

MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION

1906

Lawyers associated for justice, service, professionalism, education and leadership for our members and our community. February 2011 Volume 57, Number 2



Join the Transformation

By Sarah Crooks, MBA President.

Our lives are constantly changing, and we do our best to keep up. And, on occasion, we resolve to transform aspects of our lives, i.e., New Year's resolutions. Change and transformation also occur regularly and rapidly in the legal profession.

Collectively, we continually work to channel this change toward positive improvement in the legal profession. I challenge you to join me in resolving this year to join one of the many local efforts to effect positive change in our profession.

Without question, the practice of law has changed significantly since many of our more senior attorneys in the Multnomah Bar started practicing more than 40 years ago. As my law partner, Jim Gidley, explained to me recently, the law has become more complicated since he first started practicing in 1967, and as a result, attorneys have had to become more specialized in their law practices. Jim has watched as some areas of law have sprung up or expanded exponentially, like trademark and patent work, and other areas have virtually disappeared, like longshore and harbor workers litigation against stevedores. Jim has also experienced (and survived) the advances in technology that have transformed how our clients maintain records, how everyone communicates, how attorneys file pleadings and motions with the courts, and how we sell our arguments to judges or juries. Despite the rapid technology changes and increased pressures these changes have placed on attorneys, Jim remains undaunted and believes these changes in the legal profession, on balance, have been good.

Even though these changes have come with many benefits, the changes have also come with costs, which everyone, including Jim, recognizes. The ever-increasing pace of the legal profession, and life more generally, adds to the pressures and stresses we must manage. The competing demands for our attention and time have always been there, but with the relentless flow of email messages, those demands can take on a heightened urgency. We now talk about addictions to BlackBerries and iPhones, "battle fatigue," and just plain exhaustion from the demands of practicing law. We are also starting to talk about the changing definition of competency for attorneys and what will be required for future generations of attorneys to be successful. And we are watching the next generation of attorneys graduate from law school with extraordinary amounts of law school debt and diminishing opportunities for legal jobs. Although the legal needs of our community are great, with less than 20 percent of the legal needs of poor Oregonians being met, fewer legal jobs, high paying or not, are available today for these new attorneys. These various pressures on our legal profession will result in more changes that, hopefully, will continue to improve our profession.

I am not writing with the proposed answers to these issues, but rather with a challenge. I challenge you to engage in the discussions about transforming our profession. These discussions are happening regularly, and you are invited to participate. For example, the MBA YLS Futures Committee, formed several years ago, has been studying the generation gap among practicing attorneys and developing ideas for bridging that gap. Specifically, the Futures Committee is looking for ways to increase the job satisfaction for the next generation of attorneys. Additionally, the MBA Equality Committee is working to transform our profession by promoting diversity in our legal community. In 2009, the MBA Board adopted the MBA Statement of Diversity Principles, www.mbabar.org/diversity.htm. Since its adoption, we have encouraged attorneys and legal employers to acknowledge their commitment to enhancing the diversity of our legal profession by pledging to follow the Diversity Principles, and many of you and your legal employers took the pledge. Similarly, the Executive Committee of the OSB Diversity Section is organizing the Convocation on Equality for November 2011 to continue discussing ways that we can enhance diversity in our profession - get involved in that discussion.

Today, we are helping more people with more complicated legal and societal problems than ever before, which is good. But the practice has more challenges now than it did before, and as a profession, we need to meet those challenges. The MBA strives to help our members and our legal community meet these challenges through various efforts, including the MBA Professionalism Statement, the MBA Statement of Diversity Principles, the Pro Bono Pledge and the MBA YLS Futures Committee. But there is still much to be done.

As 2011 is just getting started, I hope that you will resolve to get involved in transforming our legal profession.

MBA Board Elections

The MBA bylaws provide for a slate of candidates to be presented to the membership at least 60 days prior to the annual meeting. The slate of candidates and the ballot insert will be included in the March issue of the *Multnomah Lawyer*.

The bylaws also allow for nominations from the membership at large. A nominating petition, endorsed by the nominee and at least 10 other MBA members, **must be received by 5 p.m. on Wednesday, February 9, in the MBA office.**

Ballots will be included with the March newsletter; they will be due to the MBA office by 5 p.m. on Thursday, April 1. Winners will be officially announced at the MBA Annual Meeting on Tuesday, May 17.

MBA CLE

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

February

Thursday, February 3
Aiding and Abetting in Employment Discrimination Cases

Courtney Angeli
Dana Sullivan

Thursday, February 24
Real Property Deeds and Title Insurance in Oregon

Alan Brickley
Rob Lowe
Jim Reinhart

March

Tuesday, March 1
Unique Issues in Estate Planning for Gay Clients

Beth Allen
Beth Wolfsong

Thursday, March 3
Intellectual Property for the Non-IP Practitioner

John Mansfield
Devon Newman

Tuesday, March 15
Environmental and Land Use Issues

Rick Glick
Michelle Rudd
Jeff Kleinman

Tuesday, March 29
The Latest in Whistleblowing
Amy Alpern
Caroline Guest

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*or the preceding Friday, if on a weekend.

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Member Resource Center

Welcome to the member resource center, where you will find information of importance to members and the legal community at large.

courthouse watch

- MBA representatives continue to serve on two county committees focusing on the downtown courthouse; one is studying the courthouse needs and another is exploring funding options.
- The county contracted with SERA Architects to study the feasibility of renovating the current downtown courthouse while maintaining substantial court operations. A mid-contract report was given in December. Final analysis, recommendations and construction cost estimates will be reported in March, 2011. The preliminary report finds that such a renovation would likely take between four and one-half to six years to complete. Work would occur between 4 p.m. and 1 a.m. and/or possibly on weekends. Seismic and security upgrades would come first, followed by new HVAC and phasing in its replacement of current systems. Construction would be done two floors at a time, with staging on Salmon which would cause its closure during the renovation timeframe. The goal will be to design for contemporary courthouse standards where possible. The preliminary report indicates that certain operations would be moved out of the building during construction and some would be permanently removed to other buildings. When the final report is available, we will include it on the MBA Web site, with an executive summary in a spring newsletter issue.

