

A Century of Service



## MULTNOMAH BAR ASSOCIATION

100TH ANNIVERSARY

1906 - 2006

### MBA Received ABA Award of Merit in 1960

By Diana Stuart, MBA Board Director and Goldberg Mechanic et al.

During its annual 1960 meeting, the ABA awarded the MBA its annual Award of Merit, given to commemorate bar associations who provided excellent service to members of the profession and activities in the field of public service. The MBA, with a membership of 925 active members and serving a population of 600,000 citizens, was awarded this prestigious honor in part due to four novel programs which the organization undertook during the year 1959 to 1960.



Headed that year by President Phillip Roth, the MBA initiated a radio broadcast program entitled "You and the Law" designed to stimulate public interest in the law and lawyers. Titles of these broadcasts included such notable topics as: "The Case of the Slipping Rug" presented by James O'Hanlon; "The Case of the After Hour's Ordinance" presented by James Kennedy; "The Case of the Citizen's Arrest" by Mark McClanahan; "The Case of the Injured Worker" by William McLennan; "The Case of the American Court System Open to All" by Arno Denecke; "The Case of the Conflicting Interests and the Corporate Directors" by Don Marmaduke; "The Case of the Binding Oral Promise" by William Lubersky; "The Case of Paul Bunyon the Logger" presented by William Dale; and "The Case of the Distracted Debtor" by Neva Elliott.

Another novel program at that time was the MBA's integrated effort directed to the improvement of relations between the public and the bar and to convey to the public "[L]aw in some form plays an important part in their lives[.]" and "that lawyers constitute a reservoir of diversified knowledge which is at the service of the community." To achieve this goal, a speakers' bureau comprising 50 members of the bar was established and made available to speak before 200 Portland civic and fraternal organizations on such topics as diverse as: "5<sup>th</sup> Amendment: Crooks Cloak or Freeman's Safeguard?"; "Advocate - Cicero to Darrow to Your Lawyer"; "The Constitution: Your Safeguard"; and "The U.N. - Are We Surrendering Sovereignty?" Also as outreach to the community, the MBA presented two forums, open to the public and presided over by experienced judges and lawyers entitled "The Law of the Automobile" and "Husband and Wife - More than a Love Affair - a Matter of Law."

As might be expected, problems arose with both efforts. KEX, host of the radio programs, experienced a jammed switchboard and the length of each

### MBA's Mission Statement

*Lawyers associated for Justice, Service, Professionalism, Education and Leadership for our members and our community.*

2006



*The MBA Committee on Public Radio, "You and the Law" program in the American Bank Building. L-R, Tom Tongue, Norm Wiener, Morley Strayer, Walter Evans, December 15, 1959. Al Monner Photographer.*

broadcast was expanded from 25 minutes to 55 minutes to accommodate the number of call ins. Ethical concerns were raised as to whether lawyers could provide "free legal advice," and whether privilege was being violated by the public dissemination of information between caller and attorney. Up to 700 calls were routinely received during each 55-minute broadcast and college classes were assigned to listen to the broadcast weekly. The broadcasts were also used to publicize the availability of Legal Aid Services and the Lawyer Referral Program. Ratings showed that approximately 305,000 listeners tuned in to this remarkable effort.

Another effort of this incredibly active bar was the commencement of the MBA offering legal education programs to supplement the offerings of the OSB. With a focus on providing reasonably priced (\$3) evening programs designed to educate on a specific topic, the MBA began offering its unique and user-friendly brand of CLEs which continues today to be one of the country's most respected legal education programs offered by a local bar association. Topics offered during the first session have the ring of currency today: "Direct and Inverse Condemnation", "False Arrest", "Tort Liability - Municipal Corporation", and "The Effect of City and County Zoning Ordinances" among others.

Also during 1960, the MBA assumed responsibility to operate the Multnomah County Legal Aid Bureau from the OSB. Even then, financial constraints of Legal

Aid were a foremost concern. Financed previously by United Good Neighbors, the MBA entered a partnership with Portland Civic Theatre and Portland Junior League to raise additional funds needed by the Bureau.

Law Day on May 1, 1960, was expanded by the MBA from the previous limited efforts of outreach to every private and parochial high school in Portland and Multnomah County. A panel of three attorneys met with students and engaged in "lively" discussions of topics involving the law.

