



MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION

1906

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

October 2007 Volume 53, Number 9



A Crumbling Courthouse Puts the Entire Community in Jeopardy

By Thom Brown, MBA President.

The Multnomah County Courthouse: I ended my last column with some brief comments about it. This column picks up where that one left off. Why? Because the issue of a new courthouse is such a critically important one for the MBA (and,

indeed, the whole county).

Soon after the Minneapolis bridge collapse, I wrote an op ed piece for *The Oregonian* about the need for a new courthouse. By the time you read this column, the piece may or may not have been printed in *The Oregonian*. Either way (for the first time or as a reminder), here's what the op ed piece said:

"The recent I-35W bridge collapse in Minneapolis quickly led to stories in our local media about Oregon's own troubled bridges, including the Sellwood Bridge. Of course, the collapse of that bridge – or any other one – would be a great tragedy. But we face an equally, if not possibly greater, tragedy – the collapse of or significant damage to the Multnomah County Courthouse in a fire or earthquake.

"The courthouse, built almost 100 years ago, has been functionally obsolete for years. But, more importantly, based on an engineering study commissioned in 2001, it's known that '[while the] April 2001 seismic evaluation determined that the Multnomah County Courthouse will not collapse during an earthquake[,] to meet current life/safety performance objectives, the building requires seismic strengthening [that] should be undertaken within the next two years.' In 2002, the county commission concluded that delaying renovation of the courthouse (including seismic upgrading) 'would be costly and risky, posing significant potential liabilities on Multnomah County's judicial operations, as well as all users of the Courthouse[.]' Finally, a grand jury issued a 20-page report on December 16, 2005, that referenced testimony on seismic tolerances, likely system and structural failures in the event of either fire or earthquake, and the absence, if not impossibility, of an effective evacuation plan. In fact, the report stated:

We do not feel safe in. . . the Multnomah County Courthouse Jail. We do not feel threatened by inmates; we do feel threatened by the physical conditions of the facilities. Based on the testimony of numerous witnesses, we do not believe inmates are safe

"Despite these review efforts and conclusions, no renovations or seismic strengthening has been made and, of course, the courthouse is still in use, which means hundreds of people – judges, staff, attorneys and members of the public, including children – are in the building 10 hours a day, five days a week. And, as far as I know, there's no present plan for funding a new courthouse. Worse yet, the current concept for funding – taxpayer money – requires a ballot measure that will not likely be put before the voters until 2009, if even then. Assuming passage of the tax measure, which is far from a certainty, to be sure, that likely means a completed courthouse wouldn't exist for at least another five or six years.

"In my opinion, the county needs to move immediately and decisively to build a new courthouse and the people need to agree to assume the financial burden for its cost. If both things don't happen right away, we face something much worse than a facility that just doesn't meet the judiciary's and public's needs (which itself warrants action) - we face the clear, known risks to public safety that the current courthouse presents in the event of a significant fire or earthquake. Let's act now before something horrible happens and the courthouse becomes our own I-35 bridge tragedy."

Continued on page 12

Thank you to our September Awards Luncheon Sponsors!

Affinity Sponsors

Bank of the Cascades
The Bar Plan
Canon Business Solutions
Legal Northwest Staffing Specialists
LexisNexis
The Naegeli Reporting Corporation
Northwest Employee Benefits
Office Depot

Major Sponsors

Bullard Smith Jernstedt Wilson
Cushman & Wakefield
Northwest Bank

Table Sponsors

Ater Wynne
Ball Janik
Barran Liebman
Bodyfelt Mount Stroup & Chamberlain
Cosgrave Vergeer Kester
Harrang Long Gary Rudnick
K&L Gates
Markowitz Herbold Glade & Mehlhaf
Miller Nash
Oregon State Bar
Sussman Shank
Tonkon Torp

The Multnomah Bar Association announces a new partnership



Appaloosa

Business Services, Incorporated

Website Design, Hosting and Maintenance
www.spottedhorse.com • 503.336.1388

Appaloosa specializes in creating and maintaining a professional online presence for law firms of all sizes. MBA members receive exclusive discounts on design and hosting services. To see a complete pricing schedule, visit the MBA website at www.mbabar.org. For additional information, Call Paul Tichy at Appaloosa Business Services at 503.336.1338.

MBA CLE

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

October

Thursday, October 18

Cross Examination
George Kirklín
David Markowitz

Tuesday, October 23

Annual Ethics Update
Mark Fucile

Wednesday, October 24

Merger and Acquisition Deals
Geoffrey Bruce
John McGuigan

Tuesday, October 30

Mandatory Arbitration Training
Eric Neiman
Judge Adrienne Nelson
Lisa Miller
Kent Whitaker

November

Thursday, November 1

Intelligence and Cultural Competence
Elimination of Bias CLE
Christine Cress, Ph.D.

Thursday, November 8

Domestic Violence Law
Drew Bobzien
Judge Maureen McKnight

Tuesday, November 20

Arbitration Clauses in Contracts
Caroline Harris Crowne
Julia Markley
Carl Neil

Tuesday, November 27

Non-Competition and Arbitration Agreements
Anne Denecke

In This Issue

Announcements..... p. 4
Ethics Focus..... p. 4
Around the Bar..... p. 7
Tips From the Bench p. 8
News from the Courthouse..... p. 8
Profile: Judge Ryan..... p. 9
MBA Golf Championship..... p. 9
YLS..... p. 10
Pro Bono p. 11
Classifieds..... p. 14
Multnomah Bar Foundation...p. 16

MULTNOMAH BAR ASSOCIATION
620 SW 5TH AVE SUITE 1220
PORTLAND, OREGON 97204
503.222.3275
FAX 503.243.1881
WWW.MBABAR.ORG

MULTNOMAH BAR ASSOCIATION
620 SW FIFTH AVE., SUITE 1220
PORTLAND, OREGON 97204

PRSRT STD
U.S. POSTAGE
PAID
PORTLAND, OR
PERMIT NO. 00082

BOARD OF DIRECTORS

MBA Board of Directors

President
Thomas W. Brown

President-Elect
J. Michael Dwyer

Secretary
Scott Howard

Treasurer
Leslie N. Kay

Past President
Peter H. Glade

Directors

David I. Bean
YLS President

Christine M. Meadows
ABA Delegate

Michael H. Bloom

Nancie K. Potter

David A. Ernst

Jeff Crawford

Sarah J. Crooks

Michelle S. Druce

Lisa M. Umscheid

Executive Director
Judy A.C. Edwards

Director, Member Services
Guy Walden

Director, Events and Programs
Kathy Maloney

Manager, Membership & Public Outreach
Kennedy Smith

Executive Assistant
Carol Hawkins

Office Administrator
Ryan Mosier

THE MULTNOMAH LAWYER is published 11 times per year by the Multnomah Bar Association, 620 SW Fifth Ave. Ste. 1220, Portland, OR 97204 503.222.3275

An annual subscription is included in member dues or may be purchased for \$20. Letters, award and news items, and announcements are welcome. Articles by members are accepted. All submissions may be edited for length, clarity and style, are published on a space available basis, and at the editor's discretion. Views expressed in articles represent the authors' opinion, not necessarily the MBA's. The publication does not purport to offer legal advice.

Advertising is accepted; advertisers(ments) are not necessarily endorsed by the MBA. The editor reserves the right to reject any advertisement.

DEADLINE for copy: The 10th of the month*
DEADLINE for ads: The 12th of the month*
*or the preceding Friday, if on a weekend.

NEWSLETTER STAFF CONTACTS
Editor: Judy Edwards
Copy and Classified Advertisement:
Carol Hawkins

Display Ads: Ryan Mosier
Design: Cyrano Marketing Solutions

www.mbabar.org

BARKER
ARBITRATION & MEDIATION

Mediation that Works
Arbitration by the Rules

■
JOHN BARKER

E-mail: jbarkermediation@aol.com

Phone: 503-227-6300

Fax: 503-220-4224

1000 SW Broadway, Ste 1700 ■ Portland, OR 97205

CHECK AVAILABLE DATES AND SCHEDULE ONLINE AT
WWW.BARKERMEDIATION.COM

RICHARD MAIZELS
Arbitrator & Mediator

Mediator – 12 years
Arbitrator – 30 years
Circuit Court Judge Pro Tem – 20 years
Trial Lawyer – 41 years

Scheduling on Short Notice
Statewide Travel



- Bodily Injury
- Business and Real Estate Disputes
- Family Matters
- PIP and Uninsured Motorist
- Court Annexed Arbitrations

503 223 2126
503 274 8575 Fax
rmaizels@comcast.net

HODGES LITIGATION, ARBITRATION AND MEDIATION

Business and real property matters including:

Trade secrets
1031 Exchange transactions
Shareholder and Partnership disputes

Noncompetition agreements
Business torts
Unfair competition

Condominium ownership
HOA disputes
Easement and Boundary disputes



*Experience,
...Integrity*

Carlton W. Hodges
Attorney at Law

503-223-3690 • 503-542-4490 Fax
chodges@hevanet.com
1211 SW Fifth Avenue, Suite 2330
Portland, OR 97204

Asher Portfolio Advisors, Inc.
Over 20 years of experience working with Qualified Retirement Plans

See what can happen when you remove financial bias from the fund selection process.

Services provided on a flat fee or hourly basis.

Steve Mehlig

asherport@comcast.net . (503) 524-4230

K N O L L M E D I A T I O N

Mediation & Arbitration

- Experience
- Integrity
- Solutions

James L. Knoll, P.C.

ATTORNEY AT LAW

503.222.9000

1500 SW Taylor Street • Portland, OR 97205
fax 503.222.9003 e-mail jim@knollmediation.com
www.knollmediation.com



CHUCK CORRIGAN

Arbitration & Mediation

**REAL PROPERTY, COMMERCIAL,
GOVERNMENT AND INJURY**

Over 30 years of Litigation Experience

503.222.4402

chuckc@rcclawyers.com www.rcclawyers.com

RAMIS CREW CORRIGAN
1727 Northwest Hoyt Street Portland, Oregon 97209

NEW ON THE SHELF

By Jacque Jurkins, Multnomah Law Librarian.