Pro Bono Opportunities

The Children's Representation Project is presently seeking attorneys to represent children whose parents are involved in custody disputes in Multnomah County. Cases are assigned through the Multnomah County Family Law Court. Attorneys with family law and juvenile law experience are especially needed for this project. *This program is covered by PLF insurance, no independent coverage required.*

For more information, please contact Brandy Jones at 503.988.3060 or brandy.l.jones@ojd.state.or.us.

Downloadable CLE Seminars

Audio recordings of past MBA CLE seminars are now available for download and use on your personal computer or MP3 device. Simply purchase online and download the audio and written materials in minutes. MCLE-accredited content includes Child Abuse Reporting, Multnomah County Judges Trial Practices, and Ethics Update, among others. Visit the MBA's dedicated MCLE Web site at www.oregoncle.com for more details.

Find Us on Facebook!

The MBA, YLS and YOUthFILM Project all have their own Facebook pages. Members are encouraged to join and receive calendar updates and information about MBA activities.

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CALENDAR

For a complete MBA calendar, please visit www.mbabar.org. To add your organization or firm's annual events to the MBA online calendar, contact Carol Hawkins, carol@mbabar.org.

February

3

Thursday, MBA CLE – Individual Liability in Employment Discrimination Cases
See insert or register at www.mbabar.org.

8

Tuesday, YLS Board meeting

9

Wednesday, MBA Board election nominating petitions due

10

Thursday, March *Multnomah Lawyer* deadline

11

Friday, Oregon Hispanic Bar Association Annual Award Dinner at Portland Hilton

14

Monday, Pro Bono Award Nomination Deadline
See p. 6 for details.

15

Tuesday, Community Service at The Children's Book Bank
See p. 7 for details.

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Thursday, FBA Annual State of the Courts Luncheon at University Club
Visit www.mbabar.org/calendar.htm for details.

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Monday, Presidents' Day Holiday
MBA office closed.

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Tuesday, CEJ Annual Luncheon at The Governor Hotel
Visit www.cej-oregon.org for details.

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Thursday, MBA CLE Real Property Deeds & Title Insurance in Oregon
See insert or register at www.mbabar.org.

March

1

Tuesday, MBA Board meeting

Tuesday, MBA CLE – Estate Planning for the Gay Community
See insert or register at www.mbabar.org.

3

Thursday, MBA CLE Intellectual Property
See insert or register at www.mbabar.org.

Thursday, OSB Creditors Section and LASO Bankruptcy Clinic
For more information, contact maya.crawford@lasoregon.org.

5

Saturday, WinterSmash at 20th Century Lanes
See p. 11 for details.

8

Tuesday, YLS Board meeting

10

Thursday, April *Multnomah Lawyer* deadline

11

Friday, OWLS Awards Dinner at The Governor Hotel
Visit www.oregonwomenlawyers.org for details.

12

ACLU Foundation of Oregon Liberty Dinner at Hilton & Executive Tower
Visit www.aclu-or.org for details.

15

Tuesday, MBA CLE Real Estate/Land Use/Environmental Law
See insert or register at www.mbabar.org.

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Friday, YLS PDE Seminar How to Get Along with Opposing Counsel
See insert or register at www.mbabar.org.

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Tuesday, MBA CLE – The New Oregon Whistleblower Statute
See insert or register at www.mbabar.org.

30

Wednesday, MBA CLE Annual Family Law Update
See insert or register at www.mbabar.org.

April

1

Friday, MBA Board election ballots due

5

Tuesday, MBA Board meeting

8

Friday, May *Multnomah Lawyer* deadline

12

Tuesday, YLS Board meeting



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Ethics Focus

By Mark J. Fucile, Fucile & Reising.

Reciprocal Discipline The Other Side of the Reciprocity Coin



A perverse side effect of increased reciprocal admission is increased reciprocal discipline. When a lawyer is admitted to practice in another state, the lawyer also submits to the disciplinary jurisdiction of that other state - even for conduct occurring in the lawyer's "home" state. The idea is that discipline in one jurisdiction may raise questions regarding the lawyer's fitness generally.

In this column, we'll look at three aspects of reciprocal discipline: (1) when does a lawyer have to report? (2) what happens next? and (3) is the same discipline automatic? With each, we'll focus on Oregon but also look at the corresponding rules in Washington and Idaho.

Reporting

Oregon RPC 8.1(b) requires an Oregon licensee to report any disciplinary action begun in another jurisdiction:

"A lawyer admitted to practice in this state shall, within 30 days after receiving notice thereof, report in writing to the disciplinary counsel of the Oregon State Bar the commencement against the lawyer of any disciplinary proceeding in any other jurisdiction."

Oregon RPC 8.1(b) is based on former Oregon DR 1-103(D), which was adopted in 1983 and has no counterpart in the ABA Model Rules.

Oregon's reciprocal discipline rule differs significantly from its counterparts in Washington and Idaho in both timing and substance. On timing, Washington and Idaho only require reporting once discipline has been imposed rather than simply begun. Washington Rule for the Enforcement of Lawyer Conduct 9.2(a) and Idaho Bar Commission Rule 513(a) require lawyers to report disciplinary sanctions within, respectively, 30 and 14 days. On substance, as noted, Washington and Idaho require licensees to report the sanction imposed rather than simply that disciplinary proceedings have begun.