Additionally, the organization was embroiled in controversy about the private control of the Multnomah Law Library and whether the bar should try to assume ownership by the purchase of controlling shares. The groups also had an "exceptionally strong and active" World Peace Through Law committee which was studying international law issues and presenting debate into the organization.

An Award of Merit was undoubtedly wholly justified by such an extraordinary list of projects and achievements. But of more currency today is the degree to which our present MBA continues to address most of the same concerns of outreach to the public, educating citizenry including students about the importance of the rule of law and independence of the judiciary, the provision of unique and affordable continuing legal education and concern for access to the courts by persons of limited financial needs. Some needs never change.

### A Century of Service Pullout

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

This issue's pullout focuses on worthy projects of the MBA. As with previous issues, you will find retrospectives as well as descriptions of how the projects or programs operate today.

Projects include Professionalism Summit, Professionalism Award, judicial screening, the ABA Award, CLE and the free daycare program at the Multnomah County Courthouse known as "CourtCare."

Readers are encouraged to share their thoughts on any part of this pullout and we welcome your suggestions for topics in future issues. If you would like to write a story or article for the pullout, please contact Judy Edwards, MBA Executive Director at [judy@mbabar.org](mailto:judy@mbabar.org).

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### "Lawyers Loving Children"

By Mary Louise McClintock and Robin Selig, Co-Chairs, Multnomah CourtCare Advisory Board, 1999-2005.

"Lawyers loving children" is how Kay Toran, President of Volunteers of America (VOA) Oregon described the Multnomah CourtCare program in 2005. Last year, the free daycare in the Multnomah County Courthouse celebrated its fourth anniversary, but its story actually began 10 years earlier. The MBA's Court Liaison Committee asked Judge Janice Wilson and attorney Gerri Sue Lent in 1995 to co-chair a task force charged with exploring the need for childcare at the Multnomah County Courthouse.

A study conducted by Portland State University Department of Sociology for the task force and completed in 1997 found that an average of 80 children under the age of 13 were in the court building every day. The PSU students interviewed and surveyed attorneys, judges and

(continues on last page)



## MBA Professionalism Award

By Noreen Saltveit McGraw, 1995 recipient of the Professionalism Award.

Among the MBA's many worthy projects of the last 20 years, this award was created in 1989 by MBA leaders with the following philosophy:



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

From the first winner in 1989 (Raymond Conboy, an appellate lawyer with the former Pozzi firm), through last year's (Walter Grebe), the recipients have been primarily litigators. However, that trend was altered with recent awards to Mark Wada and Sandra Hansberger, from the business law and educational sectors, respectively.

The number of nominees has also grown over the years, so that a slate of 14 nominees in a given year is not at all unusual. Contacting each nominee's backers personally to verify and amplify on the basis for their support has become a time-consuming but very rewarding effort.

The MBA's Board of Directors selects the winner each year at its April meeting. Before that, however, a screening committee of former award winners conducts a lengthy, preliminary review of the nominations. This procedure first began in 1998. As the slates of nominees burgeoned and the number of award winners grew, background checks seriously burdened the professionalism committee of the MBA.

So the growing pool of past award winners was asked to help with vetting. This group meets from January through March, when it selects, by vote, the top three to five nominees to forward to the MBA Board. All background materials and endorsements are also forwarded to the board.

Here are some examples of the comments included in nomination letters:

- ...truly a lawyer's lawyer*
- ...is and always has been committed to diversity and the public good*
- ...is thoughtful, articulate and never makes personal attacks*
- ...possesses an uncanny ability to create consensus and...collegiality out of politically charged and highly... emotional situations*
- ...has been an unparalleled role model and has redefined what it means to be an attorney*
- ...is the consummate professional who cares about...clients, about basic rights and fairness of process, about the health of our profession, and about the integrity of its practitioners*

In the last eight years that I have worked on the award winners' subcommittee, I have been consistently impressed by the caliber of our MBA members, as reflected in the nomination letters. I cannot recall a single nominee who did not appear to me to be worthy of the award. Considering the

excellence of the nominees makes me even more grateful to my peers and the board that I was selected back in 1995.

On the date of the award and banquet, I was slated to be in Brazil. Not realizing that I might actually win, I was planning to be at the falls in Iguazu! When I learned of the honor just before taking off, I made arrangements to cut short the trip and arrive back in Portland the day before the dinner. In the meantime, my children and closest friends had made plans to be on hand.

