



MULTNOMAH BAR ASSOCIATION

100TH ANNIVERSARY

1906 - 2006

Legal Aid Services in Multnomah County 1936-2006

By Leslie Kay, Regional Director, Multnomah County Office, Legal Aid Services of Oregon.



The First 40 Years

The Multnomah County Offices of Legal Aid Services of Oregon and the Oregon Law Center of today evolved from the early efforts of Multnomah County lawyers David Robinson, Gus Solomon,



The Pittock Building, 921 SW Washington, current home of Legal Aid Services of Oregon, the Oregon Law Center, the Community Development Law Center, and the Campaign for Equal Justice.

Alfred Kelley, George Woodley and others. Legal aid societies originated in New York City in 1876 and took 60 years to arrive in Portland. In 1935, Alfred Kelley, then president of the Multnomah Bar Association, formed a committee to make recommendations about the organization and financing of a legal aid clinic. This committee and the Legal Aid Committee of the Oregon State Bar initiated the first successful effort to establish a program to provide free legal aid in Multnomah County.

The doors officially opened in February 1936 when 30 people lined up for services. The need for free legal services had become acute in the depression years of 1929-39. The Works Progress Administration paid the salaries of the first staff attorneys, while bar members contributed to the operating expenses of the office. Beginning in 1938, Community Chest, followed by its successors United



Photo of Janet Starkey, First Director of the Multnomah County Office operated by the MBA 1936-1961.

Fund and United Good Neighbors, provided funding that covered the operating costs of the office. The mission then, as now, was to provide low-income clients access to the legal system.

“Mr. Gus Solomon spoke in regard to the proposed organization of a Legal Aid Society to be financed temporarily by the Federal Government. Mr. Eugene Dowling and others spoke against the proposal. Mr. H. M. Esterly spoke in favor of the proposal. The motion to adopt the report, being put to a vote, was carried.”

MBA Minutes, September 25, 1935

Janet Starkey was the first director of the MBA-sponsored legal aid program. Janet graduated from the University of Denver Law School in 1916. Beginning in 1937, the program operated out of a rent-free space on the 8th floor of the Multnomah County Courthouse. Janet directed the office for 26 years in close association with the MBA.

In 1961, Ron Gevurtz was hired by the MBA to replace Janet who was retiring. Ron remembers that he was paid “\$400 per month and had no benefits.” Initially he had one secretary and one staff attorney. The Women’s Association of the MBA provided volunteer receptionists and intake help for the office. The Women’s Association was made up of wives and widows of attorneys and women bar members. Most of the work of the office was family and debtor/creditor law. The office handled up to 2,200 clients a year.

The focus of the MBA program began to change in 1966 when it became the recipient of federal funds from the Office of Economic Opportunity (OEO). The architects of the federal legal services program, which began in 1965, envisioned a new effort to achieve equal access to justice that included the notion of responsibility to all poor people as a “client community.” Legal services were to be part of an overall antipoverty effort. There was a new commitment to redress historic inadequacies in the enforcement of poor people’s legal rights caused by a lack of access to the institutions that created those rights. Ron hired lawyers such as Charley Merten and Neil Goldschmidt to staff neighborhood offices that he opened in Northeast and Southeast Portland with OEO funds.

Charley Merten, Jay Folberg, Laird Kirkpatrick and Paul Kelly Jr. took turns as executive directors of the OEO era program in Multnomah County between 1969 and 1977. They presided over a fertile period of law reform efforts that included bringing cases like *State v. Collman* which established the right to counsel in civil commitment proceedings and *Kelly et al v. Debt Reducers* that paved the way for consumer class actions in Oregon and elsewhere. Charlie Williamson successfully lobbied the Oregon Legislature to adopt the Residential Landlord and Tenant Act establishing basic protections for tenants. The Family Law Unit was active in the efforts to secure passage of the Family Abuse Prevention Act. The Multnomah County Office quickly effected major changes in the legal circumstances of low-income residents of Multnomah County.

At the end of the War on Poverty, when Donald Rumsfeld was the Director of OEO, Congress and President Nixon agreed to establish an independent Legal

Services Corporation (LSC). In 1975, LSC took control over the federal legal services program. During these transitional years, Richard Forester and Gary Roberts served as Executive Directors of the Multnomah County legal aid program. Court filing fees became a new source of funding for the program during this time.

Important cases continued to be brought by the Multnomah County Office. Litigation director and future Multnomah



Sign directing the public to the Legal Aid Office on the 8th Floor of the Courthouse between 1937 and 1969; it now hangs in the chambers of the Honorable Michael Marcus, former litigation director of the Multnomah County Office.

County Circuit Court Judge, Michael Marcus, brought *Brewer v. Irwin* which defined the way the courts look at damages under the residential landlord and tenant act. *Zockert v. Fanning* established a constitutional right of an indigent parent to court appointed attorneys in a privately initiated adoption cases.