GLISON ON TRADEMARKS

by Anne Glison-LaLonde.
Published by LexisNexis,
2007. (KF 3180 G54 2007)

REAL ESTATE

TRANSACTIONS: Tax planning and consequences, 2007 ed. by Mark Lee Levine. Published by Thomson/West, 2007. (Tax KF 6540 L48)

TAX AND ESTATE PLANNING WITH REAL ESTATE, PARTNERSHIPS AND LLCs, 2d ed. by Jerome Ostrov. Published by the Practising Law Institute, 2007. (Tax KF 6540 O85 2007)

MENTAL DISABILITY LAW, EVIDENCE AND TESTIMONY:

A comprehensive reference manual for lawyers, judges and mental disability professionals by John Patty and Eric Y. Drogin. Published by the ABA Commission on Mental and Physical Disability Law, 2007. (KF 480 P37m)

THE PRACTITIONER'S GUIDE TO BIO-METRICS edited by William Sloan Coats. Published by the ABA Section of Science & Technology Law, 2007. (KF 9666.5 P73)

PROFESSIONAL LIABILITY TO THIRD PARTIES, 2 ed. by Jay M. Feinman. Published by the ABA Tort Trial and Insurance Practice Section, 2007. (KF 1289 F45)

FEDERAL EVIDENCE, 3d ed. by Christopher B. Mueller and Laird C. Kirkpatrick. Published by Thomson/West, 2007. (KF 8915 O7 O73c)

FEDERAL COURT OF APPEALS MANUAL: A manual on practice in the United States Courts of Appeals, 3d ed. by David G. Knibb. Published by Thomson/West, 2007. (KF 9050 K54 2007)

A PRACTICAL GUIDE TO MEDICARE APPEALS by Daniel A. Cody and Kathleen Scully-Hayes. Published by the ABA Health Law Section, 2007. (KF 3608 A4 C64)

INSURANCE CLAIMS AND DISPUTES: Representation of insurance companies, 5th ed. by Allan D. Windt. Published by Thomson/West, 2007. (KF 1164 W56 2007)

MAKING MONEY TALK: How to mediate insured claims and other monetary disputes by J. Anderson Little. Published

by the ABA Section of Dispute Resolution, 2007. (KF 9084 L57)

ANTITRUST LAW DEVELOPMENTS, 6th ed. Published by the ABA Section of Antitrust Law, 2007. (KF 1649 A73 2007)

FEDERAL STATUTORY EXEMPTIONS FROM ANTITRUST LAW. Published by the ABA Section of Antitrust Law, 2007. (KF 1649 F54)

PREMERGER NOTIFICATION PRACTICE MANUAL, 4th ed. edited by Anthony W. Swisher and Neil W. Imus. Published by the ABA Section of Antitrust Law, 2007. (KF 1477 P74 2007)

FTC PRACTICE AND PROCEDURE MANUAL. Published by the ABA Section of Antitrust Law, 2007. (KF 1611 A4 F73)

INDIRECT PURCHASER LITIGATION HANDBOOK. Published by the ABA Section of Antitrust Law, 2007. (KF 1649 I54)

INTELLECTUAL PROPERTY AND ANTITRUST HANDBOOK. Published by the ABA Section of Antitrust Law, 2007. (KF 2979 I53)

CALENDAR

For a complete MBA calendar, please visit www.mbabar.org.

October

2 Tuesday, MBA Board meeting

Tuesday, YLS Volunteer Event
See p. 10 for details.

3 Wednesday, MBA CLE – Annual Evidence Update
See insert or register at www.mbabar.org.

4 Thursday, MBA CLE – Child Abuse Reporting Requirements
See insert or register at www.mbabar.org.

8 Monday, YLS joint event with Literary Arts
Details on p. 10.

9 Tuesday, YLS Board meeting

10 Wednesday, November Multnomah Lawyer deadline

11 Thursday, Bench-Bar Brown-Bag with Judges Koch and Maurer

18 Thursday, MBA CLE – Cross Examination
See insert or register at www.mbabar.org.

Thursday, MBA Absolutely Social
See insert or register at www.mbabar.org.

19 Friday, BOWLIO at Valley Lanes

20 OGALLA Annual Dinner at University Club

23 Tuesday, MBA CLE – Annual Ethics Update
See insert or register at www.mbabar.org.

24 Wednesday, Multnomah Bar Foundation Board meeting

Wednesday, YLS Drop-in Social
Details on p. 10.

Wednesday, MBA Breakfast CLE – Merger and Acquisition Deals
See insert or register at www.mbabar.org.

26 ABA Day of Ethics and Technology for Government Lawyers

Visit www.abanet.org/govpub/meet.html for details.

Friday, Campaign for Equal Justice LAFF-OFF
Visit www.campaignforequaljustice.org for details.

27 Saturday, YLS Volunteer Event
Details on p. 10.

30 Tuesday, MBA CLE – Mandatory Arbitration Training
See insert or register at www.mbabar.org.

November

1 Thursday, MBA CLE – Intelligence and Cultural Competence
See insert or register at www.mbabar.org.

Thursday, Mediation Commission meeting
Visit www.mbabar.org for details.

6 Tuesday, MBA Board meeting

7 Distinguished Historians Forum with Fred Leeson
Visit www.ohs.org for details.

8 Thursday, MBA CLE – Domestic Violence
See insert or register at www.mbabar.org.

9 Friday, December Multnomah Lawyer deadline

13 Tuesday, YLS Board meeting

14-16 Wed-Fri, OSB PLF – Learning the Ropes Seminar
Visit www.osbplf.org for details.

15 Thursday, CEJ Mid-Campaign Leadership Meeting
Visit www.campaignforequaljustice.org for details.

20 Tuesday, MBA CLE – Arbitration Clauses
See insert or register at www.mbabar.org.

22-23 Thu-Fri, Thanksgiving Holiday – MBA closed

28 Wednesday, MBA CLE – Estate Planning
See insert or register at www.mbabar.org.

I just added two new clients while on a family vacation.



With FindLaw® on my side, I have:

- Found time to take a long family vacation
- Expanded my firm's accessibility to 24/7
- Received solid inquiries while I'm traveling
- Eliminated advertising in the Yellow Pages

Stephen J. Bedor
Attorney at Law
Lake Oswego, OR

"My FindLaw Web site has received over 1,500 page views in the past three months. Beginning in April 2003, FindLaw has played an integral part in my marketing strategy. I am extremely pleased with the number of clients who have retained my firm's services as a result of visiting my Web site. For me, solid inquiries lead to more time with my family."

To see more of Stephen Bedor's story, or to learn how FindLaw can help you gain new clients, call 1-866-347-6748 or visit LawyerMarketing.com/CM/Clients/Bedor.asp.

FindLaw
© 2006 FindLaw, a Thomson business 9/06

THOMSON
FINDLAW

Ethics Focus

By Mark J. Fucile, Fucile & Reising.

Billing Ethics, Part 2: Read Client Trust Account Rules Carefully



Last month, we began our look at billing ethics by reviewing the rules governing time-keeping and fee agreements. This month, we turn to client trust accounts. In this column, we'll review what funds go in client trust accounts, general management and what happens if there is a dispute involving funds held in trust. RPCs 1.15-1 and 1.15-2 govern trust accounts. They are both long and detailed, and, as a result, warrant careful reading. As with last month's topic, however, further practical guidance is available in all of these areas from the OSB's formal ethics opinions available at www.osbar.org.

What Goes In?

RPC 1.15-1(a) specifies that funds belonging to the client, including advance deposits for fees and costs, must be deposited into a client trust account. Funds belonging to the lawyer, by contrast, such as the lawyer's earned fees (including hourly fees and fixed fees plainly denominated in writing as "earned upon receipt") must be deposited into the lawyer's business account.

With small amounts or even large amounts not likely to remain in trust long, RPC 1.15-2(a) requires client funds to be deposited into an Interest on Lawyers Trust Account IOLTA for the benefit of the Oregon Law Foundation. By contrast, if the amount is both large enough and will remain in trust long enough to generate net interest (i.e., above bank service charges) to the client, then RPC 1.15-2(b)-(c) requires that the funds be deposited into a separate client trust account for the client's benefit unless the client waives the interest (allowing the funds to be deposited into an IOLTA). RPC 1.15-2(d) outlines the criteria for determining whether a separate trust account is warranted. OSB Formal Ethics Opinion 2005-117 also discusses this issue in detail. Most major Oregon banks offer both kinds of accounts.

Management

• **Records.** RPC 1.15-1(a) requires that thorough records of trust account transactions be prepared and maintained for a period of five years after the completion of the representation involved.

Trust accounts are also subject to random audit by the OSB.

- **Bank Service Charges.** Under RPC 1.15-1(b), a lawyer may deposit the lawyer's own funds into a client trust account as necessary to pay bank service charges on that account. But under OSB Formal Ethics Opinion 2005-145, the lawyer may not deposit an additional "cushion" to avoid overdrafts. RPC 1.15-2(n) defines "service charges" and generally limits that term to items such as monthly maintenance fees, per-check charges and the like.
- **Credit Card Payments.** Lawyers are permitted to accept credit card payments. In a perfect world, lawyers would maintain separate linked accounts for credit card payments, with advance fee deposits automatically going into trust and earned fees automatically going to the lawyer's business account. Some banks, however, only permit one account to be linked with credit card payments. As a result, OSB Formal Ethics Opinion 2005-172 permits credit card payments representing earned fees to be deposited temporarily into trust and then promptly transferred to the lawyer's business account. Opinion 2005-172 notes that the converse is not true. Therefore, if a lawyer's bank only permits one account to be linked to credit card payments, it must be the client trust account unless the lawyer does not accept advance fee deposits (as opposed to earned fees) by credit card.
- **Withdrawing Funds When Earned.** Once earned, the funds then belonging to the lawyer must be withdrawn from the trust account. If the lawyer is not aware of any dispute over the lawyer's right to payment, OSB Formal Ethics Opinion 2005-149 concludes that a lawyer may withdraw earned fees as soon as they are billed. It does recognize, however, that a lawyer may wait a reasonable time (using 30 days as an example) after a client has been invoiced to ensure that there is no dispute before withdrawing the funds.

ANNOUNCEMENTS

MBA E-NEWS

Watch for the MBA E-News coming to you each mid-month.

MBA Membership Survey

You will soon be invited to participate in an electronic survey of the membership. Easy to complete, the survey offers the opportunity to win great prizes just for completing it. Watch your email for the announcement.

MBA and Portland Art Museum Partner

Visit the MBA office and enjoy a sampling of the museum's rental art on display. Please see details on the PAM rental program ad on p. 15.

ABA Government and Public Sector Lawyers Division Meet in Portland

Friday, October 26
A Day of Ethics and Technology for Government Lawyers at the RiverPlace Hotel. Go to www.abanet.org/govpub/meet.html for more information.

2008 MBA Professionalism Award Nominations Sought

Do you know a lawyer who is a joy to work with, someone

who goes above and beyond the minimum professionalism standards? Nominate him or her for the 2008 MBA Professionalism Award.

Any MBA practicing attorney member, except a member of the MBA Professionalism Committee or the MBA Board of Directors, is eligible to receive this award. Former nominees may be re-nominated. See insert for more information.

Oregon Women Lawyers (OWLS) Board Announced

Kellie Johnson is OWLS' new president. Laura Caldera Taylor serves as vice-president/president-elect. Gwyn McAlpine is treasurer and Heather Van Meter is secretary. Alice Bartelt continues with the executive committee as historian.

OWLS' new board members include: Cashauna Hill and Julia Markley from Portland, Kathleen Hansa Rastetter from Oregon City, Heather Weigler from Lake Oswego and Jane Yates from Eugene.

Continuing on the board are: Sally Anderson-Hansell (Hermiston), Nancy Cook (Roseburg), Nicole DeFever (Portland), Dana Forman

(Salem), Bethany Graham (Bend), Shari Gregory (Portland), Leslie W. O'Leary (Portland), Hon. Adrienne Nelson (Portland), Concetta Schwesinger (Portland), Cathey Susman (Eugene) and Hon. Katherine Tennyson from Portland.