En route back to Portland, I scribbled some notes to articulate my thanks to the assembled members and board. I was so overwhelmed by the support I had received (not to mention the jet lag!) that I was barely able to keep back tears as I gave my "thank you" remarks.



Tom Cooney received the MBA Professionalism Award in 1996. He urges lawyers to display a framed MBA Professionalism Statement in their offices and to bring them to depositions.

Because so many of us in the bar are or have been litigators, we sometimes forget how important the support and respect of our peers truly is. It may seem that "playing fair" gives less ethical opponents an edge, with little or nothing coming back as compensation. But in the long run, there is no reward as sweet as the approval of one's peers, an honor well-encapsulated in this award.

The MBA, with its promulgation of the Professionalism Award, reminds us once again each year of that fact.

### MBA 100<sup>th</sup> Anniversary Community Gift Fund Surpasses its Goal of \$200,000!

Congratulations to our MBA 100<sup>th</sup> Anniversary Community Gift Fundraising Committee, led by past MBA president, Mike Greene, for surpassing its goal of \$200,000. The purpose of the fund is to commemorate the MBA's past century of service and to launch it into the next century of service to the community. It will be administered by the newly formed Multnomah Bar Foundation and will promote civic education and participation. The MBA kicked off the fundraising campaign by committing \$50,000 to the fund. Listed below are those who have already made their generous donations or pledges. More names will be added throughout the year. If you want to add your name to the list, please contact Guy Walden at MBA at [guy@mbabar.org](mailto:guy@mbabar.org).

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## Judicial Screening A Brief Perspective

By Bob Thuemmel, Thuemmel & Uhle.

The lawyers of the MBA have been involved in recommending judicial candidates since the early part of our 100-year history. Dusty archives show that in 1910, a committee was appointed to come up with a method of nominating and electing judges. This committee came out in favor of nominating and electing judges "without regard to their political opinions or affiliations, because judges are required to decide questions presented to them upon legal and not upon political considerations." This notion was expanded upon in 1912 when the state bar voted to adopt the principle in the selection of Supreme Court judges. What was a good idea then remains a good idea today.

While political considerations may still exist beyond the MBA's control (the Governor is, after all, a political figure) the MBA has always protected its role in informing the Governor on which candidates for judicial office would fill the bill as far as ability, ethics and temperament. That is where the Judicial Screening Committee (JSC) has provided a valuable function for all of its years of existence.

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Noreen McGraw

Over the span of its life, the JSC's process which is used today has been studied, analyzed, compared to how other jurisdictions handle judicial vacancies and after these reviews it has always been found to stand up to scrutiny pretty well. To be sure, questions come up: why can't candidates review the comments made about them? Why do some candidates earn a ranking of "most highly qualified" one time and not another time? Why are only three to five names sent on the short list to the Governor's office instead of more names? Why is there no public hearing?

The JSC has historically been composed of a number of Multnomah County lawyers from various fields of practice who are considered to be respected and capable in their areas of practice. The committee composition was changed in November of 2001 to include up to three public members as well, non-lawyers who are involved community or business volunteers, bringing the committee total up to 21 members. The committee has always operated and continues to operate in complete confidentiality, and reaches out to gather character information and other information about every candidate who comes before it. Without exception, every present or past committee member will tell you that the work of the committee can be a major time commitment from time to time, but it is satisfying work and done with a good deal of integrity and energy. Committee members can spend hours poring over candidate's application forms, making dozens of telephone calls and playing epic games of phone tag, all in order to get a true picture of the candidate from those who know the candidate and from those who have worked with or against the candidate in his or her legal career. The process always pays off in the sense that, once it is complete, a fairly representative picture of that candidate comes out; a profile of the candidate that is unskewed by any one faction, one detractor, or one admirer. Often times committee members will notice that an initial impression of a candidate can change fairly dramatically during this process of background evaluation (and the change can go in either a flattering or unflattering direction!).

Once the data is gathered, the committee meets and reviews all of it in an effort to rank candidates as "qualified" or "highly qualified" or "most highly qualified." The list of "most highly qualified" candidates goes off to the Governor. The Governor's office conducts its own evaluations and interviews and uses its own application process which is separate from the MBA process, but which parallels in many ways the MBA process. Sometimes Governors "pick from the MBA list" and sometimes they don't. Either way, the JSC knows it has done its job well by the time the recommendations travel south to Salem.