Native American Rights, Farmworker Rights, Juvenile Rights and Affordable Housing Development

A number of specialty legal services programs have also existed in Multnomah County throughout our 70 year history. Native American Legal Aid Services (NAPOLS), the statewide Indian rights project, was established in 1979 by Oregon Legal Services. NAPOLS joined Legal Aid Services of Oregon in 1998. The program has provided legal advice and representation in nearly every issue and field of Indian law to tribes and low-income tribal members.

The Juvenile Law Center, a program of Multnomah County Legal Aid and Oregon Legal Services from 1975-1985, accomplished some groundbreaking work of behalf of juveniles through a series of lawsuits aimed at preventing the incarceration of minors in adult jails and in a suit over conditions in foster care. In 1985 the Juvenile Law Center became an independent nonprofit corporation known today as the Juvenile Rights Project (JRP).

(Continues on next page)

A Century of Service Historic Pullout: Legal Aid Services

By Judy A. C. Edwards, Executive Director.

The September *Multnomah Lawyer* historic pullout focuses on legal aid services throughout the years. The Portland legal community supported pro bono services for many years before a formal organization was formed in 1935. In fact, minutes of the October 30, 1917 meeting read, “Mr. A. R. Gephart, general secretary of the Public Welfare Bureau, addressed the meeting relative to the work of that bureau. He stated that much work was done for the poor and needy and that many cases came before them requiring the services of an attorney for which they were unable to pay. He requested that the Bar Association cooperate with the Bureau in furthering this work, by appointing one or more attorneys who would assist without compensation. Upon motion by Mr. George Shepherd, seconded by Judge Pines, the president was authorized to appoint a committee of three.”

We thank all who contributed to this issue and we hope you enjoy reading it. If you would like to share your thoughts on any part of this pullout, we welcome your comments and suggestions.

MBA 100th Anniversary Community Gift Fund Deadline Nears to add Your Name to the List

MBA 100th Anniversary Community Gift Fund Donors will be listed on a beautiful bronze plaque which will be displayed at the Multnomah County Courthouse, just outside the Presiding Judges’ courtroom. The deadline for including your name on the plaque is September 15. To learn more, please contact the MBA at 503.222.3275.

The purpose of the fund is to increase civics education and participation and it will be administered by the newly formed Multnomah Bar Foundation. 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.

Founder Donors (\$20,000)

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25 Years of Pro Bono Volunteers

By Cathy Keenan, Legal Aid Services of Oregon and Colleen Bell, Ohio State University Moritz College of Law student.



While the Volunteer Lawyers Project (VLP) has undergone many changes during its 25-year history, its mission has always remained the same - to provide low-income clients with access to the legal system through the assistance of pro bono attorneys. The VLP was started in 1981 by the then newly formed MBA Young Lawyer's Section (YLS). Mike Haglund

...VLP was a way to get more lawyers involved...

was the first YLS president and he remembers the early days of the VLP, "We started the VLP after attending an ABA conference and observing how many other metropolitan areas had organized pro bono projects. YLS members were very interested in pro bono work and the VLP was a way to get more lawyers involved with helping clients in need." Mike is proud of the lasting impact of the projects, "I am pleased that the YLS commitment to pro bono has become institutionalized and that the VLP is still strong today." The VLP has grown from a program with one part-time staff person to an integral component of the Multnomah County Office of Legal Aid Services of Oregon (LASO), and now serves close to 2000 clients per year.

The VLP was originally an independent nonprofit with an executive director and a board of directors comprised of MBA members. The VLP had a direct placement program, a family law program, a children's representation program and neighborhood legal clinics sponsored by Ater Wynne, Lane Powell, Miller Nash, Tonkon Torp and Schwabe Williamson & Wyatt.

In 1996, the VLP merged with Multnomah County Legal Aid Service (MCLAS) and the Oregon Law Center (OLC). OLC began coordination of the Neighborhood Legal Clinics and the Children's Representation Project. MCLAS combined the remaining VLP projects with its own pro bono projects. A brief history of some of the VLP's projects show exemplary examples of collaboration between legal services and the bar.

The Senior Law Project (SLP) started in 1978.

The Senior Law Project (SLP) started in 1978. The project has grown significantly since then and now serves close to 1000 clients per year at nine senior centers in

Multnomah County. In addition to being the longest running pro bono program in Multnomah County, the SLP also boasts some longtime volunteers. In 1998, the Senior Law Project Volunteer of the Year award was presented to Jerome Buckley, Michael Haglund, Michael Jordan, Keith Swensen and Evans Van Buren Jr. - all of whom had volunteered since the inception of the program.