What Happens Next?

The mechanics of reciprocal discipline are governed by Bar Rule of Procedure 3.5. When discipline is imposed in another jurisdiction against an Oregon

lawyer, the Office of Disciplinary Counsel notifies both the State Professional Responsibility Board (SPRB) and the Supreme Court. The bar files the disciplinary sanction from the other state with the Supreme Court along with a recommendation by the SPRB on reciprocal discipline in Oregon. The lawyer then has 21 days to respond.

Under BR 3.5(b), the judgment (or equivalent) from the other state is deemed "sufficient evidence ... that the attorney committed the misconduct described[.]" Therefore, the lawyer's answer under BR 3.5(c) is effectively limited to two questions:

- "(1) Was the procedure in the jurisdiction which disciplined the attorney lacking in notice or opportunity to be heard?"
- "(2) Should the attorney be disciplined by the court [in Oregon]?"

Under BR 3.5(f), the lawyer has the burden of proof on due process challenges.

Once the lawyer has answered and the bar has replied, the Supreme Court has the discretion under BR 3.5(e) to: (a) issue a decision based on the record; (b) order oral argument; or (c) refer the case to the disciplinary board for a hearing limited to the two questions noted above under BR 3.5(c). If the matter is referred for a disciplinary board hearing, it remains subject to further review by the Supreme Court.

Although varying somewhat, the procedures for reciprocal discipline in Washington (ELC 9.2) and Idaho (BCR 513) are generally similar to Oregon.

Is the Same Discipline Automatic?

Although the Oregon Supreme Court often imposes the same discipline as the other state concerned (see, e.g., *In re Humphreys*, 19 DB Rptr 65 (2005) (disbarment here followed the identical sanction in Texas)), that result is not automatic. The Supreme Court discussed its approach to sanctions in reciprocal discipline in *In re Devers*, 317 Or 261, 265, 855 P2d 617 (1993):

"In the usual reciprocal discipline case, the acts of an accused violate the disciplinary rules of both jurisdictions. In determining an appropriate

2011 MBA Firm Visits

Our interactive firm visits are dedicated to finding out what members would like from their MBA membership and how they prefer to volunteer, network and receive communications. MBA representatives include a member of the Court Liaison Committee to answer questions about the courts and to elicit feedback on how the courts could improve services and operate more efficiently. The MBA team also includes representatives for both young and more experienced lawyers as well as a pro bono expert. Participants will learn more about the MBA and the Volunteer Lawyers Project (VLP).

If you would like our team to come to your office over a noon hour, please contact Guy Walden at 503.222.3275 or guy@mbabar.org.

Help Get Books in the Hands of Children!

On Tuesday, February 15, 6-8 p.m., the MBA will sponsor a member volunteering event with The Children's Book Bank. Please see details on p. 7.

sanction, however, this court focuses on the accused's misconduct under the Oregon disciplinary rules. We do so because our choice of a sanction vindicates the judicial authority of this jurisdiction, not of the one in which the earlier discipline occurred."

Accordingly, the Supreme Court may increase the sanction (see, e.g., *In re Page*, 326 Or 572, 955 P2d 239 (1998) (30-day suspension in Oregon followed public reprimand in Washington)) or decrease it (see, e.g., *In re Coggins*, 338 Or 480, 111 P3d 1119 (2005) (Oregon Supreme Court declined to impose reciprocal discipline on a lawyer reprimanded by the Tenth Circuit)).

The Washington and Idaho Supreme Courts have similar discretion under their respective rules (see generally *In re Immelt*, 831 P2d 736 (Wash 1992) (discussing reciprocal discipline in Washington); *Idaho State Bar v. Everard*, 124 P3d 985 (Idaho 2005) (imposing reciprocal discipline)).

On a final note, it is important to remember that under BR 3.5(j), the bar retains the ability to institute independent charges against an Oregon licensee for conduct occurring anywhere.

Mark Fucile of Fucile & Reising LLP 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.

ANNOUNCEMENTS

Take a Matter that Matters

Sign the MBA 2011 Pro Bono Pledge at www.mbabar.org/probono.htm and commit to taking at least one pro bono case this year.

Thank You Steve Joncus

We appreciate Steve's recent review of a contract with one of our affinity partners who is developing an Android app for the MBA Web site. Steve is with Klarquist Sparkman.

MBA Noon Time Rides

Gather at SW Yamhill and Broadway between noon and 12:10 p.m. on Mondays and Thursdays. Contact Ray Thomas at 503.228.5222 with questions, or meet at the start.

Queen's Bench Luncheon

Please join Queen's Bench for our February Luncheon at Trees Restaurant, 1211 SW 5th Ave., on February 8. Carol Bernick, managing partner at Davis Wright Tremaine, will speak about "Growing from an Associate to a Partner: 10 Lessons Learned." The luncheons are from 11:45 a.m. to 1 p.m. and the cost is \$14. The

buffet includes a vegetarian option. For more information contact Vice President Christine Coers-Mitchell at coers@comcast.net.

Renew Your MBA Membership Today

If you haven't yet renewed your membership for 2011, please do so today by going online to www.mbabar.org/membership.htm. For questions, please call 503.222.3275.

Moot Court Volunteer/Free CLE Credit Opportunity

The Jessup International Law Moot Court Competition seeks volunteer attorneys to judge the Pacific U.S. Rounds of the Competition on Friday and Saturday, February 25-26 at the Lewis & Clark Law School. Four hours of free Oregon CLE credit will be earned for each two-hour oral round judged. For more information, visit www.ilsa.org/judges/pacific/pacific.php, or contact Will Patterson and wpatterson@ilsa.org to volunteer.