In order to fairly conduct its business, the committee offers privacy to those who respond to candidate inquiries and the committee respects most highly the confidentiality of its work. If anyone has heard stories of what was discussed at committee meetings, or by whom, that represents an unqualified breakdown of this ethic. This was once said to have occurred when one committee member was told what the committee had discussed from a candidate whose application was pending at the time - in some detail - after the JSC meeting had broken up just hours earlier that day! Committee members hope that this one

(continues on next page)



## 1998 Professionalism Summit

By Albert A. Menashe, MBA  
Past President (1997-98) and  
Gevurtz Menashe  
et al.



In March, 1998, the MBA convened an immensely successful Summit on Professionalism. I believe professionalism to be a topic so centrally important to our profession that it served as my platform in becoming President of the MBA. I am proud to say that in recent past, we have accomplished many good things in promoting professionalism among Oregon lawyers, but I believe there is always room for improvement. As many others and I have concluded, one hurdle lawyers face with professionalism is that we tend to believe it is the “other lawyer” that often precipitates the problem, a mentality that allows us to avoid personal responsibility. Our purpose in convening the Summit on Professionalism was to take an active approach to affirmatively elevate the level of professionalism amongst our colleagues and avoid allowing ourselves the luxury of placing the obligation on other lawyers. With that in mind, and with the full support of the MBA board, we convened the summit.

### Participants

Crafting a fresh look at our professionalism standards required respected and visible participants, lawyers who could both define and elevate professional standards and provide necessary influence to positively affect our legal community. The following attorneys, judges and deans were selected to participate in the summit: Co-Chairs Chief Justice **Wallace Carson Jr.**, and **Thomas E. Cooney**; Dean **Robert Ackerman**, formerly of Willamette University College of Law; **Ruth Beyer**, MBA Board Member and Managing Partner of Stoel Rives law firm; **Marc Blackman**, former MBA President; **Steve Crew**, chair, MBA Professionalism Committee; **Michelle Druce**, President, MBA YLS; **Edwin Harnden**, MBA Past President; **Barrie Herbold**, former OSB Board of Governors member & OSB liaison to the state Commission on Professionalism; Dean **James Huffman**, Lewis & Clark Law School; **Linda Love**, President, OTLA; **Don Marmaduke**, former MBA President and former MBA Professionalism Award recipient; Judge **Roosevelt Robinson**, Multnomah County Circuit Court and member, state Commission on Professionalism; **Noreen Saltveit**, former MBA Professionalism Award recipient; **Jeff Sapiro**, Disciplinary Counsel, OSB; **Ruth Spetter**, former MBA President; Judge **Janice Stewart**, US District Court; Dean **Rennard Strickland**, U of O School of Law; **Thomas H. Tongue**, former MBA President and President, OADC; Judge **John Wittmayer**, Multnomah County Circuit Court; and MBA Executive Director **Mona Buckley**.

### Creed

To encourage and promote good practices in professionalism, the summit adopted a creed, the purpose of which was to raise the bar on professional practice and increase the visibility of those lawyers and firms that exemplify professionalism. The summit concluded as follows:

1. The MBA should adopt and promote the OSB’s “Commitment to Professionalism.”
2. The Joint Bench Bar Commission and MBA should promote the Creed

- to all county bar associations and their members.
3. Lawyers and firms who endorse and display the creed should be publicly recognized in the MBA and OSB newsletter.
4. The creed certificate should be easily available and affordable for display to any lawyer or firm.
5. A similar creed should be proposed and adopted for judges.

Our goal in promoting the creed was to incorporate standards of professionalism into all aspects of our legal practice and encourage *voluntary commitment* to heightened standards of professionalism. Establishing a practice of professionalism should begin as early as possible and continue without pause throughout all stages in a lawyer’s career. Particularly, one focus of the summit was to promote professionalism through a partnership between Oregon’s three law schools, the bench, and the bar. I am proud that most firms subscribe to the creed and have it prominently displayed in their offices.

### Law Schools

Law schools have a unique ability to mold future lawyers and impart upon them our desired standards of professionalism. All three Oregon law schools actively participated in the summit. Each school had existing programs encouraging professionalism that were worthy of praise, however, in the spirit of continued improvement, each was encouraged to expand and continue those efforts. Most notably, the schools were asked to (1) incorporate teachings of professionalism into every substantive course in addition to standard ethics courses; (2) interact with the private bar on the issue of professionalism, including mentoring programs and CLE attendance; and, (3) encourage faculty members to be “exemplars of professionalism.”