In 1992, Stoel Rives partnered with MCLAS to open a night clinic serving low-income clients at the NE Cascade Campus of PCC. The evening hours were designed to accommodate the working poor, many of whom could not access legal services during the typical work day. The Stoel Rives Night Clinic continues to be strong today with the firm staffing clinics twice per month in downtown Portland.

In 1993, the Domestic Violence Project (DVP) began as a collaborative effort between OWLS, the MBA YLS and the VLP to serve victims of domestic violence in protective order hearings. In 1996, the OSB Debtor-Creditor Section joined with LASO to begin the Bankruptcy Clinic to assist low-income clients with consumer issues. And in 2003, the Multnomah County Family Law Court worked with LASO to launch the Pro Se Assistance Project (PROSAP), a pro bono project designed to assist self-represented litigants in discrete family law matters.

Currently the VLP has close to 400 attorneys on its volunteer rolls - some have volunteered for over 20 years and some have just started their pro bono work. The true strength of the program lies in the dedication of its volunteers. We spoke to several of those volunteers about their perspective on the changing landscape of pro bono work in Multnomah County.

Diana Stuart, of Goldberg Mechanic Stuart & Gibson, has been a member of the OSB since 1977. Diana was formerly the MBA Board liaison to the LASO/OLC Pro Bono Committee - a committee charged with examining pro bono culture issues in our community. Diana is also a frequent volunteer for the Domestic Violence Project and recently began volunteering for the Children's Representation Project. Diana began doing pro bono work because she knew that legal aid could not meet the needs of all of the clients seeking legal assistance. Pro bono work has also allowed her to branch out and gain knowledge in different practice areas. Diana has seen some big changes in pro bono work in recent years. "Legal services organizations and the bar have done a good job marketing pro bono opportunities, so



that attorneys can choose projects that fit their interests. Ultimately this has helped to increase access to justice for people who cannot afford, but who need legal representation."

Carl Neil, of Lindsay Hart Neil & Weigler has been a longtime pro bono volunteer. Carl began practicing law in Oregon in 1958 and in 2002 he received the MBA's Pro Bono Award of Merit for his work with the Oregon Law Center's Neighborhood Legal Clinic and LASO's Senior Law Project. Carl finds that at this stage of his career he is more able to dedicate time to pro bono work and has actually increased his pro bono hours. Carl likes the variety of cases that he is able to get and the challenge of stepping outside of his regular practice area. Carl noted significant changes in pro bono work over the course of his career. "When I started doing pro bono work, it seemed like there was a narrow niche of opportunities. Also, with the growing number of pro se clients, it seems as though the need for legal services to the poor has grown. Over the past 15 years, it appears that more attorneys are doing pro bono and that there are more opportunities for attorneys to get involved."

Kathryn Eaton, who practices bankruptcy law with George Hoselton, is at the opposite end of her legal career. Kathryn passed the bar in 2003 and has volunteered with the Senior Law Project, Bankruptcy Clinic and St. Andrew's Legal Clinic in the past three years. Kathryn is still close enough to law school to remember that she went to law school to help clients in need. Her pro bono work helps get her closer to that goal. "I have found the clients to be very appreciative. Many times my pro bono work seems to have an immediate impact on my client's life." While Kathryn hasn't practiced long enough to notice cultural changes, she did note that she was exposed to pro bono work in law school. Her law school pro bono work and her exposure to the needs of low-income clients in the schools' legal clinic inspired her to volunteer after graduation.



Libby Davis, the Dean of Career Services at Lewis & Clark Law School began that schools' pro bono honors program in 1998. The number of students reporting pro bono hours has increased from 17 to over 90 students per year - with a number of those students volunteering with LASO and OLC's pro bono programs. In addition, there are a number of students who do pro bono work but either don't seek or quite qualify for the Pro Bono Honors Award. Libby noted a strong

change in the pro bono culture at the law school. "While we always had students who came to law school with a strong commitment to giving back to their community, the school now promotes pro bono as a value. Students are told about our pro bono program on their first day of law school and we make many efforts to make pro bono opportunities easily accessible to students."

David Bean, at Meyer & Wyse is involved with pro bono on the committee/policy level and also provides direct representation to clients.