MBA Noon Time Rides

Short, fast bike rides, with hills. Meet at SW Yamhill and Broadway between noon and 12:10 p.m. Mondays and Thursdays. Contact Ray Thomas 503.228.5222 with questions, or meet at start.

Multnomah County Sheriff's Office (MCSO) Jail Visiting - Access Changes

The jail will now accept the expedited court access cards issued by MCSO as identification to admit attorneys who visit their clients in jail. Attorneys will still need to show their OSB cards. Also, firms that have not purchased MCSO expedited access cards may show a copy of the access letter they originally submitted along with photo identification.

- **Withdrawal.** RPC 1.16(d) requires that any unearned balance remaining in a trust account at the point that a lawyer withdraws it be promptly refunded to the client. OSB Formal Ethics Opinion 2005-151 notes that all fees are subject to the "reasonableness" requirements under RPC 1.5 that we discussed last month. Therefore, it finds that even a fixed fee denominated "nonrefundable" must be at least partially refunded if all contemplated work under the fixed fee has not been completed. Two recent Oregon Supreme Court decisions, *In re Fadeley*, 342 Or 403, 153 P3d 682 (2007), and *In re Balocca*, 342 Or 279, 151 P3d 154 (2007), concur.
- **Unclaimed Funds.** Occasionally and for a variety of reasons, client funds remain in trust when the client moves without providing the lawyer with a new address. In that circumstance, OSB Formal Ethics Opinion 2005-48 counsels that the lawyer must first take reasonable steps to locate the client. If despite those efforts the client cannot be located, then the lawyer must turn the funds over to the State in accordance

with the Uniform Disposition of Unclaimed Property Act, ORS 98.302-.486.

Disputes

If there is a dispute between the lawyer and the client over the lawyer's entitlement to funds being held in trust, RPC 1.15-1(e) requires that the disputed funds remain in the client trust account until the dispute is resolved. By contrast, OSB Formal Ethics Opinion 2005-149 finds that there is no requirement to return disputed funds into trust if they were withdrawn in good faith before a dispute with the client arose.

If there is a dispute between two (or more) clients to their share of funds held in trust (for example, a settlement payment), OSB Formal Ethics Opinion 2005-68 counsels that the lawyer must either retain the funds involved in trust until the dispute is resolved or interplead the funds so that the clients can resolve the dispute between them on their own.

Summing Up

Client trust accounts are a particularly sensitive area of billing ethics for lawyers in two senses. First, we are held to a very high fiduciary standard when handling

our clients' money. Second, and related to the first, both the OSB and the Oregon Supreme Court rigorously apply the client trust rules for the protection of clients. As a result, client trust accounts are an area of the business side of our practices that require special attention and care.

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

Building Relationships, Building Business OWLSNET Events Bring Successful Women Together

By E. Susan O'Toole, OWLSNET Committee.

The Oregon Women Lawyers Networking Committee (OWLSNET) was conceived by OWLS Vice President Laura Caldera Taylor as an opportunity for women lawyers to network and obtain business from women in other fields. She passed along her vision to Shari Gregory, committee chair, who sees OWLSNET as a way for professional women to meet each other, learn from each other and to build a strong network of women statewide. Further, Gregory sees OWLSNET as a chance for women to recognize the power and intelligence of women in many fields and to identify what these women have to offer to the community at large and to each other.

This vision became reality. OWLSNET has organized three events that brought together various professional women's organizations with women lawyers. Last fall, OWLSNET hosted an event that brought together women lawyers, commercial real estate professionals, residential real

estate professionals and mortgage brokers, sponsored by Ball Janik. The second event brought together women lawyers, bankers and CPAs in an event at Red Star restaurant, sponsored by Stoel Rives. The most recent event, sponsored by Hershner Hunter, was held in Eugene. Women from a broad spectrum of professions participated.

OWLS President Kellie Johnson articulates the vision this way: "The bringing together of professional women with talents in areas like banking, finance and the law in a networking/quasi-social setting is necessary and relevant. To transform the practice of any profession where women have been historically devalued for their talent and worth requires creative opportunities and environments where we can redefine the rules of the playing field. The networking events are a brilliant way to establish a venue where women can get the most out of what we are known to do best - establish and form relationships."

Vice President/President Elect Laura Caldera Taylor was equally proud of the opportunities OWLSNET



OWLSNET members gathered at a spring event

will offer: "Many studies show that women approach business development differently than men. By targeting other professional women's organizations, OWLSNET events offer a win-win business development opportunity for each participant."

OWLSNET will reach out in the future to women in many other professions - including

medicine and service fields - in order to achieve its objective of offering professional development opportunities to women lawyers. OWLSNET offers a forum for growth and invites all women members of OWLS to participate.

RICHARD G. SPIER ARBITRATOR & MEDIATOR



Highly experienced,
full-time neutral

Business & commercial;
personal injury; employment;
real estate & construction

Listed for Alternative
Dispute Resolution in
*The Best Lawyers in
America*® 2007
(© 2006 by Woodward/White, Inc.,
of Aiken, SC)

503-284-2511
Fax 503-284-2519

rspier@spier-mediate.com
www.spier-mediate.com



RAISING THE BAR ON LEGAL FINANCIAL SERVICES.

BANK OF THE CASCADES PROFESSIONAL BANKING GROUP.



Left to Right: Gwyn Hilden, Teri Van Syckle, Elise Bouneff, Martha Sheets, Karen Fornshell, Stewart Williams, Anne Marie Flora, Angela Devita-Hohman, Jason Scott

NAMED AN OREGON LAW
FOUNDATION VISIONARY BANK.

You work for your clients' best interests. So do we. That's why our team of bankers work hard to make the most of your funds. We partner with you to provide solutions that maximize opportunities while minimizing risk. And because we offer a unique brand of personalized banking for legal professionals, you get the experience and expertise you need.

We're proud to provide Member Benefits Banking to the Multnomah Bar Association.

Contact **Elise Bouneff** at **503-499-5931**
or **eliseb@botc.com** to learn more.



BEND • REDMOND • SISTERS • SUNRIVER • PRINEVILLE • SALEM • KEIZER • MEDFORD • GRANTS PASS • ASHLAND • PORTLAND • BOISE

WWW.BOTC.COM MEMBER FDIC EQUAL HOUSING LENDER

What I Did on My Summer Vacation

By Michael Dwyer, MBA President-Elect.

A week at Harvard University in mid-July hardly cracks the usual list of top summer vacation ideas. But the chance to participate in a cutting-edge program integrating Western conflict resolution with ancient Eastern wisdom and meditation traditions was educational, inspiring and transforming.

Judges, mediators, and lawyers gathered from all over the world for two, week-long sessions. My own Advanced Mediation class with world-renowned mediator Ken Cloke drew attendees from every corner of the globe and the US.

Sponsored by the Harvard Negotiation Insight Initiative (HNII), a relatively new offspring of the Project on Negotiation at the law school, the program is the brainchild of its executive director, Erica Ariel Fox. The program's mission is "to broaden and deepen the way we understand, teach, and practice negotiation and dispute resolution by integrating insights from the world's ethical, philosophical, and spiritual traditions."

Cloke's mediation class was one of several offerings. Fox, a lecturer at Harvard Law School, led a class called Beyond Yes One, referring to the negotiation bestseller co-authored by Fox's mentor, Roger Fisher of Harvard, but cross-fertilizing negotiation techniques with insights, skills and spirit-energy to enable negotiators to operate at their highest levels of body and mind.

In the second week, a prominent trio offered emerging roles for lawyers. David Hall's new book captures the spirit of this class. It is entitled *The Spiritual Revitalization of the Legal Profession: A Search for Sacred Rivers*.

A dominant theme running through the program is that to resolve conflict with others at a deep and enduring level, we must first work on ourselves. We can establish peaceful resolution of conflict with others only if we – mediators, negotiators and judges – bring an authentic, peaceful presence into the mediation or settlement arena. To do that, we must be fully engaged in body,

heart and mind. Cloke stressed that we customarily opt for resolving conflict at a superficial level: the level of mere settlement. Mediators afraid of radical open-heartedness, or unskilled at handling the deepest levels of conflict, miss the opportunity to help people achieve deeper levels, including forgiveness, transformation and transcendence.

Before class each morning, we participated in either a movement or yoga class followed by 30 minutes of guided meditation. The demonstrated benefits of incorporating meditation into a professional practice include increased empathy and insight, reduced reactivity, and greater attention and attunement. Harvard, Yale and other top law schools have offered courses in meditation, and several top-tier law firms have held trainings for lawyers.

HNII also holds autumn workshops. The MBA is discussing a joint HNII-MBA conference to be held in Portland next year.

Michael Dwyer is a mediator and lawyer with Dwyer & Miller, and is the President-Elect of the MBA.



**Paralegals
Legal Secretaries
Receptionists
Project Assistants
File Clerks**

**TEMPORARY & PERMANENT PLACEMENT
LEGAL NORTHWEST
STAFFING SPECIALISTS**

700 SW Taylor Floor 2
Portland, Oregon 97205
Tel 503-242-2514
Fax 503-274-7895
www.legalnw.com
info@legalnw.com

**OVER 300 LAW FIRMS RELY ON US
STAFFING PARTNER TO THE**



M U L T N O M A H B A R A S S O C I A T I O N
1906

OVER 100 YEARS OF INVESTMENT EXPERIENCE

FIVE-STAR RATING FROM MORNINGSTAR

OVER \$150 MILLION IN ASSETS UNDER MANAGEMENT

PERSONAL ATTENTION GIVEN TO EVERY CLIENT

IN BUSINESS SINCE 1998

DETAILED UNDERSTANDING OF EVERY CLIENT'S NEEDS

**CONSIDER THIS
THE EXECUTIVE
SUMMARY.**

To find out more, contact David Meyer,
telephone: (971) 404-0179
email: dmeyer@nwic.net

NW

LIVE WELL. RETIRE BETTER.

1.800.685.7884 www.nwic.net

A Century of Service
M U L T N O M A H B A R A S S O C I A T I O N

EXCLUSIVE

Canon Business Solutions is pleased to announce an exclusive relationship with the Multnomah Bar Association to provide member-only discounts on Canon's digital imaging and document management solutions.

We can help your firm address these issues and MBA members will receive exclusive benefits:

- No-charge audit of all your network printing costs to help determine overhead and potential revenue for cost-recovery. This rapid-assessment is regularly a \$450.00 charge.
- Canon Business Solutions will extend a free analysis of the members existing document management technology investment or document management needs and help identify opportunities to improve efficiencies and maximize this investment.
- Member discounts on digital imaging hardware and software solutions.