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The Campaign for Equal Justice thanks the Oregon legal community and its partners for generously investing in access to justice for all.

The Campaign for Equal Justice and the Multnomah Bar Association invite you to celebrate with us at the

20th Annual Awards Luncheon

February 22, 2011

Noon—1:30 p.m.

The Governor Hotel Heritage Ballroom

Register online at www.cej-oregon.org or contact the Campaign for Equal Justice 921 SW Washington Street, Suite 520 Portland, OR 97205 (503) 295-8442

Unlimited FDIC Insurance Coverage Continues for IOLTA Accounts

By Elise Bouneff, Bank of the Cascades.



Background:

The FDIC created the Transaction Account Guarantee (TAG) Program in November 2008 to “strengthen confidence and encourage liquidity in the banking system by guaranteeing newly issued senior unsecured debt of banks, thrifts, and certain holding companies, and by providing full coverage of non-interest bearing deposit transaction and NOW (interest bearing checking) accounts, regardless of dollar amount.”

On December 29, 2010, President Obama signed into law legislation (H.R. 6398) that extends unlimited FDIC insurance for Interest on Lawyer Trust Accounts (IOLTA) through December 31, 2012. The House of Representatives passed this legislation on November 29, 2010, and the Senate passed it by unanimous consent on December 22, 2010.

In response to advocacy by the ABA, American Bankers Association, the National Association of IOLTA Programs and many other organizations and individuals, the category of non-interest bearing transaction and NOW accounts included IOLTA and functionally equivalent accounts, and provided for unlimited insurance for such accounts held in participating

financial institutions through December 31, 2009. The TAG Program was extended several times by the FDIC and most recently until December 31, 2010.

In July, President Obama signed the Dodd Frank Wall Street Reform and Consumer Protection Act into law. While that legislation continued unlimited FDIC insurance for non-interest bearing accounts until December 31, 2012, it inadvertently did not extend that coverage to IOLTA accounts. H.R. 6398 addresses this oversight.

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Back to the Future

What's the secret to professionalism? Senior US District Court Judge Owen M. Panner once noted that it's simply a matter of "looking back to the future." At the time, I did not know what he meant. Now I do.

Judge Panner simply meant to practice over the course of one's career in the manner in which one would like to be remembered at the end of one's career. In short, "look back to the future."

In the fall of 2009, I had the privilege of serving on the Advisory Committee for the Section of Litigation of the ABA. The committee of five selects the future leadership for some 75,000 members of the section of litigation nationally. In performing the due diligence for one of the candidates for chair of the section, judges, opposing counsel and clients listed the following as the candidate's qualities:

Trial skills

- Gifted first-chair trial lawyer;
- Superb trial lawyer;
- Nice touch with both witnesses and the court;

- Ability to conduct an aggressive cross-examination and yet be likable;
- A strategic thinker;
- Savvy in the courtroom;
- An extraordinary litigator.

Personal qualities

- Approaches everything with a contagious enthusiasm;
- A joy to work with;
- Responsive, creative, and delightful;
- Patient demeanor and a willingness to listen to all;
- Bright, articulate, and quick-witted;
- Capable of disagreeing without being disagreeable;
- Razor-sharp intellect;
- Passionate.

Professionalism

- Bigger than life;
- Quick-witted, practical, and professional;
- A lawyer's lawyer;
- Solid lawyer;
- Credit to our profession;
- An example for our profession.

Leadership

- Ability to listen to others and build consensus;
- A good sense of self;
- Comfortable in own skin;
- Charismatic, enthusiastic and energetic in practicing law;
- A peacemaker;

- Strong work ethic, a passion for the law, and a love of lawyering.

I couldn't help, at the end of conducting these interviews, concluding that this candidate knew and understood professionalism. The candidate had been looking back to the future his entire career and had conducted each year, month, week and hour of his practice in the manner in which he had hoped to be remembered at the end of his career.

Professionalism is simply "writing your eulogy day by day." It is simply, as Senior Judge Owen M. Panner noted, looking back to the future.

The Corner Office is a recurring feature of the Multnomah Lawyer and is intended to promote the discussion of professionalism taking place among lawyers in our community. While The Corner Office cannot promise to answer every question submitted, its intent is to respond to questions that raise interesting professionalism concerns and issues. Please send your questions to mba@mbabar.org and indicate that you would like The Corner Office to answer your question. The MBA will protect the anonymity of those submitting questions.

2011 LASO/OLC/MBA Pro Bono Awards Nomination

Deadline February 14

By Bill Penn, Lewis & Clark Law School.

A good deed deserves recognition. Nominate your peers, yourself, a law firm or legal organization for awards honoring pro bono service. If you know someone who has made a difference through their pro bono efforts, make a nomination today. Recipients from three categories will be recognized on May 17 at the MBA Annual Meeting and Dinner. The deadline for nominations is Monday, February 14. Details are below.

The **Senior Law Project Volunteer of the Year Award** recognizes those who show a special commitment to the Senior Law Project, Multnomah County's longest running pro bono program at over 30 years. The 2010 award was presented to Anne Steiner for her work above and beyond the average volunteer with the Senior Law Project.

The **Michael E. Haglund Pro Bono Award** recognizes a young lawyer (under 36 or in the first six years of practice) who shows commitment to pro bono through LASO, OLC, or MBA YLS pro bono projects. This award honors the founder of the Volunteer Lawyer Project managed by LASO and OLC. Qualified projects include the Bankruptcy Clinic, Domestic Violence Project, Pro Se Assistance Project, Senior Law Project, Legal Aid Night Clinic, Community Development Law Center, ProBonoOregon Listserv, Neighborhood Legal Clinics, Nonprofit Project and Attorneys for Youth. Matt Sorensen received the 2010 award.

