge for the District of Oregon. Judge Kasubhai's appointment makes him the first Muslim American to serve on the Federal Bench, not just in Oregon, but nationally. Justice Adrienne Nelson was appointed as the first African American judge to the Oregon Supreme Court and Judge Raymond Crutchley on the Deschutes County Circuit Court was the first African American to serve as a judge east of Oregon's Cascade Mountains. Other notable appointments, who received endorsements by participants of OJDC, include Justice Lynn R. Nakamoto, who became the first Asian American to sit on Oregon's highest court. Recent appointments to the Multnomah County Circuit Court include Judge Patricia McGuire, Judge Xiomara Torres, and Judge Melvin Oden-Orr.

Jonathan Patterson, past-president of the Oregon Chapter of the National Bar Association and staff attorney at Compassion & Choices, has been a participant of OJDC since 2014. Patterson states, "The most fulfilling part is to now be able to see OJDC's impact, after years of hard work, on creating a recent wave of diverse judges. A current judge on the trial bench might be the next Supreme Court Justice or move to the Federal Bench. It is exciting to know that OJDC played a small part in the process. Even though each affinity bar group has its own appointment criteria, OJDC members come together and agree on a single issue - Oregon needs a more diverse bench."

OJDC requires great collaboration between the participating affinity bar groups. Participants in the OJDC process are tasked with researching judicial vacancies as the governor announces them, emailing with other affinity bar groups, coordinating with the judicial candidates, scheduling judicial candidate interviews, and preparing letters of endorsement. Before the interview, judicial candidates submit a questionnaire and a copy of the candidate's materials submitted to the governor.

An integral part of the endorsement process is the judicial candidate interview. The goal of the interview is to vet the judicial candidate, in order to assist the governor to narrow the candidate pool. Many times, an affinity bar group will endorse multiple candidates based on qualification. Each group deliberates privately with their respective boards and independently votes whether to endorse a judicial candidate. The affinity bar groups do not need consensus to endorse a judicial candidate. One group can choose to endorse one candidate and another group may choose another candidate.

Alex Naito, Advocacy Co-Chair to the Oregon Asian Pacific American Bar Association and litigation attorney at Tarlow Naito & Summers LLP, has been participating in the OJDC process for six years. His favorite part of the endorsement process is the judicial candidate interview. He states, "We are looking for the most qualified candidate, but also the candidate that has demonstrated commitment to diversity, inclusion, and appreciation for helping underrepresented communities. The interviews are about having a conversation, even if the candidate doesn't get endorsed, I believe the candidates still benefit from the interview process because we ask that they think critically about diversity issues that the Oregon legal community is facing. Candidates must take a critical look at their legal

career, and see what they have contributed to the greater legal community. Our hope is that candidates will then take a more active role in these areas moving forward in their careers."

With this level of involvement among affinity bar groups, OJDC has created closer relationships and greater collaboration between affinity bar groups outside of the judicial endorsement process. Many times, affinity bar groups co-nominate candidates and work collaboratively to issue endorsement letters. Outside of the judicial endorsement process, affinity bar groups are partnering together at unprecedented levels to support each other. This includes co-sponsoring CLE seminars and other networking events, partnering on advocacy issues, and jointly endorsing a candidate for an award.

OJDC is steadily expanding their reach to more rural communities, where diverse judicial candidates are needed. OJDC has become a known entity by judicial candidates, and their campaign managers outside the Portland metro area. Recently, a Jackson County vacancy saw a judicial candidate drive all the way to Multnomah County for an interview. Recent endorsements also include Josephine County and Deschutes County. Looking forward, OJDC will continue to seek out and endorse qualified candidates that express an understanding of the challenges to individuals outside the dominant culture.

## Promoting Fairness and Equality for Working Women

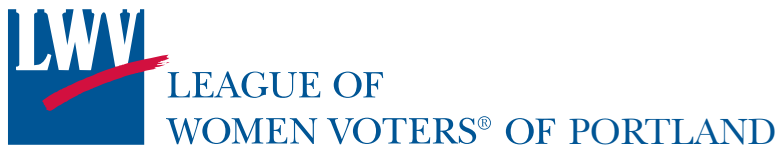
### A Panel Discussion Presented by the League of Women Voters of Portland

**Tuesday, February 12  
7-8:30 p.m.  
Multnomah County Board Room  
501 SE Hawthorne Blvd., Portland**

What is the status of working women in the second decade of the 21st Century? What has changed and what is still needed? For years, women have asked for equal pay for equal work, help with childcare and family leave, opportunities for jobs and for advancement in fields that men dominate, and safe workplaces free from discrimination and harassment. In some cases, women still face daunting obstacles to equal opportunities. What can be done and what is being done to level the playing field? These questions and others will be addressed by:

- **Emily Evans**, Executive Director, Women’s Foundation of Oregon
- **Kelly Kupcak**, Executive Director, Oregon Tradeswomen
- **Lili Hoag**, Political Director, Family Forward

Free and open to the public, this event is funded in part by a grant from the Multnomah Bar Foundation. For more information, contact Marion McNamara, [civiced@lwvpx.org](mailto:civiced@lwvpx.org), or Margaret Noel, [communications@lwvpx.org](mailto:communications@lwvpx.org).



We welcome our new Associate,  
**Nathan Burcham**,  
a Renaissance attorney.