Canon
CANON BUSINESS SOLUTIONS
9403 SW Nimbus Avenue
Beaverton, OR 97008

Michael D. Kiel, Legal Specialist
Phone: (503) 277-1128
Cell: (503) 201-5049
email: mkiel@solutions.canon.com

AROUND THE BAR

CHARLES CORRIGAN
Chuck Corrigan started a new firm, emphasizing his growing arbitration and mediation practice. He will continue representing clients in real property and business disputes, claims by and against governments and major injury cases. He may be reached at Law Office of Charles E. Corrigan, 1000 SW Broadway Ste 2130, Portland OR 97205, phone 503.241.0677, fax 503.241.0678, email chuck@corrigan-law.com, Web site www.corrigan-law.com.

ATER WYNNE
Jonathan Ater, firm Chair and Senior Partner, was appointed by Governor Ted Kulongoski to the new Oregon Health Fund Board. The Health Fund Board is charged with developing a plan for reforming Oregon's health care delivery system. Jonathan chairs the firm's healthcare group.



Shawn A. Lillegren

COSGRAVE VERGEER KESTER
Shawn A. Lillegren has joined

the firm, where he specializes in civil litigation with an emphasis on personal injury, tort and criminal defense cases.



Leon Simson

TONKON TORP
Leon Simson, an experienced Oregon corporate and business restructuring attorney, has joined the business department of Tonkon Torp.

Simson's practice focuses on corporate law, including finance, license agreements, acquisitions and divestitures, and corporate governance matters. He also has significant experience in the reorganization and restructuring of financially troubled businesses.

D'AMORE & ASSOCIATES
Tom D'Amore is playing a larger role in two associations that protect people's rights in the civil justice system. D'Amore was elected in August for the Executive Committee of the Oregon Trial Lawyers Association



Tom D'Amore

(OTLA). In three years he will become OTLA President.

D'Amore was also elected this summer to serve as chair of the national Motor Vehicle Collision, Highway and Premises Liability Section for the American Association for Justice (AAJ). AAJ is made up of 56,000 plaintiff attorneys nationally who work to promote a fair and effective justice system.

The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. The deadline is the 10th of the month preceding publication or the previous Friday if that date falls on a weekend. All items 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 carol@mbabar.org.

Business and Commercial Litigation in Federal Courts - Second Edition

By Paul W. Conable, Tonkon Torp.

Thompson West has published a significantly expanded Second Edition of its excellent treatise *Business and Commercial Litigation in Federal Courts*, edited by Robert L. Haig of Kelley Drye and Warren LLP in New York.

In addition to updates of materials from the First Edition, the Second Edition adds 16 new subject areas, including Partnerships, Mergers and Acquisitions, Commercial Defamation and Disparagement, and Commercial Real Estate. Since this is a litigation treatise, the focus of these new chapters is on special problems raised by litigation in these substantive areas; the Mergers and Acquisitions section, for example, addresses issues of litigation specific to cases arising out of Mergers and Acquisitions, rather than surveying the law of M&E more generally. In this respect, *Business and Commercial Litigation in Federal Courts* is more useful to litigators than a standard treatise that broadly addresses the law of a particular substantive area.

The Second Edition includes a new chapter addressing Director and Officer Liability, written by the Hon. Paul S. Diamond and Mathieu J. Shapiro. Again, rather than focusing on the substantive areas of law that arise in a typical D&O case (e.g., federal securities law), this chapter focuses on practical and prudential concerns of representing directors and officers in litigation. The authors discuss indemnification, D&O insurance, issues arising from waivers of corporate attorney-client privilege in parallel criminal proceedings and a host of other practical issues that arise when a lawyer represents a director or officer. Here, and throughout its nine volumes, *Business and Commercial Litigation in Federal Courts* functions as much as a practice guide or CLE compilation as a treatise. It is a reference to consult when beginning a case in federal court, rather than merely a legal encyclopedia to consult about the esoterica of some area of statutory or common law.

This focus on the nuts and bolts of litigation is especially notable in Volume 5 of the Second Edition, which includes new chapters on such issues as Litigation Avoidance and Prevention, Litigation Technology, and Litigation Management. Each chapter ends with a checklist designed to walk the reader through the necessary steps to, for example, create a litigation budget or staff a case. These chapters will be most useful to younger lawyers, and together are a comprehensive "How To" guide to federal business litigation.

Volume 5 also includes a chapter on civility. Veterans of the Oregon bar may grumble that they do not require Thompson West to teach them how to be civil to their colleagues, but again, as in the rest of this treatise, the focus is less on theory and more on practical considerations arising from uncivil practice. The authors plainly have a point of view on this issue, namely that civility to the court and opposing counsel is a necessary component of effective advocacy. But they devote most of their chapter to practical suggestions for dealing with unreasonable behavior from opposing counsel, rather than to lectures about the virtues of reasonable behavior. This is a welcome approach to an issue that, to borrow from Mark Twain, "everybody talks about but few seem to do anything about."

All in all, the Second Edition of *Business and Commercial Litigation in Federal Courts* is an excellent update to a valuable treatise. The authors' focus on practical aspects of litigation sets this edition apart and makes it a useful reference for any lawyer or firm active in federal business litigation.

Katherine O'Neil Joins ABA Board of Governors

Katherine O'Neil, Graff & O'Neil, began a three-year term, in August, as a member of the ABA Board of Governors. As governor of the ABA's 13th District, O'Neil will represent Montana, Alaska and Oregon. The board meets at least four times yearly to oversee administration and management of the association.

In her practice, O'Neil is a mediator and arbitrator in civil and commercial matters. She is a member of panels of the US Arbitration & Mediation Service, NASD, Oregon Appellate Settlement Conference and the Multnomah County Circuit Court Arbitration Panel. She has been a member of the OSB since 1977.

A member of the ABA since 1977, O'Neil has served in many roles. She has been a member of the Standing Committee on Gavel Awards, the Latin American Law Initiative Council Advisory Committee, the Bar

Services Committee and the Commission on Women in the Profession. She has also been an Oregon State delegate in the House of Delegates for 11 years and served as chair of the House of Delegates Technology Committee.

O'Neil is the current Vice President of the Multnomah Bar Foundation and has served on numerous committees of the OSB, was president of the Oregon Law Foundation, president of the Professional Liability Fund and founding president of OWLS. She has also been Oregon's chair of Lawyer Representatives to the Ninth Circuit Judicial Conference, a member of the Federal District Court of Oregon's Gender Bias Task Force and the State-Federal Judicial Council.

Among her honors, O'Neil received the Award of Merit, the highest honor of the OSB, as well as the US District Court Historical Society 2005 Lifetime Service Award and the Lewis



Katherine O'Neil

& Clark Law School 2005 Distinguished Alumni Award. She is the recipient of the Women of Achievement Award from the State of Oregon Commission on Women and the Justice Betty Roberts Award from Oregon Women Lawyers.

O'Neil received her JD from Lewis & Clark Law School and a bachelor's degree with great distinction from Stanford University.

Tips from the Bench

By Judge John A. Wittmayer, Multnomah County Circuit Court.

Motions to suppress in criminal cases - timeliness

It is not unusual for defense counsel in criminal cases to file motions to suppress shortly before trial. Counsel should be aware that untimely motions to suppress may be denied on that basis alone.

UTCRC 4.010 requires such motions to be filed "not less than 21 days before trial or within seven days of arraignment, whichever is later, unless a different time is permitted by the court for good cause shown." On August 15, the Court of Appeals issued its opinion in *State v. Betnar*, 214 Or App 416, ruling that the trial judge did not abuse his discretion in denying a motion to suppress that was filed on the eve of trial.

The last page of your order or judgment

Have you prepared (or seen) an order or judgment that runs a little longer than you thought it might run, and spills over onto one page more than you thought? Sometimes we see orders or judgments that contain only the judge's signature portion of the document on the last page. UTCRC 12(a) requires that the page prepared for the judge's signature must contain at least two lines of the text. The rule also requires you to include below the judge's signature line the printed name of the judge, if the order or judgment is prepared for the signature of a particular judge. You should also include a date line for the judge to use when he/she signs the order or judgment.

Take care about what is said in the public areas of the courthouse

Lawyers should remember to be cautious about their



conversations in the hallways, elevators and lobby of the courthouse. And you should tell your clients and witnesses to be careful about this, also. The public areas of the courthouse are full of jurors and other interested parties, and occasionally something is said in the presence of a person who should not overhear it. Don't compromise your client's interests - be careful, and make sure your clients and witnesses are careful too.

Timely submission of motions and memoranda

Lawyers continue to submit motions, memoranda, etc. to the judge hearing the matter at the last minute. You spend a lot of time and effort (and your client goes to a lot of expense) in the preparation of written materials designed to convince the judge to make the "right" ruling for your client. So why do you deliver those materials to the assigned judge when it is too late for the judge to read and fully consider your materials before the hearing? You are wasting your time and effort and your client's money when you take this approach. Get your written materials submitted sufficiently in advance of the hearing to have them make a difference for your client.



By Todd L. Van Rysselberghe, Kennedy Watts et al and Court Liaison Committee member.

Electronic Filing Status

Doug Bray reported on the statewide effort, led by Chief Justice Paul DeMuniz, to develop an electronic filing system in the circuit and appellate courts. A system like Public Access to Court Electronic Records (PACER), used by the federal courts, is being planned to implement electronic filing and a "paperless" or "paper on demand" system for all state court filings and files. There is no interest in devoting resources to expand OJIN at this time. The current OJIN system is to be replaced in three to five years, after the electronic filing and document management system is implemented. As with PACER, the e-filing system, electronic document management system and the replacement for OJIN will all be Web-based and Web accessible.

Presiding Judge's Report

Judge Maurer will assume responsibilities as the presiding judge on January 1, 2008.

The Multnomah County judges meet with lawyers as a group several times a year to discuss pertinent issues over a brown bag lunch. The next such meeting will be October 11 at noon, with Judges Maurer and Koch, who will discuss presiding judge issues. MBA members are encouraged to bring their questions and their lunches to this informal session.

Work continues on locating a site in Gresham for the new courthouse on the eastside. The location is still likely to be in the Rockwood area of that city.

The location for the new courthouse downtown will be on the block west of the Hawthorne Bridge. The county is moving forward with plans to relocate the bridge off-ramp.

Judges have experienced problems with the use of cell phones in and around the courtrooms. People have used phones to take pictures of witnesses and jurors. There have also been problems with text communications with witnesses. Some courts outside the state have gone so far as to prohibit cell phones in the courthouse. The judges recognize that there are legitimate uses for cell phones within the courthouse, but the current problems involve use in a courtroom. They have met with the sheriff and asked that his staff assist in the enforcement of the current SLR 6.027, which requires that cell phones be turned off and kept off when entering courtrooms, unless otherwise permitted by the judge.

Judges also continue to have problems with the transportation of prisoners to courtrooms. It can take as long as an hour to deliver a prisoner from the courthouse jail to a courtroom. The delays affect civil trials. The situation is not likely to change due to the sheriff's limited personnel.

The legislature passed a new filing fee schedule effective September 1. The schedule is posted on the court's Web site, and there is a link from www.mbar.org. The filing fee increase will raise approximately \$11 million per year, most of which goes to the general fund.

It is estimated that as many as five judicial positions will become available in the year 2008.

MBA Web site

The MBA Web site now includes a page for court information. A subcommittee was formed to review the section and to suggest additional content.