I am pleased to report that since the summit, all three law schools have substantially increased the recognition of professionalism in their classes and programs.

### The Bench

Along with a focus on law schools, the summit recognized the immense ability of the Bench to influence and direct our profession. Without support and strong leadership from the bench, any attempts at elevating professional standards would be, at best, difficult. We asked that judges continue to encourage professionalism through their own programs, during litigation and by providing input on improvements to Oregon’s professionalism on a regular basis. As disputes involving professionalism also come up on a daily basis during discovery and other stages of practice, judges were also asked to be more readily available and proactive in deciding disputes involving professionalism.

Judges throughout the state immediately embraced the findings of the summit and have been active partners in advancing professionalism among lawyers as well as judges.

### Private Bar

The vast majority of the practicing lawyers in this state make up the private bar. Their stance on professionalism is definitive. The summit encouraged lawyers to involve professionalism in their everyday practice, closely follow the creed and encourage others to do the same. The OSB, MBA and CLE providers were encouraged to involve professionalism as a topic in all programs. Lawyers could purchase a certificate in recognition for their firm’s professionalism that would serve as a visible daily

# COMMITMENT TO PROFESSIONALISM

**We are committed to professionalism; we believe that lawyers should solve problems, not create them. Accordingly, we will conduct ourselves in a manner consistent with the following principles:**

- ◆ We will promote integrity and independent judgment. As officers of the court, we will work to support the effectiveness and efficiency of the legal system.
- ◆ We will be courteous, fair and respectful.
- ◆ We will accurately represent the law to the court and our clients, to the best of our abilities.
- ◆ We will accurately represent the facts and our authority to bind the client.
- ◆ We will only pursue litigation, engage in conduct, or take positions that have merit.
- ◆ We will act in a timely fashion.
- ◆ We will not engage in unlawful discrimination.
- ◆ We will represent our clients’ best interests while seeking to resolve matters with a minimum of legal expense to all involved.
- ◆ We will explain the fee arrangement to our client at the beginning of the representation.
- ◆ We will support activities to educate the public about the legal system.

*Adopted by the Multnomah Bar Association on June 1, 2004.*

reminder of their professionalism. It was our hope that the professionalism certificate would become an object of some professional desire and serve as an inspirational goal for all practicing attorneys. I am pleased to report that all of this happened.

### A Closing Thought

Our past success in maintaining and elevating the standards of professionalism has been encouraging, but should not deter our continued efforts towards future progress. Professionalism, established at law school, practiced in the private bar, and overseen and exemplified by the courts and bench is improving, but more attention is needed. We can always improve. Programs such as the summit have helped in the past and with continued support, will progress into the future. I would like to reaffirm my own commitment to improving the quality of Oregon’s professional practice and invite others to join me. I remain grateful to those who gave much of their personal time to participate in the summit. I am also appreciative of the many fine men and women lawyers, judges and law school professors who continue to foster professionalism. Thanks to each of you.

### Judicial Screening (continuation)

instance of breach represents an isolated incident. This high level of confidentiality is important for at least two major reasons: first, references may not be candid in speaking with committee members about the candidate if they know information will be leaked back to the candidate. Second, some of these candidates do become judges. Not many lawyers look forward to walking into the courtroom of a new judge who knows that lawyer was an outspoken critic of their proposed judicial

temperament just months ago! So for those reasons, “mum’s” always the word with regard to committee work.

Over the years, even the justices of the Oregon Supreme Court have been kept in the dark when they have sought particular candidate information. From time to time, the Supreme Court has scratched its collective head when a candidate for a pro tem position who was once recommended and deemed fit to serve is not recommended by the JSC when renewal time comes along. The Court wants to know: how come? Until recently, the JSC’s answer would be: “sorry, we can’t tell you. That’s just the way it is.” Recently, though, bylaw changes by the MBA Board allowed for the JSC chair, when asked by the Supreme Court, to provide a rough, thumbnail-sketch basis for the downgraded recommendation for the court’s information. But in every case, the details are not to be shared, so information sources remain anonymous.