The **Pro Bono Award of Merit** recognizes those who have set an inspiring example for the legal community through their pro bono service. The recipient in 2010 was Evans Van Buren for his 32 years of pro bono service to 1,920 clients through LASO's Senior Law Project. Any attorney, law firm or attorney organization doing exemplary pro bono work, except members of the LASO-OLC Pro Bono Committee, is eligible. Re-nomination of former nominees is welcomed. Factors considered in selecting award recipients include pro bono work done in the last year, number of years doing pro bono work, willingness to take emergency cases, mentoring of other volunteers, and work to promote pro bono work.

Nominations must be received by Monday, February 14. To make a nomination, visit www.mbabar.org, or contact William Penn, wcpenn@lclark.edu.

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AROUND THE BAR



Justin Denton

TONKON TORP

Justin Denton has been named to the executive committee of the OSB Business Law Section.

Denton practices business and corporate law with an emphasis on forming and reorganizing business entities, mergers and acquisitions and real estate and financing transactions. He has significant experience working with limited liability companies, joint ventures and closely-held corporations.

CARTWRIGHT WHITMAN BAER

James R. Cartwright, Matthew Whitman and **Sibylle Baer** announce the formation of Cartwright Whitman Baer. Joining them will be associate **Michelle Johansson**.

The new firm will continue to provide legal services for individuals and professionals in the areas of estate, trust and elder financial abuse litigation; estate and trust administration; protective proceedings and appeals.

SAMUELS YOELIN KANTOR

The firm is moving its office to downtown Portland's US Bancorp Tower at 111 SW 5th Ave. The new office is on the 38th floor.

Effective with the move, the firm is shortening its name from Samuels Yoelin Kantor Seymour & Spinrad to **Samuels Yoelin Kantor**. The new name reflects the last names of the three longest-serving partners of the firm.



Katherine L. West

WYSE KADISH

Katharine L. West is a new associate with the firm. She will practice in estate planning/administration and litigation.

STAHANCYK, KENT & HOOK

Sarah E. Denner is a new associate with the firm.



Sarah E. Denner



Amy Angel

BARRAN LIEBMAN

Amy Angel has been named a partner with the firm. Angel has been with the firm since 2005 representing management in employment law matters.



Jason Ayres



Kelly Tilden

FARLEIGH WADA WITT

Jason Ayres and **Kelly Tilden** are new firm shareholders. Ayres will maintain a practice assisting equipment leasing companies and other commercial lenders in commercial collections and litigation, bankruptcy matters and enforcement of creditors' rights. Tilden will continue to advise businesses and financial service providers on employment issues and litigate business disputes.



Heidi Olsen Strauch

HEIDI OLSEN STRAUCH

Heidi Olsen Strauch has returned to private practice, advising small business owners and providing estate planning and general civil litigation services, after three years as a contract litigation attorney.



Richard Vangelisti

VANGELISTI KOCHER LLP MBA Board Director **Richard Vangelisti** has been selected as the 2011 chair of the OSB Professionalism Commission. The commission strengthens the "Oregon Way" of professionalism through a number of activities, including professionalism education in the Oregon law schools, Professionalism CLE and its Edwin J. Peterson Professionalism Award.



Christopher Larsen

PICKETT DUMMIGAN LLP

Christopher Larsen has joined the firm as of counsel. After serving six years as a full-time judge pro tem in Multnomah County Circuit Court, Larsen returns to private practice as a trial lawyer handling personal injury, motor vehicle crashes and criminal cases. He continues to serve as a judge pro tem part time.

Larsen created the Share the Road Safety Class, a traffic law and safety class for motorists,

bicyclists and pedestrians, which he teaches at Legacy Emanuel Hospital.

BULLIVANT HOUSER BAILEY

Kyle Sciuchetti, a new shareholder, maintains an active construction and hospitality practice throughout Oregon and Washington. He regularly advises businesses and manages the legal needs of many companies ranging from construction contractors to hotel management companies.



Kyle Sciuchetti

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.

In Memoriam Donald Harrison Hartvig

Donald Harrison Hartvig of Portland died on Monday, October 11, 2010 after a brief illness. He was 90 years old and had been an OSB member since 1971.



Donald was born in San Francisco, California and attended Delta Junior College. As World War II approached, he entered the US Navy flight training program and spent most of the war as a member of Patrol Bombing Squadron 108 in the Western Pacific campaigns. On May 9, 1945, flying out of Tinian, Don participated in a raid on heavily defended Marcus Island. Four of the five aircraft in Don's flight were shot down, but he pressed home his low level attack, heavily damaged the enemy base, and nursed his damaged aircraft back to Tinian. For his extraordinary heroism, Don was awarded America's second highest

medal for valor, the Navy Cross. He also received the Distinguished Flying Cross. Don remained in the US Navy Reserve and, after finishing law school, became a member of the Navy JAG Corps Reserve, retiring in 1975 as a Captain.

Later, he was appointed as a Federal Bankruptcy Trustee for the Central Oregon Coast. His fourth career as a bankruptcy trustee spanned over 30 years.

Volunteering Opportunity

Help get books in the hands of children!

On Tuesday, February 15, 6-8 p.m., the MBA will sponsor a member volunteering event with The Children's Book Bank. Space is limited to the first 12 who contact the MBA office. However, if it is well received, we will add more dates at the nonprofit.

Volunteers will organize, sanitize and help deliver books to early Head Start programs in low income neighborhoods. For those volunteers who want an extended experience, there are opportunities to deliver books and read to the children.