CourtCare Report

Fundraising efforts for the CourtCare program were very successful this year. Approximately \$120,000 was raised from donations. Planning is underway for the 2008 fundraising campaign.

Communication with Local Bar Associations

Kathryn Villa-Smith has offered to continue to attend Court Liaison Committee meetings to represent the Clackamas County Bar. The committee would like to have representatives for the Washington County and Clark County Bar Associations also attend meetings and communicate changes of interest to MBA members. Volunteers from the committee will be assigned to follow up with these counties.

Schedule Coordination

Mike Lewton brought up a need for schedule coordination among the three counties. A subcommittee was formed with Mike and Todd Van Rysselberghe to investigate options.

"Absolutely Social" Social The Grape Escape

Thursday, October 18
The University Club
5-7 p.m.

RSVP via insert in this issue

Featuring Oregon wines selected by attorneys David Markowitz and Albert Menashe especially for the social. Drop in after work for wine tasting and catch up with friends and colleagues.

Generously sponsored by
Cosgrave Vergeer Kester
Garvey Schubert Barer
Gevurtz Menashe Larson & Howe
Harrang Long Gary Rudnick
Klarquist Sparkman
Lane Powell
Markowitz, Herbold, Glade & Mehlhaf
Miller Nash
The Naegeli Reporting Corporation
Northwest Bank
Schwabe Williamson & Wyatt
Tonkon Torp
Tsongas Litigation Consulting
Umpqua Bank Commercial Banking Group & Private Client Services

Judicial Brown Bag features Presiding Judges Dale R. Koch and Jean K. Maurer October 11

On March 23, the Hon. Jean Kerr Maurer was selected by the judges of the circuit court to be the deputy presiding judge until the end of the year and then to succeed the Hon. Dale R. Koch, Presiding Judge, at the end of his term in office.

On October 11, at noon, in the presiding judge's courtroom,

you will have the opportunity to talk to these two individuals in a casual exchange, that won't concern your need for a trial postponement or require you to provide an explanation about why you think your case deserves complex status. But, it will permit you to ask them questions about what was learned in the last four years and what may come in

the future. Bring your lunch and questions and join your colleagues in a casual discussion with these two court leaders.

This event is sponsored by the MBA Court Liaison Committee.

Profile – Thomas Ryan, Multnomah County Circuit Court Judge

By Doug Bray, Multnomah County Circuit Court Administrator.

Thomas Michael Ryan was born in 1960, in Batavia, New York, and the details of his life have been covered previously in a biographical profile by David Bean, published in the March 2006 edition of the *Multnomah Lawyer*.

On February 28, Governor Ted Kulongoski issued a press release announcing the appointment of Thomas Ryan to fill the judicial vacancy on the circuit court created by the retirement of the Hon. Elizabeth Welch from Position 18 on the court. This position was held by Judge Mercedes Deiz from its creation in 1973 until 1993 and thereafter by Judge Welch.

On that February day, Tom Ryan was on the eve of his third anniversary working as a judge pro tempore for the court. Since March 1, 2004, Tom served on the court's criminal and civil referee rotations - presiding over proceedings for traffic and parking violations, felony and misdemeanor first appearances, probation violation dispositions, DUII diversion proceedings, small claims, landlord and tenant matters, and matters in the one-courtroom circuit court

facility in the City of Gresham. He is the ninth member of the court to have served in the referee program prior to becoming a judge of the circuit court.

Judge Ryan took his oath of office as an appointed circuit court judge on March 1, and agreed to serve on the family court. The family court now consists of 10 judges and four referees; it has jurisdiction over all domestic relations, juvenile, probate and misdemeanor offenses involving domestic violence. This assignment fits Judge Ryan well; he has several years experience as an attorney in juvenile dependency and delinquency cases as well as experience on the criminal side for the court's domestic violence cases.

Reflecting on his six months as a circuit court judge, Judge Ryan said that sitting the previous three years as a part of the referee program provided him some helpful preparation.

"Being a referee prepares you for staying on task, dealing with large dockets, and trains you to give courteous attention to each party even if there is very limited time," he said.

By contrast, as a judge on the family court, he finds "the role of the judge requires much more preparation." He says that it is necessary frequently to work into the evening hours preparing for the next day's assignment. He acknowledges that some of the late hours are due to his own desire to be familiar with the issues in an assigned matter and the applicable domestic relations law. While he has extensive practice experience in juvenile and domestic violence cases, he is still learning the details of domestic relations law and procedure.

Judge Ryan appreciates the bar's preparation and patience when appearing before him. He appreciates more the bar's and pro se parties' willingness, when appropriate, to adopt a practical approach to finding a solution to a problem that often appears intractable at the start of a hearing. Moving parties to a mutually agreed upon solution is the best possible outcome, in Judge Ryan's view.

He cites "listening" as one of the most important skills he learned as a lawyer, employed constantly as a referee, and now relies upon

heavily as a circuit court judge. Judge Ryan points out that often he is doing all of the listening early in a hearing to learn the priorities of the parties as they argue their claims. Once he understands those priorities, he says, his job then becomes getting the parties to listen to each other as problem solvers rather than as litigants.

Judge Ryan notes that his settlement skills, also learned as a lawyer, are required constantly in presiding over domestic relations cases. He is most pleased when the parties participate in the development of a practical, creative solution to establish a parenting plan or property division. Those decisions need to be straightforward, as simple as the issues permit, and, if possible, mutually agreed upon, he observed. Getting the parties to that point is often more time consuming than just hearing the parties and ruling, but, he recalls, he got some very good advice from Judge Julie Frantz as he came onto the bench; she told him "you always want to take the time to get to the right answer."



Thomas Ryan

Judge Ryan says he values and looks for creativity in settling cases – working within the law to find the right solution to the matter the parties have brought before the court. He learned this well as an attorney practicing criminal law before Judge William J. Keys. Those who knew Judge Keys know how hard and creatively he worked to settle matters.

Judge Ryan loves being on the circuit court.

"I get up in the morning, and can't wait to get to work," he said.

Judge Keys would have summarized such joy and enthusiasm as "... isn't this a slice of heaven?" And, for Circuit Court Judge Thomas Michael Ryan, it is.

MBA Golf Championship Raises Money for VLP

Twenty teams battled for top honors at the 10th Annual MBA Members Golf Championship on August 14 at Pumpkin Ridge Golf Club. Thanks to our sponsors, tournament participants and the hard work of the MBA Golf Committee Chair Tom Melville and his committee, the event raised approximately \$4,000 for the MBA Volunteer Lawyers Project, managed by Legal Aid Services of Oregon.

The firm low gross winner was Wallace Klor & Mann, and the firm low net winner was Perkins

Coie. In the open category, the low gross winner was the team of Kevin Chames, Steve Larson, Don Templeton and Brian Thompson. The low net winner was the team of Dylan Cernitz, Kelly Evans, Zach Fruchtengarten and Randy Sell. The open and firm low net teams and firm low gross team each received a traveling trophy that they will keep until next year's tournament. Congratulations to all!

A special THANK YOU to all of our sponsors:

AFFINITY SPONSORS

Bank of the Cascades
Canon Business Solutions
Legal Northwest Staffing Specialists
The Naegeli Reporting Corporation
Northwest Employee Benefits Office Depot

PREMIERE SPONSORS

Nationwide Process Service, Inc.
Staffing Solutions / K-Counsel

MAJOR SPONSORS

adidas
Nike
Pacific Legal
Wealth Strategies Northwest

RAFFLE BENEFIT SPONSORS

Hotel Monaco
Portland Marriott Downtown
Pumpkin Ridge Golf Club

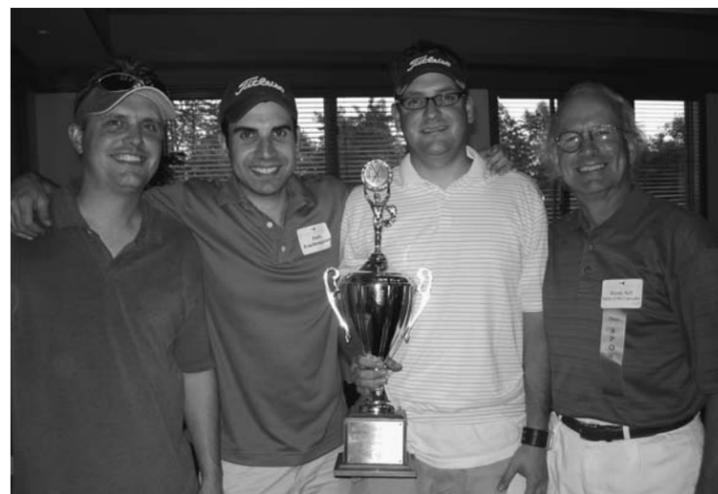
We look forward to seeing you next year!



1st place low gross firm team Evan Wallace, John Klor, Lawrence Mann and Sky Wallace



1st place low net firm team Cody Weston, Chris Garrett, Sarah Crooks and David Symes



1st place low net open team Kelly Evans, Zach Fruchtengarten, Dylan Cernitz and Randy Sell

Giving to MBA Reaps Personal and Professional Returns

By David Bean, YLS President.



In Bill Clinton's new book, *Giving: How Each of Us Can Change the World*, he suggests that giving is one of the more selfish things a person can do. I've held this belief for a long time. Why is giving selfish? Because giving feels good and it pays dividends. Give money to the Multnomah Bar Foundation and have your name published. Give your time and energy to volunteer at one of the YLS in-service days at the Oregon Humane Society and be rewarded by a wagging tail and nonjudgmental camaraderie. Volunteer for the YLS' YOUTHFILM Project and reap the joy associated with knowing you contributed to the civic and arts education of a local middle or high school student.

I've been involved with the MBA YLS since 2001. During that time, I've given my time, energy, ideas

and even my money. I'm really not that generous a guy. I am involved with the MBA because, with relatively little effort, I'm able to accomplish a lot. I've advanced to a marvelous leadership position; I've been given countless family law referrals by people I've met through the YLS; and I've gotten to schmooze with some of the finest lawyers and judges in Multnomah County. I've also honed my leadership, public speaking and organizational skills, enjoyed many happy hours and made lasting friendships. Without a doubt, I'm a better person as a result of my service.

In the spirit of balance and diversity and because I cited a former president whom I admire, I'll quote a former president of whom I'm not nearly as fond. Ronald Reagan once said, "It's true hard work never killed anybody, but I figure why take the chance?" If you want to leverage your limited time, money and energy, aligning with the MBA will enable you to reduce your investment and still realize an outstanding return. Because the MBA YLS is a well-organized, thoughtful and progressive organization, with strong leadership and an amazing staff, it enables people to give with a level of efficiency that they would not be able to achieve on their own. If you want to give, for whatever reason, give through the MBA.

It is my privilege to have been selected by my peers to lead the YLS this year. Having never led an organization of this size and importance, I should be wary, but I'm not and I don't think it's due to hubris. The YLS Board of Directors is such an outstanding group that my job is not so difficult. Catherine Brinkman, last year's president, also made my job easier because she left the organization better than she found it. Thank you Catherine!