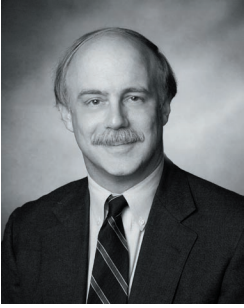
In 1984, a decision was made to study the JSC function after complaints about its method of operation. Then-MBA President Mike Schrunk said “I think Multnomah County has a pretty good system, but it isn’t perfect.” Again in 2002, MBA President Bob Newell appointed a task force to consider the system and suggest recommended changes to it. After that review, which included the study of other state and federal bar association systems, the MBA system came out strong in comparison. So, the system in place today has been tried, tested and has weathered the years to provide Multnomah County litigants and attorneys with a judicial candidate pool that is worthy of the Governor’s consideration for appointment. That’s just another reason to celebrate the 100 years of history of the MBA.



## Evolution of Legal Practice Shapes MBA's Education Program

By Scott Howard, Kivel & Howard.

As the MBA reaches its 100<sup>th</sup> birthday in 2006, one has to pause and consider the innovations that have taken place in the practice of law. Each successive generation of attorneys looks at the technological innovations that have been made during their practice years with wonderment and speculates as to what may come next. The speed of communication has been perhaps the most accelerated alteration in the practice of the law on a day to day basis.



Imagine the practicing lawyer of only 25 years ago, being dropped into a law office at this centennial. We who have practiced 25 years have seen the changes unfold before us at light speed. Consider now the lawyers practicing during the year 1906 and put them in the same law office 100 years later.

During the time of the practice of Abraham Lincoln, it was an honor for a child of a lawyer to be asked to copy the lawyer's pleadings so that they could be sent both to the court and to the opposing party. By the 1880s, the first commercial typewriters were first being used and carbon paper, which was first introduced in the early 1800s, was in use. It was in 1876 that Alexander Graham Bell invented the telephone.

Imagine the law firm in 1906. Theodore Roosevelt was President. The Panama Canal was under construction. The San Francisco earthquake killed 460 people. A plane flight was possible, as the Wright brothers had flown 25 miles in 38 minutes the year before. The feather boa was the rage in the fashion world. On the legal front, Clarence Darrow was beginning to make headlines, although the Scopes Monkey Trial was still 19 years in the future.

Closer to home, the Multnomah County lawyer was either walking to the first meetings or riding his horse (the Model T was not introduced until 1908). The typewriter probably had undergone significant improvements and was likely just as expensive in 1906 dollars as the computer is in today's dollars. The Western Electric number 317 magneto wall phone was introduced in 1907 and maybe some of the early Portland law firms had such an advanced device. A long distance telephone call would have been a big event.

The first recollection of continuing education sessions sponsored by the MBA dates back to the early part of the 1960s. For lawyers practicing at this time, the technological implements were dictating machines with 3" magnetic belts and IBM Selectric typewriters. For law firms that were making the technological jump, the IBM Mag Card was introduced in 1971. With the ability to hold 8,000 characters, the Mag Card was considered a major innovation.

It was 1971 when Federal Express incorporated. On their first full night of operation in 1973, 389 Federal Express

employees and 14 jets delivered 186 packages overnight to 25 US cities.

Justice Edwin Peterson recalls that in 1975 during his MBA presidency, a concentrated effort was made to bring meaningful continuing legal education programs to the membership. It was in this era that Judge Robert E. Jones started presenting his evidence seminars. These classes continued with the addition of Judge Richard Unis sometime in the late 1970s and were a staple of the MBA Continuing Legal Education classes for almost two decades.

Imagine practitioners from 100 years ago or even 25 years ago trying to make their way through the current critical mass of federal and state statutes and case law. At the time of the birth of the MBA, the Internal Revenue Code did not exist. One of the more popular seminars from the last several years was *What You Can Learn from the Wills of the Rich and Famous*. This seminar featured charitable lead trusts, charitable remainder trusts and the avoidance of an estate tax.

Imagine the practitioner of 25 years ago who is now faced with everything from Measure 11 violations, HIPAA legislation and limited liability companies and partnerships. Mandatory continuing education was not required of the lawyer of 25 years ago. The classes now offered by the MBA reflect the specialization that has taken place. Recognizing that the practice of law is more complicated, recent classes have added instruction on the practice of law, including classes on delegation and media relations.

Specialized classes augment the annual updates, which include Judge Elizabeth Welch's 10-year run on family law as well as the presiding courts of Multnomah, Washington and Clackamas counties. The MBA has responded to the required classes on Child Abuse Reporting, Ethics and Elimination of Bias.

The MBA now sponsors over 60 classes a year with classes directed to both the young lawyer and the seasoned practitioner. The goal continues to be to provide a variety of programs to a diverse membership of practitioners.