Please consider donating books as well; both new and gently used ones are desired. Books in non-English languages are especially needed. You may either drop off or mail books to the MBA or directly to The Children's Book Bank, 1728 NE Glisan St., Portland, OR 97232.

Please sign-up for this event by contacting Ryan Mosier or Judy Edwards at the MBA office. 503.222.3275.

Tips from the Bench Case Evaluation for Settlement

By Judge Jerome LaBarre, Multnomah County Circuit Court.

The chorus of a great song says it all: "You've got to know when to hold 'em - know when to fold 'em - know when to walk away - know when to run...."*

So it is with making important decisions about cases in litigation. At every stage the case needs to be sized up and pivotal decisions made. The big one is: "Do we settle now and for how much?"



But first evaluation must occur. Since the late 1990s, I have had the best view in my courtroom looking at cases that are winners and losers. Before that, for many years I had the more limited view from counsel table. Out of all of this involvement in cases, I have created my own personal list of the sequence of steps I believe are best to evaluate a tort case. Sometimes the evaluation is right at the front end. Sometimes it is on the eve of trial. These are the first questions I ask myself:

1. How Serious is the Injury and what are the Provable Damages?

At first it seemed counterintuitive to start with damages. After all, liability is the big emphasis in law school. And most of the early work on a case in litigation focuses on the whether or not you can prove liability. But if a plaintiff's attorney has a case with big damages then frequently even a weak liability case can have significant value. Again and again in trial I see attorneys who forget that it is the amount of damages that the jury must enter on the verdict form that really decides if it is a win or a loss. Too often the damages proof is the poor cousin of the trial presentation.

2. Who is the Plaintiff?

Two of the great moments of truth in a jury trial are: 1) when the plaintiff and defendant are introduced to the venire along with their attorneys at the start of jury selection; and 2) when the plaintiff gets on the witness stand and tells the jury about herself. The jury is always watching very carefully at these times. And they should. After all, the plaintiff's side of the case is trying to convince

12 citizens from our community of the righteousness of the cause and sell them on awarding a large amount of damages. It is always surprising to me how intimate this process becomes. If the plaintiff is deserving and sincere, that comes across and is powerful. If it's the opposite, then the defendant has a serious advantage.

3. Who is the Defendant?

Drama takes place inside of courtrooms. True, the jury is given an instruction of law not to let bias, sympathy or prejudice enter into their deliberations and verdict. Still, we all have human emotions, just as it matters whether or not the plaintiff is sympathetic. It also matters how appealing or unappealing is the defendant. I have seen this translate onto the verdict form in significant ways.

4. Where is the Liability?

Obviously liability matters. This is the field on which most of the action in litigation plays out. Even if all of the other factors are strongly present there still must be a case that can survive summary judgment and a motion for a directed verdict. By all means a plaintiff's lawyer should drill down deeply on liability. But also make sure that the other components of the case are in place when you are evaluating winners and losers.

Oh yes. The chorus of the song also ends: "...You never count your money when you're sitting at the table. There'll be time enough for countin' when the dealin's done."

* From "The Gambler" written by Don Schlitz.

Renew Your MBA Membership Today

MBA bylaws require that members renew their membership by March 1 or be removed from the MBA roster. To continue to receive the range of benefits the MBA provides, you may simply renew online at www.mbabar.org.

Member benefits include:

- Excellent, affordable and convenient CLE seminars and MCLE-accredited downloadable course material
- Social events and committees that provide rewarding networking and volunteering opportunities
- Group health, dental, life, long-term care and disability insurance plans
- Member discounts or VIP service from LexisNexis, UPS, Legal Northwest Staffing Specialists, The Naegeli Reporting Corporation, Bank of the Cascades, Office Depot and others.

If you have questions, please call Ryan Mosier at 503.222.3275 or visit www.mbabar.org.



By Shawn Lillegren, Cosgrave Vergeer Kester and Court Liaison Committee member.

Presiding Judge's Report and Courthouse Update

Judge Kantor appeared for Presiding Judge Maurer.

Budget

The budget for the next biennium is extremely uncertain. Presently, court staff is required to handle more work than in the past. Judicial assistant time is increasingly devoted to out-of-office needs. Calls to judicial assistants are frequently not returned for a day or two. Future cuts in the budget will most certainly require more layoffs of referees.

Complex Civil Cases

The process for transferring complex civil cases to other jurisdictions is being worked on. The Multnomah County Courthouse will likely continue to handle the complex cases without any changes; in effect, our court will be helping out other counties more frequently.

One of the criteria requires presiding judges from the counties in which the case was filed and transferred to agree that the transfer is appropriate.

New East County Courthouse

Groundbreaking was held for on the new east county courthouse. Expected completion date is March, 2012.

Expedited Jury Trial System

The court has not received a single case for the expedited jury trial system. The program was created due to the concern about the vanishing jury trial. Judge Kantor commented that the bench listened and acted but so far there has been no response.

Attorney Feedback to the Bench

MBA members are asked to provide constructive feedback to the court.

It is difficult for lawyers to provide feedback. Nobody knows for sure whether a comment would result in the "kiss of death." If the MBA

received individual feedback, the MBA could consolidate the individual comments into more general comments for the bench.

Judge Kantor invited the committee to explore the idea of consolidated comments through the MBA. He serves on committees regarding judicial complaints and the bench truly appreciates constructive criticism.

Most judicial complaints are about demeanor and courtroom presentation - not communicating effectively or appearing to not allow a litigant his or her day in court.

Settlement Conferences

Judge Kantor explained that attorneys are free to call the judge's staff directly. The court does not have the resources to provide a formal procedure. The court would welcome financial resources to implement a centralized administrative system for settlement conferences. Some judges, including Judge Kantor, generally do not schedule civil settlement conferences due to the heavy docket. Looking forward, the anticipated loss of additional referees will affect the court's ability to provide available judges for settlement conferences - at least to the extent we did in the past.