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*Persuasive  
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*Trained  
theologian*

*Guitar Hero  
master*

*Likes  
Mondays*



*KU basketball  
devotee*

*Plays five  
instruments*

*Harvard  
law alum*

*Nearly taught  
H.S. government*

*Enjoys  
dystopian fiction*

When Nathan came across our radar, we knew he'd be a fit. His legal skills, his broad background, and his sense of humor make him a great new addition to our talented team.



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Thank you to the following lawyers and law students who recently donated their pro bono services via the Volunteer Lawyers Project, the Senior Law Project, law firm clinics, the Oregon Law Center, St. Andrew Legal Clinic, Catholic Charities Immigration Legal Services, Lewis & Clark Small Business Legal Clinic, Children's Representation Project, and Changing Lives Forever Project. To learn more about pro bono opportunities in Multnomah County, go to [www.mbabar.org](http://www.mbabar.org) and click on "About Us" and "Pro Bono."

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## The Corner Office PROFESSIONALISM

It's February and, if you are like most people, your New Year's resolutions are already a cold memory. That's because most people make resolutions to change behaviors that are so ingrained in their person they are - to eat healthier, work out regularly, and be more financially responsible being some of the more popular. That's not to say that your resolutions were doomed from the start because people can't change, far from it. It will just be difficult sometimes, but attacking change with a plan and little "mini-goals" set along the way can greatly increase your chances of success.

In this author's informal, non-scientific experience, a common resolution among attorneys is to better communicate with clients. Despite the best of intentions and an ethics rule on the subject (Oregon Rules of Professional Conduct, Rule 1.4), heavy caseloads can mean that client communications get lost in the shuffle. This, in turn, can lead to frustrated clients and worse. What does better client communication look like, though? What does it require? Without a plan, such an amorphous goal can go the way of most other resolutions, forgotten and unachieved. Setting one mini-goal, committing to improving

one specific aspect of your client communications, however, will put you on the path to setting another and another, and achieving that larger goal.

The MBA's Commitment to Professionalism includes among its 12 tenets the following statement: "We will explain the fee arrangement to our client at the beginning of the representation." Why not begin there? How many attorneys actually take the time to explain the fee arrangement with the client in advance? How many instead assign that task to a legal assistant or clerk? How many do not even do that much and simply email the engagement letter to the client with a "let me know if you have any questions?"

What problems could be avoided if the fee arrangement were thoroughly explained at the outset? No more (hopefully) client calls and emails to ask questions about the bill. The attorney now regains all of that time (even just a few minutes here and there add up) to focus on actual legal work and more substantive client communications, rather than client management. The attorney is no longer frustrated by the client's constant questions about what, to the attorney, are simple and obvious contract terms, reducing the attorney's stress and allowing the mind to more

clearly focus on that draft motion or upcoming trial or hearing.

Accurate or not, I also recall comments by Professor Johansen at Lewis & Clark Law School many years ago that, while clients file bar complaints about lots of different issues, a lack of, or just generally poor, communication is raised in the vast majority of them. Not understanding billing practices is another very common complaint. So any improvement in communication, especially as it relates to the fee arrangement, seems like it should also reduce the likelihood that the attorney will be called upon to respond to an otherwise unwarranted ethics complaint. That alone may be enough of a reason to make this one small improvement to your practice.

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

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## Classifieds

### Positions

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If this opportunity interests you, please submit a resume and cover letter. All qualified applicants will be considered and all submissions will be held in strict confidence. Submissions can be made via email to [law@brisbeestockton.com](mailto:law@brisbeestockton.com) or via mail to PO Box 567, Hillsboro, OR 97123.

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- Outstanding academic credentials and writing skills.
- Some portable work a plus but not required.
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- Self-motivation, positive attitude and a desire to work in a team environment.

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- Active member of the Oregon State Bar.
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- Self-motivation, positive attitude and a desire to work in a team environment.

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## Art in the Law Library

by Martha Renick  
Executive Director, Multnomah Law Library

Recently, Multnomah Law Library began to showcase local artists' work; especially artists with connections to Multnomah County's legal community. The first on-loan, for-sale exhibition features paintings by Melchor Moore.

Moore has been painting since 2014. A self-taught artist, he works solely with acrylics on canvas. His art employs "bold colors in a combination of gesture and genre art." Historian and art critic Bridget McBride describes Moore as "reminiscent of a fauvist with an impressionist's eye, whose art

is part of a larger commentary on socioeconomic status and accessibility of certain spaces."

We hope this exhibition is the first of many and that the Multnomah Law Library will celebrate other emerging artists in this space. For more information, call the Multnomah Law Library.

*Multnomah Law Library, a nonprofit that gives free library access to the public, is located on the fourth floor of the Central Multnomah County Courthouse.*



Martha Renick, and artist Melchor Moore at the first on-loan, for sale exhibition at the Multnomah Law Library



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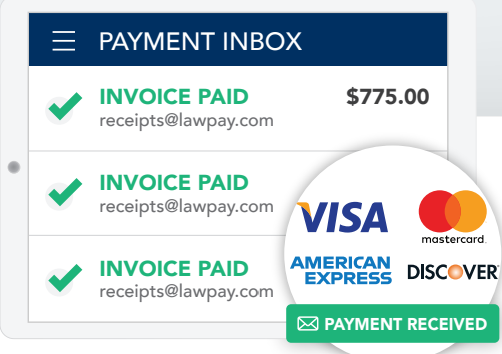
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