The hallmark of the MBA seminar is the legend of volunteer speakers and program planners giving their time to bring cost-effective seminars to the membership. It is appropriate to conclude this article with recognition and a public acknowledgment to these many volunteers who have made this program a success. One can only imagine what the lawyer from 1906 would say.

### "Lawyers Loving Children" (continuation)

courthouse staff, whose anecdotes confirmed that children were frequently brought to courtrooms with family members where they witnessed conflict and disturbing scenes, and that their presence could be disruptive to court business.



Convinced of the need to address this situation, the MBA formed a new Multnomah CourtCare Advisory Board the following year and charged it with



A CourtCare aide reads to one of the children in the program

exploring the cost and feasibility of developing an on-site drop-in childcare center to serve families who must bring children with them to the court building. The group, which included representatives of Multnomah County as well as the courts and the legal community, spent the next two years looking at courthouse childcare programs in other states, exploring liability and licensing issues, and by far the biggest challenge due to the courthouse's limited space and strict state and local requirements for childcare facilities – was finding a suitable room within the building. The task force was determined to site the program within the courthouse, if at all possible, fearing that an off-site location would be a deterrent for families.

Just when the quest for space appeared to be futile, the judges of the Multnomah Circuit Court, under the leadership of then-Presiding Judge James Ellis (and thanks to persuasive lobbying by Judge Wilson) decided to make room 214, an infrequently-used jury room, available to the CourtCare project. State childcare licensing staff gave the go-ahead for a waiver allowing siting of a childcare facility on the second floor, and then-Multnomah County Chair Beverly Stein made several all-important commitments to the project. She proposed use of the county's contracting authority for an agreement with a provider of childcare services, included the entire cost of renovating the room in her capital project budget, and offered the county's financial partnership – contingent upon commitment of a matching amount from the State of Oregon – in supporting the center's operating costs.

Soon after, three critical pieces that led directly to CourtCare's opening fell into place. First, as a result of the advocacy of Doug Bray, Multnomah County Circuit Court's Trial Court Administrator, the support of Chief Justice Wallace P. Carson, the Oregon Legislative Assembly in 2001 approved a note permitting the Multnomah County Circuit Court to include a contribution to CourtCare's operating costs in its budget. (That note has been renewed in each legislative session since.) Second, VOA Oregon, a respected and experienced local provider

of family services, responded to the county's Request for Proposals to operate the center and was awarded the contract.

Finally, the MBA pledged to make substantial contributions in the first few years of operation and also offered to assist in raising the additional funds necessary to enable CourtCare's doors to open in late 2001.

The CourtCare program has provided care to over 4,400 children, improved access to justice for their families, and smoothed courthouse operations. This success story – Oregon's only full-time drop-in childcare program in a court building – is possible because of a unique and varied ongoing partnership that includes, in addition to Multnomah County and the Oregon Judicial Department:

- The steadfast support of a succession of MBA Presidents (Albert Menashe, Ruth Beyers, Bob Newell, Michael Greene, Robert Neuberger, Sylvia Stevens and Kelly Hagan), backed by Mona Buckley and Judy Edwards.
- The generosity of the Multnomah County legal community, which raised \$65,000 in 2004 and \$91,000 in 2005 through firm and individual donations and is about to launch its third annual "Jungle Gym in the Jungle Campaign."
- The many dedicated people who have served on and come to countless meetings of the CourtCare Advisory Board and the Fundraising Committee.
- Annual donations and other behind-the-scenes support from Oregon Women Lawyers.



- A \$12,500 donation in the current fiscal year from the Federal US District Court Attorney Admission Fund, in exchange for access to the program for families with business before the federal courts.
- Advocacy and commitment from the Multnomah County bench. Its presiding judges, formerly Judge James R. Ellis and currently Judge Dale R. Koch, have been enthusiastic and eloquent spokesmen; Judges Henry Kantor, Keith Meisenheimer, Katherine Tennyson, and Janice Wilson have served on the CourtCare Advisory Board and/or the CourtCare Campaign Committee; Judge Kristina La Mar helps make sure the center is always stocked with the stuffed animals that are given to each child to take home; and many judges are regular donors.
- Last, but not least, the heart of CourtCare: the nurturing, developmentally-appropriate care provided daily to young children, many of them from families who are struggling with violence or poverty or other challenges, by the VOA Oregon CourtCare staff.