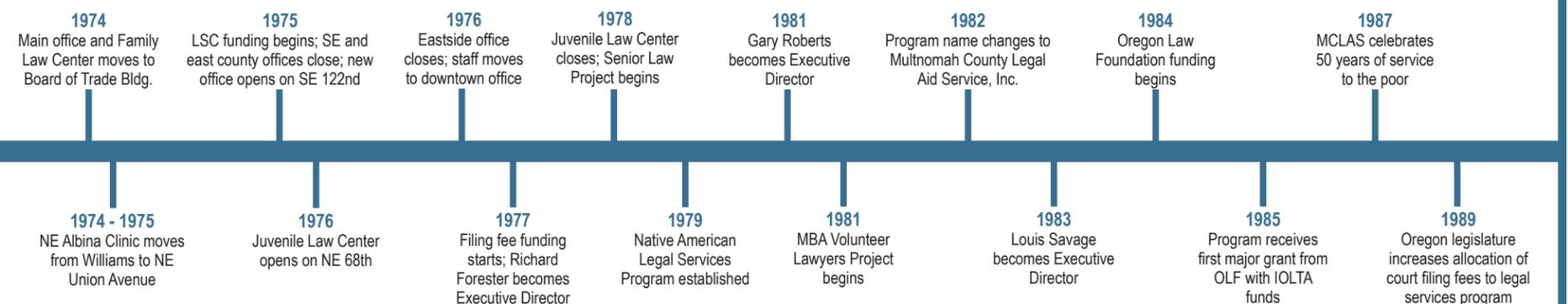


David was admitted to the OSB in 2001, volunteers for the Domestic Violence Project and Pro Se Assistance Project, is the MBA YLS President-Elect and serves as the MBA YLS liaison to the LASO/OLC Pro Bono Committee. In addition to his concerns about access to justice, David noted the important role that pro bono plays to many young lawyers. "The MBA has been examining the generational gap between older and younger attorneys and pro bono work has entered that discussion. Many young lawyers are very interested in working at firms where they are encouraged to do pro bono work - it appears to be directly linked to their job satisfaction."

In addition to volunteer support, the VLP also relies on the bar for financial support. The annual MBA dues check off campaign, funds raised during the MBA's Member Golf Championship, MBA royalties from the MBNA Bank of America affinity program and grants from the Oregon Law Foundation are essential to the success of the program. Special recognition needs to be given to Roscoe Nelson and his family. In addition to donating his time as a volunteer, Roscoe has gone even further by establishing the Roscoe C. Nelson Jr. Fund for Pro Bono Legal Services to the Poor. To honor the memory of their father, Roscoe C. Nelson Jr. and to honor the pro bono tradition that he instilled in others and that was embodied by his good works, Nelson family members and friends created an endowment that distributes over \$30,000 annually to the VLP. The financial support of the Nelson family has been crucial to the operation of the VLP.

As the VLP moves forward towards the next 25 years of its history, it will once again rely upon the efforts of pro bono attorneys in Multnomah County. The VLP will continue to respond to the changing needs of the client base and will continue to be the last stop for many clients seeking legal assistance. Hopefully, at the 50 year mark of the VLP we can report that through the partnership between legal services and the bar that we are closer to providing access to justice for all residents of Multnomah County.

Pro bono work has also allowed her to branch out and gain knowledge...



Preserving Our History

By Tom Matsuda, Executive Director, Legal Aid Services of Oregon



When Judy Edwards of the MBA asked the Multnomah County Office of Legal Aid Services of Oregon (LASO) to record some of its history for MBA centennial events, she had no idea that our written “history” was largely confined to a couple of boxes of aging newspaper articles and photographs that had not been examined since an anniversary celebration in 1986. Worse, the litigation reports maintained by former staffers such as the Hon. Michael Marcus and the Hon. Dick Baldwin had not been saved electronically. First the reports that existed had to be salvaged from a storage unit (that had incidentally just given LASO notice to vacate as our space was being converted to artist lofts). Then, it was recognized that in order to preserve the decades of work accomplished by legal services attorneys, we would need to digitize these reports.



Karen Suriano

Enter two angels from the Portland law firms of Harrang Long Gary Rudnick and Tonkon Torp. Karen Suriano, a “closet poet” hailing from Chicago has worked as a legal assistant for the past 16 years and has been at Harrang Long for the last



Marilyn Martin

Her career in the legal field began in Seattle and was motivated by her role model, Perry Mason’s secretary, Della Street. Karen and Marilyn generously donated their time and converted the aging litigation reports to today’s digital media. Their efforts have helped LASO to hold onto its history and to share some of it with you. We are extremely grateful to them and their law firms for their assistance.

Community Gift Fund

(Continued from first page)

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If we omitted your name or got it wrong, our apologies! Please get in touch with Leslie.Kay@lasoregon.org.



MULTNOMAH BAR FOUNDATION

Promoting community understanding of and access to our justice system

Founded in 2005, the Multnomah Bar Foundation is a 501(c)(3) charitable and educational nonprofit. The purpose of the foundation is to increase the public’s understanding of the legal system; to promote civic education and participation and respect for the law; to improve the quality and

administration of the legal system; and to support programs and projects related to the Foundation’s mission.

Two dedicated funds have been established by the Foundation. For more information about the funds, how to contribute to them or how to apply for a grant, please contact Judy Edwards at 503.222.3275.