Member Questions for the Court

The MBA has received the following questions.

- (1) Has the court considered summary judgments being heard by the court if filed before the case goes into mandatory arbitration? Would speed up (potentially) resolution of the case.
- (2) Has anyone challenged the new fee schedule on grounds that it chills plaintiff's constitutional access to justice? What's the status, if so?
- (3) Assuming otherwise relevant, are deposition transcripts from prior cases involving similar witnesses/facts/claims discoverable?
- (4) Are transcripts in the physical custody or lawyers in the control of the client for production purposes?

- (5) Under what circumstances will the court stay a civil case if there is a criminal case involving one or more of the parties pending?

Judge Kantor responded as follows:

- (1) The court is looking at how civil cases are being initially processed to identify different tracks. Judge Wilson and Judge Kantor are looking at the possibility of pre-trial conferences. The pre-trial conference would occur four months after a complaint is filed and the court would seek to identify, among other things, interest in the expedited jury trial program or an early motion for summary judgment.
- (2) The new fee schedule has not been challenged by way of a lawsuit but it has been subject to many complaints.
- (3) Since this is a substantive rather than an administrative question, no comment was made.
- (4) Same as number three.
- (5) Not sure - depends upon the circumstances.

Judge Kantor will forward the questions to the Motions Panel for review. It meets each month.

Martha Strawn Morris: Gateway Center for Domestic Violence Services

Morris is the Director of the Gateway Center. It is a collaborative program with Multnomah County and the City of Portland. They specialize in "intimate partner" domestic violence. They are navigators, not an overnight shelter, who direct people to social service providers. They operate Monday through Friday from 9:00 am to 4:00 pm on a drop-in basis. Their location is publically known and located on the MAX line, just one stop east of the Gateway Transit Center. The program is quite new, having opened in September.

Continued on page 9

Noreen (Saltveit) McGraw – An Oregon Trailblazer

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

Oregon's own trailblazer, **Noreen McGraw**, helped pave the way for women to practice law. From an early age she has been and continues to be an excellent role model for all lawyers, evidenced by receiving (the first woman recipient) the coveted MBA Professionalism Award in 1995.

After growing up in Medford and attending Marylhurst College, she entered the U of O Law School, graduated in 1955 and then joined her father and brother in a general law practice in her home town. She is part of a four-generation family of lawyers, starting with her grandfather, then her father, herself and her brother; continuing the tradition is her daughter who graduated and passed the OSB exam in 2010.

After practicing for four years in Medford, and having tried a number of cases, including one (D'Autremont, who had spent 35 years in prison) that went to the Oregon Supreme Court, McGraw decided to move to Portland in 1960, where the action was a little more vibrant for a young person.

She interviewed with over 35 law firms, but found that, even during that civil rights era, firms didn't welcome a woman trial lawyer. Many thought that, being a good Catholic, she would just get married and have children and leave. And some expected to see a glorified law clerk at the interview. She was surprised to find that prejudice against women lawyers was considerably stronger in Portland than in Medford.

However, McGraw landed a job with the Attorney General's

office, specializing in workers' compensation cases. Within a year, she did indeed fall in love and marry. After children arrived, her boss at the DOJ agreed to let her work part time, which must have been a novel employment arrangement in the legal world, given the reception she received at first. Then in 1967, she went



Noreen and grandsons

out on her own, to start a general practice. She wrote to about 30 lawyers, asking them to "send me your dogs" and PS, "I speak Spanish." That letter seemingly made a difference in her future, because one friend, Jerry Weigler, referred a case to her which she won for the plaintiff. The plaintiff, who had become Kemper's head of workers' compensation cases in the Portland office after his compensable injury at a prior employer, recommended her to Kemper national headquarters to represent their interests in workers' compensation cases. Initially she had the same problem; she was a woman. But then, as the story was relayed to her, the chairman of the board said that "any woman who could raise four kids and practice law" was someone they should add as a trial counsel.

...she had the same problem; she was a woman.

In 1970, she won a migrant class action law suit that turned out to be a watershed moment in her life. The case led her to meet Larry

Aschenbrenner, Charlie Merten and Don Marmaduke. They met up at a talk by Ralph Nader at the OSB annual convention. He had gotten them all fired up about making a difference in the community by committing time to public interest law. The other three had already experienced their own watershed moments when they volunteered with civil rights cases in the 60s. It was "natural serendipity for us to form a public interest law firm, which lasted about two years." However, she and Merten continued on for another nine years, trying to dedicate half their time to public interest law.

McGraw fondly remembers a case when she was lead counsel, "Treasure Valley" where she and the firm sought and received a temporary injunction for a group of faculty members, formerly migrants, who had been fired by the local community college in eastern Oregon for supporting Cesar Chavez in their "off time."

She and Merten split up their firm in 1982, most amicably, as he was doing more environmental law and she preferred a mix of personal injury, civil rights and general practice.

Back in a solo practice, she continued to work for Kemper and in her general practice represented both plaintiff and defense sides, which was unique in those days. "Mostly, lawyers trusted each other and could settle cases, while still vigorously representing their clients."

In the late 70s and early 80s, she began teaching CLEs for the OSB on workers' comp. Then in 1992 when ADR was coming on the scene, she started working through U.S. Arbitration & Mediation, mostly mediating personal injury cases, which she continues today.

To her, the most enjoyable part of practicing law was "making a difference, using the power of the courts to achieve justice ... going to bat for clients." McGraw believes that "most lawyers have an internal ethical clock and will negotiate with opposing

counsel to effectuate justice. It just makes life worthwhile, like it's meant something."