My approach will be to empower and assist my fellow YLS Board members, the committee chairs, and the committees in accomplishing all they can and to make sure we stay true to our mission: *To provide leadership opportunities and professional development for young lawyers and to involve them in pro bono and public service.* I encourage all of our members to support our ongoing programs and to develop new ones so that the MBA can continue to thrive. And, if you're not a member, I encourage you to join. If you're under the age of 36 or if you've practiced for less than six years, you're eligible to join the YLS.

A great way to familiarize yourself with opportunities available through the MBA is by visiting our Web site at www.mbabar.org.

So, I urge you to be selfish and give a little. It feels good.

MBA Mentor Program Lessons Learned

James M. Finn, MBA Mentor



I have been doing the mentor/mentee MBA program for a number of years. It has been an easy way for me to share my experiences as a lawyer with lawyers just starting out on their careers. I benefit because it adds perspective on the many different paths that lawyers take in their careers. I've really enjoyed getting to know all my mentees. I mainly try to act as a resource to answer questions about the practice of law, especially my area of litigation, and how to treat lawyers, judges, clients, witnesses and the myriad other people one encounters along the way. I have made my own mistakes

and observed plenty of others, so I pass those observations on. My principal advice is "don't be obnoxious," though I can't say I've always followed my own advice. The other common topic of conversation is how to structure your life and career with a view toward the long haul, trying to maintain balance among all the demands placed on us.

Michael J. Orlando, Mentee
2007 MBA Mentor Program



I signed up for the mentor/mentee program in the hopes of learning things a new lawyer might not normally encounter right away in practice. I was also very curious as to how experienced attorneys handled different day-to-day tasks

and working long hours while maintaining a sense of balance in their life. My mentor provided that and much more. No question was too trivial nor too complex to him. He introduced me around at MBA functions, provided insights into procedure to both Oregon state and federal courts and more importantly, enlightened me on the top five most common pitfalls/bad habits of new and below average attorneys. Those I took strong note of and promise to avoid! Overall, I feel it was a great experience that has benefited me now, and will, going forward.

The Mentor Program is available to all YLS members, not just first-year lawyers. Applications for the MBA Mentor Program may be found at www.mbabar.org and must be returned by November 30. Mentoring matches will be made in December. In January, the MBA will sponsor a mentor "kick off" reception where the newer attorneys will meet their mentors for the first time. Additional social and educational programs will be scheduled throughout the year.

If you have any questions, please contact Catherine Brinkman at 503.222.9981 or cbrinkman@schwabe.com.



YLS hosts brown bag lunch with Oregon author Scott Nadelson

On **October 8**, the YLS hosts a joint event with Literary Arts from **noon to 1:30 p.m.** The event will take place at the Standard Insurance Center Auditorium, 900 SW 5th Ave, on the concourse level. Bring your lunch to this informal gathering in downtown Portland and hear a reading from Nadelson, followed by time for questions and discussion. In addition, Literary Arts will discuss their upcoming Portland Arts & Lecture Series and give away a few tickets to that series.

Scott Nadelson is an award-winning fiction writer who has published two books of short stories - *Saving Stanley: The Brickman Stories*, winner of the 2004 Oregon Book Award for short fiction, and *The Cantor's Daughter*, a finalist for the 2006 Oregon Book Award and winner of the Samuel Goldberg & Sons Fiction Prize for Emerging Jewish Writers. Nadelson is currently working on a few different projects, including a book of essays on the nature of memorials and the ways in which people mark their losses. Nadelson lives in Aurora and teaches at Willamette University.

If you're looking for an opportunity to take in some literature or just re-connect with old friends and make a few new ones, this event will provide an excellent venue for catching up with your peers. The event is free. Please RSVP to the MBA at 503.222.3275 or kathy@mbabar.org.

Join the YLS at The Thirsty Lion!

The MBA YLS is holding a Drop-in Social on Wednesday, October 24 from 5:30-7 p.m. at The Thirsty Lion, located at 71 SW 2nd Ave. This is a casual get-together and a fantastic opportunity to meet and network with lawyers from around the area. So, grab your friends and coworkers and come join us at downtown's finest English public house.

We'll see you there!

Celebrate Fall at the Oregon Food Bank

Please join the YLS Service to the Public Committee and Oregon Lawyers Against Hunger for a special kind of fall harvest at the Oregon Food Bank. We are hosting volunteer events on both Tuesday, October 2, from 6-8:30 p.m. and Saturday, October 27 from 9 a.m.-noon. Family, friends and children over the age of six are welcome to join us. We will sort donations and prepare emergency food boxes that are distributed throughout Oregon. This volunteer event coincides with the 2007 Oregon Lawyers Against Hunger Food Drive, which runs from September 24 to October 5.

Over the coming year, look for additional MBA volunteer events at the Oregon Humane Society, Friends of Trees and SMART (Start Making a Reader Today). These opportunities are geared toward attorneys who seek the satisfaction of making a tangible contribution to the community without making a long-term commitment. To volunteer at the Oregon Food Bank or for more information, email Amber Hollister at ahollister@perkinscoie.com or call 503.727.2191.

ABA Statement Analysis and Business Valuation Publication at 20% Discount to Members

Financial Statement Analysis and Business Valuation for the Practical Lawyer

Here is the know-how you need to translate your clients' financial goals into practical legal solutions. Written for business lawyers, this best-selling guide takes you step-by-step through the key principles of corporate finance and accounting, and demonstrates basic to advanced means of valuing companies.

The book details the various assessment methods and examines the risks and rewards of creating value by acquisition. In addition to examining the

acquisition process, the text provides guidance on how to specifically analyze and extrapolate worth from a business income statement, balance sheet and cash flow statement. A comprehensive index of valuation abbreviations and terms is also included.

This second edition updates the title's content and provides additions to reflect post-Enron, SEC and FASB rules and new rules regarding merger and acquisition accounting.

The MBA member price for this publication is \$139.95, regularly \$169.95. To purchase

We also encourage you to attend the Mergers and Acquisitions CLE seminar on October 24. See insert or register at www.mbabar.org.

this book or to see what others have said about it, log onto www.ababooks.org and enter your member discount source code PAB5EMUL. Your member discount applies to this or any publication featured on the ABA Web site.

Time to Renew your MBA Membership for 2008

Thank you for being a member of the MBA this year. It is time to renew your membership through 2008. You will receive your renewal notice in the mail soon. All you need to do is return your membership form with payment to continue to receive the wide range of benefits the MBA provides. You now have the option of renewing online by visiting www.mbabar.org. Here are just a few reasons to continue your membership:

- Excellent, affordable and convenient CLE seminars
- MBA social events and committees that provide

rewarding networking opportunities

- MBA group health, dental, vision, life, long-term care and disability insurance plans
- Member discounts from LexisNexis, Legal Northwest, The Naegeli Reporting Corporation, Kimpton Hotels, Bank of America MasterCard, Bank of the Cascades, Office Depot, ABA Publications, Canon Business Solutions, The Bar Plan online court bonds, Portland Opera and Oregon Ballet Theater, and Web design and hosting by Appaloosa Business Services

- Resources such as the *Multnomah Lawyer* newsletter, an e-newsletter and our Web site, www.mbabar.org, with news, event listings and member directory

If you would like more information about the benefits of MBA membership, please call Kennedy Smith at 503.222.3275 or visit www.mbabar.org. We look forward to serving you in 2008.

YLS, OSCPA Network During Latest Joint Social

The YLS hosted its annual joint social with the Career Development Section of the Oregon Society of CPAs. The event received overwhelming interest as over 60 young lawyers and accountants attended to network and enjoy food and drinks provided by the social's sponsor, Schwabe Williamson & Wyatt.

This event continues the good will between the YLS and the OSCPA and it generated additional interest for cross-industry networking events on the horizon. The YLS Membership Committee thanks all who attended and helped make the evening such a success. The committee provides

opportunities for young lawyers and other young professionals to meet and get acquainted.



Attorneys and CPAs mingle at the August 21 social

PRO BONO VOLUNTEERS

Thanks to the following lawyers, who recently donated their pro bono services via the Volunteer Lawyers Project, the Senior Law Project, Community Development Law Center, law firm clinics, the Oregon Law Center, the Nonprofit Project and Attorneys for Youth. To learn more about pro bono opportunities in Multnomah County, check out the Pro Bono Opportunities in Oregon handbook, available at www.mbabar.org/docs/ProBonoGuide.pdf.

Brittany Berkey
Dady Blake
Thomas Boardman
Andrew Bobzien
Carson Bowler
Brett Carson
Matt Casper
Maya Crawford
Sarah Crooks
Nicole Deering
Robin DesCamp
Helen Dillon
Emilie Edling
Chris Edwardsen
Sam Friedenberg
Jon Fritzler
Anne Furniss
Dave Gannett
David Gray
Stacy Hankin
Peter Hawkes
James Hein
Stephanie Hines
Charlie Hinkle
Theresa Hollis
Amber Hollister
George Hoselton
Ryan Itel
Ed Johnson
Sam Justice
Garry Kahn

Eric Kearney
Karen Knauerhase
Samantha Lebeda
Elizabeth Lemoine
Justin Leonard
Julie Lohuis
Daniel Margolin
Valerie Master
Tim McNeil
Carl Neil
James O'Connor
Richard Oberdorfer
Andrea Ogston
Susan O'Toole
Joel Overlund
Jeff Payne
Beverly Pearman
Charles Pruitt
Josh Ross
Jill Schneider
Anne Steiner
Sandra Stone
Alex Sutton
Bruce Towsley
Maite Uranga
Richard Vangelisti
Hon. George Van Hoomissen
Aaron Varhola
Britta Warren
Rob Wilkinson
Terry Wright

Mediation • Arbitration

Experienced



36 years in litigation
16 years in arbitration

Effective

FRANK J. SUSAK

(503) 223-6121

222 SW Columbia Street, Suite 1120
Portland, Oregon 97201-6602
fsusak@susaklaw.com

FAMILY LAW MEDIATION

Want help resolving the really tough family law fights?

The ones that can't afford trial. The one's you'll never get paid for?



We enjoy resolving the really tough ones.

We can help with the easier ones, too.

We can resolve any dispute. If we fail, and either client is unable to pay in full for trial, we will contribute up to \$500 to the mutual costs of trial.

PEACE-MAKING www.peace-making.com (503) 228-7256
sasmith@peace-making.com 5745 NE Glisan, Portland, OR 97213

WE SPONSOR A COURSE THAT REPAIRS RELATIONSHIPS.
See www.relationshipstransformation.com.

President's Column

Continued from page 1

The reasons stated in the op ed piece for why a new courthouse must be an immediate priority for the county and the community are not the only reasons (and, indeed, for some, maybe not even the most important ones). The current courthouse presents other public safety issues. In-custody prisoners have no separate, secure route to and from courtrooms, for example. And the lack of an adequate courthouse facility affects the business community too because the problems with the facility impede the ability of

business disputes to be properly and timely resolved. And, finally, in a real way, I believe that the lack of an adequate courthouse affects the very psyche and character of the community as a whole. When most of Oregon's courthouses were built, they were the centerpiece of the urban landscape, reflecting, as they did, the community's deeply held view of the vitally important role that courts (and the rule of law, generally) played in community well being. The current courthouse reflects a very different view (which troubles me and, hopefully, all of you as well) – the loss of respect for the role of the courts (and the rule of law) in community well being. And that loss of respect, I submit,

is not only bad in and of itself, but threatens to impair the vitality and well being of the downtown community, if not the entire county and state. Indeed, the degraded respect for our "halls of justice" threatens the very well being of this place that we live, work and love.

The MBA has a number of ongoing initiatives focused on getting a new courthouse built as soon as possible. Please help those initiatives with your time and money when asked. And, don't be afraid to give me a call if you have your own thoughts and ideas on the courthouse issue and, most importantly, how to avoid both a tragedy like what happened in

Minneapolis, and the loss forever of the important values and benefits that an adequate, safe and well functioning courthouse reflects and provides our community.



**Pause.
Stretch.
Make a deposit.**

*Without leaving
your office.*

<p style="text-align: center;"><i>New Partnership Financing Program</i> Visionary IOLTA Status</p>	<p>THE COMMERCE BANK OF OREGON</p>
<p>MOLLY WHITMORE 503.548.1104</p>	
<p>INFO@TCBOREGON.COM</p>	

<p>D.M. (MET) WILSON 503-972-5090 met@wilsonadr.com</p>		<p style="text-align: center;">OREGON SUPER LAWYER IN DISPUTE RESOLUTION 2006</p>
<p>Mediation and Arbitration of Business and Commercial Disputes</p> <ul style="list-style-type: none"> • Banking/Finance • Business Torts • Contracts • Construction • Insurance Coverage • Real Estate • Securities • Transportation • <i>Will travel</i> • <i>Resume at www.wilsonadr.com</i> • <i>Call or email for references</i> <p style="text-align: center;">WILSON DISPUTE RESOLUTION 1211 SW 5th Ave., Ste. 2950 (reception on 30) Portland, OR 97204</p>		

<h2 style="margin: 0;">Fire Loss Claims?</h2>	
<ul style="list-style-type: none"> • 18 years experience as a General Contractor. • Experienced fire and casualty insurance adjuster. • Available to represent the insured party in maximizing recovery from the insurer. 	
<p>FRED MILLARD ATTORNEY AT LAW 503 352-1991 6650 SW Redwood Lane, Suite 330, Portland, Oregon 97224 <i>Admitted to practice in Oregon and Washington</i></p>	

<h1 style="margin: 0;">Multnomah Bar Association Group Health Insurance</h1>		<p style="font-size: small;">A Century of Service</p>  <p style="font-size: x-small;">MULTNOMAH BAR ASSOCIATION EST 1906</p>
<p>Exciting Changes to Multnomah Bar Association Medical Insurance Plans</p> <ul style="list-style-type: none"> • 2 New PPO plans make the MBA plans more attractive than ever • Any Oregon or Clark County, Washington Law Firm is Eligible to enroll • Firms with offices outside Oregon can enroll accessing 2 Nationwide PPO networks 		
<p>Advantages of MBA Plans</p> <ul style="list-style-type: none"> • Law firms of any size eligible to enroll Sole practitioners to law firms of any size • Non attorney staff also eligible • Covers offices located outside Oregon • No Health Statement – Guaranteed Issue • Covers all pre-existing conditions • Easy administration – Law firm receives one bill and pays with one check regardless of how many different plans are selected • COBRA administration provided • Discounted Fees for Section 125 Flexible Spending Account Administration • Life and Disability Income Coverage Available 	<p>Each Employee Can Select a Plan From a Menu of 9 Available Plans</p> <p>UNITED HEALTH CARE <i>Replaces PacifiCare</i></p> <ul style="list-style-type: none"> • 2 New PPO plans • 1 New H.S.A. plan • Nationwide PPO Network • PPO Network Includes All Portland Metro Area Hospitals <p>PROVIDENCE</p> <ul style="list-style-type: none"> • 2 EPO Plans • 1 PPO Plan • 1 H.S.A. Plan • Nationwide PPO Network <p>KAISER</p> <ul style="list-style-type: none"> • 2 Medical Plans • Dental and Vision 	<p>DENTAL AND VISION</p> <ul style="list-style-type: none"> • Oregon Dental Service (ODS) <i>See any dentist</i> • Vision Service Plan (VSP)
<div style="border: 1px solid black; background-color: #333; color: white; padding: 10px; border-radius: 10px;"> <p><i>For more information, contact:</i> Northwest Employee Benefits, Inc. 4300 NE Fremont, Suite 260 Portland, Oregon 97213 1-800-284-1331 www.nwebi.com</p> <p><i>On the website, click on "Benefits Login." The password is: MBA (all caps).</i></p> </div>		

Court Bonds



Anytime...
...Anywhere.

Partnering with...
A Century of Service

Underwritten by...
THE BAR PLAN

MULTNOMAH BAR ASSOCIATION
EST 1906

www.mba.onlinecourtbonds.com
877.553.6376 Fax: 888.658.6761

Hawthorne Bridge - Portland, 1910



"We build too many walls and not enough bridges."
SIR ISAAC NEWTON

With over 30 years of successful civil trial experience, Jeffrey Foote views mediation as an effective process for adversaries seeking to save time, resources and reduce risk. Jeff's track record of honesty, fairness, and proficiency makes him uniquely qualified to assist parties in reconciling personal injury, employment, environmental, and commercial disputes in Oregon and Washington. Transitioning from warrior to peacemaker wasn't easy, but then again, neither was discovering the Universal Laws of Gravitation.

JEFFREY FOOTE MEDIATION
JEFFREY FOOTE, PC
1515 SW Fifth Avenue, Suite 808 Portland, Oregon 97201
Telephone: 503-228-1133 Fax: 503-228-1556 email: jfoote@footelaw.com



Jeff Batchelor

Mediator and Arbitrator

Listed in *The Best Lawyers in America*®
for Alternative Dispute Resolution
and Appellate Law

503.295.3085 JeffBatchelor@MHGM.com www.MHGM.com
MARKOWITZ · HERBOLD · GLADE & MEHLHAF · PC

K. William Gibson
Arbitration/Mediation Statewide



When you need someone to get to your office fast
...no matter where you are in the Northwest.

Available for single arbitrator court cases or panels.
Personal injury, insurance disputes, contract
disputes, employment and business disputes.

Tel. 503-659-6187 Email bgibson@cnnw.net

HPnorthwest

*Consultants, Actuaries & Administrators
for Retirement Plans and Trusts*

12511 SW 68th Avenue
Portland, Oregon 97223
(503) 597-1600

www.hpnorthwest.com

HPnorthwest is an assumed business name of Heintzberger Payne & Company, LLC

Office DEPOT

MBA Member Discount Program

**The ONE STOP for all
your office needs!**

Office Supplies - Printing - Technology - Furniture

To find out more about the special discount program
available to Multnomah Bar Association members, call
James Morris at 503-240-4516, e-mail him at
james.morris-portland@officedepot.com, or visit the
Multnomah Bar Association website at www.mbabar.org.

Complex Business and Commercial Disputes
Tort and Casualty Litigation
Employment Law
Construction Law

ARBITRATION ← **MEDIATION**



Law Office of Albert J. Bannon
503-382-0722
abannon@hk-law.com

*Over 35 years of experience as a trial lawyer and
15 years as a mediator and arbitrator.*

CLASSIFIEDS

space

DOWNTOWN PORTLAND
\$560 per month. 11' x 13' office w/huge window in well appointed suite with four civil practitioners. Five blocks to courthouse. 522 SW 5th Ave #812. Inquiries, call 503.228.7569.

PROFESSIONAL OFFICE SPACE IN DOWNTOWN PORTLAND
Available August 1, 2007. Single office 11' x 15', with 10th floor view. Comes with local telephone service, calls answered by in-house receptionist, and use of a conference room and law library. In-building gym available for free use of tenants. Office has newer carpet and is located in well-maintained building near Pioneer Courthouse Square. Call 503.243.2733.

OREGON CITY OFFICE
John Henry Hingson III has one office available in his building at 409 Center Street, Oregon City. Close to elevator; off-street parking; law library; conference room; share copier, fax, etc. with three other lawyers. Contact John Henry Hingson III, phone 503.656.0355, email johnh@hingson.com.

positions

PARALEGAL
Markowitz, Herbold, Glade & Mehlhaf, P.C. is planning to hire a litigation paralegal. We require at least three years of experience in complex civil litigation, especially litigation technology, including electronic databases, trial presentation software and e-discovery.

The firm currently has 36 employees, including 14 attorneys and five paralegals. Our cases primarily involve business-related disputes in a wide variety of areas, including commercial transactions, business torts, securities, corporate and business entities, insurance and ERISA, real estate, accountant liability, employment, construction and large estates. Our paralegals have the opportunity to work on interesting cases with a fine group of professional colleagues and staff. The firm offers excellent benefits, and we recently received the OWLS Workplace Leader Award.

Please send resumes to Cynda Herbold at 1211 SW 5th Ave, Portland OR 97204 or via email to cynda@herbold@mhgm.com.

ASSOCIATE
Markowitz, Herbold, Glade & Mehlhaf, P.C. is planning to hire a litigation associate. The position is open until filled. Experience required: mid-level associate – at least three years of experience in complex civil litigation and/or administrative proceedings, e.g., land use and environmental disputes.

We currently have 14 attorneys at the firm. Our cases

primarily involve business-related disputes in a wide variety of areas, including commercial transactions, sports and entertainment agreements, business torts, securities, shareholder and other corporate and business entity disputes, insurance and ERISA disputes, real estate, accountant liability, employment, construction and large estate disputes. Associates have the opportunity to work on interesting cases with a fine group of professional colleagues and staff. The firm offers excellent benefits, and we recently received the OWLS Workplace Leader Award.

Please send resumes and writing samples to Cynda Herbold at 1211 SW 5th Ave, Portland OR 97204 or via email to cynda@herbold@mhgm.com.

EXPERIENCED CA TRIAL ATTY SEEKS TO RELOCATE TO PDX
Open to all possibilities, though interested in contract or law firm admin. Email sswift@care2.com FMI, resume.

THE LAW OFFICE OF GARY G. NORRIS
A three-attorney firm located in McMinnville seeks an associate to join its civil litigation and insurance defense practice. Candidates should have one to four years' experience in civil trial practice. Prior experience in insurance defense would be helpful. Top 1/3 of graduating class or higher preferred. The position offers the opportunity for rapid increase in responsibility depending on progress, and a collegial small firm atmosphere in one of Oregon's most livable communities. Competitive salary and benefits. EOE. Please send cover letter, transcript, resume and writing sample to Law Office of Gary G. Norris, attn: Gary Norris, 1006 NE 3rd St Ste A, McMinnville OR 97128. Phone 503.472.3770, fax 503.472.2349, email gary@ggnlaw.com.

PRO BONO & LRAP COORDINATOR
Part Time

OSB is looking for someone to join our team as a part-time employee!

Develop and implement all aspects of the Pro Bono Program, administer the Loan Repayment Assistance Program (LRAP), and assist the department manager to achieve other objectives of the Legal Services Program.

Salary range starts at: \$2,322/mo for 24 hr weeks. Excellent benefits. PERS employer.

For full job details and requirements see OSB Job Opportunities at www.osbar.org.

Equal Opportunity Employer

AFFIRMATIVE ACTION PROGRAM COORDINATOR
OSB is looking for someone to

join our team in the Affirmative Action Program (AAP)!

The AAP Coordinator promotes diversity through the establishment, coordination, implementation and evaluation of AAP programs with the goal of increasing and sustaining bar membership diversity.

Salary range starts at: \$4,482/mo. Excellent benefits. PERS employer.

For full job details & requirements see OSB Job Opportunities at www.osbar.org.

Equal Opportunity Employer.

FREIGHTLINER
Position Title: Corporate Counsel
Department: Legal
Location: Portland, Oregon
Posting Period
From: August 30, 2007
To: Until Filled
Position Number:30041-0707i

Qualifications/Essential Functions
Requirements: Direct and

manage, on a case-by-case basis, claims and lawsuits against the company concerning product liability, warranty, and associated matters.

You will select and manage local counsel; recommend retention of outside experts; select and coordinate internal and external members of defense teams; and work with Associate General Counsel and local counsel to develop defense strategies.

You will undertake alternative dispute resolution to resolve appropriate cases; develop cost containment strategies; and coordinate and respond to discovery requests on behalf of company.

In addition, you will assess claims and initiate appropriate actions to settle the claims or defend the company; analyze and recommend claims and litigation reserves; and assist in litigation-related and preventive law-related matters.

Basic Qualifications:
Law degree and admission to the Oregon Bar, with four years of law firm or in house experience with a focus on commercial and product liability litigation. Must be capable of handling a high volume caseload and time-sensitive assignments and demands. Strong negotiation, organization, and written and verbal communication skills are also essential. This position requires some travel.

Apply at www.freightliner.com.

services

ATTENTION, OVERWORKING ATTORNEYS
Contract attorney available to draft your pleadings, motions, responses, legal research, trial prep. Fed and state. Over 600 projects completed. Excellent references. Katherine Foldes 503.641.7010.

Customized ADR Services

Janis Sue Porter, *Executive Director*
1000 SW Broadway, Suite 1710 Portland, Oregon 97205
www.usam-oregon.com / (503) 223-2671 / USAM@usam-oregon.com

Personal Injury / Product Liability

- E. Richard Bodyfelt
- Rodolfo Camacho
- John Cavanagh
- Ralph Cobb
- Thomas E Cooney
- Hon. Mary Deits
- Douglas Green
- John Holmes
- Hon. James Ladley
- Noreen McGraw
- Frank Moscato
- Marvin Nepom
- Daniel O'Leary
- Katherine O'Neil
- Hon. R. William Riggs
- Hon. Betty Roberts
- Hon. John Skimas
- Ralph Spooner
- Hon. George Van Hoomissen
- Hon. Lyle Velure
- Hon. Stephen Walker
- William Wheatley



Labor / Employment

- Edward Brunet
- Rodolfo Camacho
- Thomas E Cooney
- Hon. Mary Deits
- Michael C Dotten
- Douglas Green
- John Holmes
- Hon. James Ladley
- Noreen McGraw
- Frank Moscato
- Daniel O'Leary
- Katherine O'Neil
- Hon. R. William Riggs
- Hon. Betty Roberts
- Hon. John Skimas
- Jeffrey Spere
- Hon. George Van Hoomissen
- Hon. Lyle Velure
- Hon. Stephen Walker

Business / Construction / Real Estate

- E. Richard Bodyfelt
- Edward Brunet
- Rodolfo Camacho
- Ralph Cobb
- Thomas E Cooney
- Hon. Mary Deits
- Michael C Dotten
- Arnold Gray
- John Holmes
- Hon. James Ladley
- Noreen McGraw
- Daniel O'Leary
- Katherine O'Neil
- Hon. R. William Riggs
- Hon. Betty Roberts
- Michael Silvey
- Hon. John Skimas
- Jeffrey Spere
- Hon. George Van Hoomissen
- Hon. Lyle Velure
- Hon. Stephen Walker
- William Wheatley

One-stop resource.

Placing temporary and full-time employees with clients in the legal, business and IT fields.

Staffing Solutions is a complete, one-stop resource for clients needing temporary and full-time employees and applicants looking for a perfect assignment to match their skills. We provide services to both applicants and clients to maintain a high standard of performance and professionalism. Headquartered in Portland and locally owned, we have grown to be one of the most respected and best known staffing leaders in the legal, business and IT fields. Staffing Solutions is WBE certified in the State of Oregon.

Legal

- Attorney
- Manager/Administrator
- Paralegal
- Legal Secretary
- Help Desk & Software Trainer
- Office Support

Business Services

- Office Manager
- Administrative Assistant
- Secretary
- Word Processing Operator
- Data Entry Clerk
- Records Specialist
- Receptionist
- Accounting Clerk
- Human Resources Clerk
- Customer Service Clerk

Information Technology

- PC & Desktop Support
- Networking & Systems Specialist
- Database Development
- Applications Development
- Software Engineer
- Software QA
- Website Design

STAFFING SOLUTIONS



Staffing Solutions, LLC / K-Counsel®
www.staffingsolutionsllc.com

610 SW Broadway, Suite 500 • Portland, OR 97205 • T: 503.295.9948 • F: 503.295.9977 • E: admin@staffingsolutionsllc.com



PEERLESS
Estate Sales

There is no substitute
for peace of mind.

503/233.4651 www.PeerlessPlace.com



APPRAISALS ■ ESTATE SALES ■ MOVING SALES

CRAIG MURPHY



Arbitration & Mediation
25 years of Litigation Experience
Emphasis on Wrongful Death
and Personal Injury Claims

Phone: 503-227-5594
ccm@murphymediation.com

Schedule available dates online at:
www.murphymediation.com

**Don Jacobs
knows
Washington
courts.**



For over 25 years, Vancouver attorney Don Jacobs has represented plaintiffs in Washington and Oregon. He is available to help with your Washington cases.



Vancouver 360-695-1624
Portland 503-222-7757
don@nwinjurylawcenter.com
www.nwinjurylawcenter.com

DAN GILROY DESIGN
building web sites for lawyers



THIS FALL, CHANGE

Dan Gilroy Design
www.dangilroy.com
503-754-8167

RENTAL SALES GALLERY



Jonnel Covault, *Moment's Rest*, 2004

Art for rental and purchase

A rich resource for the art of our region, the Rental Sales Gallery represents over 250 artists — all from Oregon — with an inventory of over 1,500 works in a variety of mediums. You are sure to find the perfect works of art for as low as \$40 for three months.

Search our collection at portlandartmuseum.org.

1237 SW 10th Avenue in the Eliot Tower
503.224.0674 rentalsales@pam.org



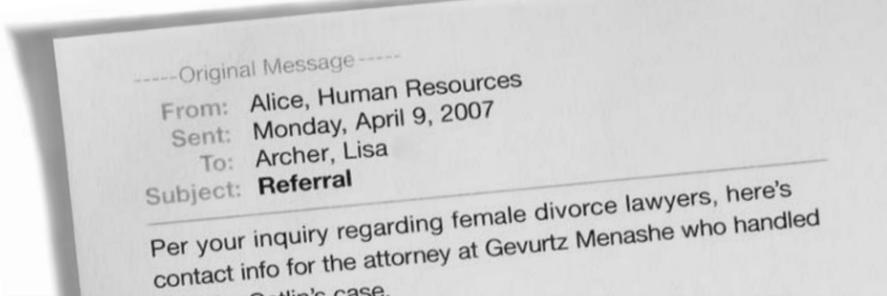
Sam Imperati, JD
Mediator



Tip:
Ask your prospective mediator if they are transformative, facilitative, or evaluative in approach.
Will their style be a fit?



**Institute for
Conflict Management, Inc.**
503.244.1174
mediate.com/icm



-----Original Message-----
From: Alice, Human Resources
Sent: Monday, April 9, 2007
To: Archer, Lisa
Subject: Referral

Per your inquiry regarding female divorce lawyers, here's contact info for the attorney at Gevurtz Menashe who handled [redacted]'s case.



Half of our team of partners and associates are women. No matter who you are, we have the experience to help you protect what's important.

GEVURTZ Attorneys at Law
◆ MENASHE
The firm you want on your side

Portland, 503.227.1515 OregonDivorceLawyers.com



**Arbitration
&
Mediation**

Douglas G. Beckman
503-287-7977

dougbeckman@comcast.net
Fax: 503-210-7688
P.O. Box 13365, Portland, OR 97213

Students Enjoy Freedom of Assembly at Constitution Day Event



M U L T N O M A H B A R
F O U N D A T I O N

The United States Constitution turned 220 years old on September 17, and the League of Women Voters, with help from a \$1,000 grant by the Multnomah Bar Foundation, hosted student activities at Portland State University, which included a speech by Oregon Bus Project Founder Jefferson Smith, who urged middle and high school students to “have courage” to

vote when the time comes. After the kids broke into groups to discuss the importance of the Bill of Rights, they reassembled to hear Oregon Supreme Court Chief Justice Paul J. De Muniz talk about the three branches of government.

“The reason our constitutional democracy has endured is because people respect the

judicial branch of government,” he told the students. “We must continue to educate young men and women like yourselves to keep the judicial branch free of political influence, so that justice is available to everyone, everywhere.”

The event was co-presented by the Classroom Law Project.



Oregon Supreme Court Chief Justice Paul J. De Muniz prompts students to name the three branches of government



Want to accomplish double the work with half the effort?



Get LexisNexis Total Practice Advantage™

“By using Total Practice Advantage and other LexisNexis products, each lawyer at our firm has become more productive ...”

—Joseph Blum, Senior Partner, Frey Petrakis Deeb Blum & Briggs

With its unique ability to integrate the legal and business sides of your practice, LexisNexis Total Practice Advantage creates opportunities to work more efficiently—with almost every task you do. Improved case and document management, communications, calendaring and billing put you on track for increased productivity, bigger profits, happier clients—and double the satisfaction.

Two Great Offers!
Get a Gas Card Valued At \$20 And A Free Case Study!*

Find out how to double your gas cards ...
www.lexisnexis.com/double

A MEMBER BENEFIT OF



M U L T N O M A H B A R A S S O C I A T I O N
1906

T O T A L P R A C T I C E S O L U T I O N S
Client Development | Research Solutions | Practice Management | Litigation Services



* Some restrictions may apply. Offer ends November 30, 2007. Must be an attorney practicing at a 1 – 50 law firm to be eligible for this offer. One offer per law firm only. Must answer 6 survey questions to receive one \$20 gas card.

LexisNexis and the Knowledge Burst logo are registered trademarks and LexisNexis Total Practice Advantage is a trademark of Reed Elsevier Properties Inc., used under license. © 2007 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

TPA9501