She cites "camaraderie, especially amongst trial lawyers, that's priceless, to have the respect and enjoyment of each other's abilities and expertise." She finds that lawyers sit in on trials just to enjoy watching their colleagues in action. "It's a magic moment to see judges and lawyers working together, all while representing clients to the best of their ability."

She believes that, "the most important qualities of professionalism start with integrity, conscientiousness and of course



Noreen and daughter Mary Lang at Willamette University College of Law graduation

ability. I love the framework MBA has put on the professionalism award ... being able to disagree without being disagreeable. There are so many opportunities to humiliate or disparage the other side. It's important to avoid personalities and competitiveness."

When asked to give advice to other lawyers, especially younger ones, she says, "Get engaged in professional activities. Be active with the OSB and MBA to hone skills and rub elbows with other lawyers and judges. Don't be

...the most enjoyable part of practicing law was "making a difference, using the power of the courts to achieve justice ... going to bat for clients."

afraid to ask other lawyers for help. Law has gotten increasingly complicated. There isn't a lawyer who hasn't needed a hand."

Besides serving on both the MBA and OSB boards, McGraw served on the Catholic Board of Education overseeing Catholic high schools in the Portland area. She also participated in the Latin American Trade Council of Oregon, which promotes trade in Latin America. During our delightful visit, she had come to Portland to mediate a case, she just happened to mention that she also has degrees in Spanish and French.

McGraw has three boys in addition to her lawyer daughter. Two are middle school teachers and one is a stand-up comic and writer. (He is a Harvard graduate.) She was an avid downhill skier, but now enjoys the benefits of living in

San Diego and taking advantage of the theatre and symphony and socializing with her friends. I'm sure she has many.

She continues to mediate cases and may be contacted at 2235 Fifth Ave., San Diego CA 92101 or at noreen.mcgraw@gmail.com.

News from the Court

Continued from page 8

Domestic violence experts train their advocates, who meet with domestic violence victims and help them navigate through available services.

Gateway Center provides help in nine different languages and has access to interpreters. The center is a safe sanctuary with free childcare.

There are a number of service providers in the facility: Legal Aid, Lifeworks NW and the Multnomah County District Attorney provide a full-time victim's advocate. The Portland Police Domestic Violence Reduction Unit is located in the same building. The Gateway Center provides a video interface with the family court for restraining order petitions.

The City of Portland pays for administrative costs. Multnomah County leased the 11,000 building free of charge. They have various space agreements with partners.

The Gateway Center averages between 14 and 18 people daily. Most people learn about their service from other service providers - including the police. Their contact information is listed on handouts officers provide to domestic violence victims.

Spring Brown Bag Presentation

Keil Mueller volunteered to organize the spring brown bag presentation, topic to be identified. Eric Dahlin suggested a forum for lawyer complaints about the court and judges.

Clackamas County Report

Andrea Anderly reported that Judge Robert Herndon is the new presiding judge. Judge Steven Maurer is still on the bench but will no longer serve as the presiding judge.

THANK YOU!

The Multnomah Bar Foundation is grateful to **Hon. Adrienne C. Nelson** for her dedication and service to the MBF. She has been on the Board of Directors since 2006, serving as President 2008-09 and Immediate Past President 2009-10.



Even as she leaves the board this year, Judge Nelson has graciously agreed to continue to serve on the Signature Project Committee as it develops a civic education video series. Judge Nelson's commitment to the mission of the MBF, excellent leadership and congenial nature has advanced the goals of this young organization and helped build its visibility. Thank you, Judge Nelson!

Kimberlee A. Stafford Pro Bono Spotlight

By Craig A. Foster, Tonkon Torp and YLS Pro Bono Committee member.

Pro bono work isn't just for litigators. Nonprofit organizations present numerous opportunities for substantive transactional work - just ask Kimberlee Stafford. Kimberlee is a business attorney specializing in real estate, land use and environmental law at Tonkon Torp. In her five years of practice, she has managed transactions involving purchases and sales, leases, planned community development and sustainability.

Kimberlee has found pro bono opportunities that take advantage of her experience as a real estate lawyer. Albina Head Start, an Oregon nonprofit providing educational services for preschool age children from low-income families, needed to purchase additional facilities for its programs. Over the past few years, Kimberlee helped Albina purchase two facilities, drafting the principal purchase

documents and negotiating some necessary environmental cleanup. She continues to assist Albina on various real estate issues. Kimberlee also helped Human Solutions, a local organization assisting families and individuals out of poverty and homelessness, purchase a site for a new service center.

Kimberlee is all about sustainability. She is a committee member of Oregon Lawyers for a Sustainable Future, an executive committee member of the OSB Environmental and Natural Resources Section, and a dedicated bike commuter. That passion for promoting sustainable practices fell right in line with one of her major pro bono projects - organizing and obtaining tax-exempt status for a local nonprofit called Voice for Oregon Innovation & Sustainability (VOIS). VOIS is a business league nonprofit devoted to the promotion of sustainable business practices in



Kimberlee A. Stafford

this state. Focusing on small and mid-size Oregon businesses, it hosts networking functions and seminars on growing sustainable businesses. Kimberlee continues to provide general legal advice to the nonprofit.

Kimberlee is a native to the Northwest and completed her undergraduate and legal studies at Lewis & Clark College and Lewis & Clark Law School. Before entering law school, Kimberlee researched new drugs for use in neurological disease therapy at a small biotechnology firm.



YLS Promotes Harmony with Upcoming CLE

By Iris Tilley, Barran Liebman and YLS Professional Development & Education Committee member.

On March 18, the YLS Professional Development & Education (PDE) Committee will present "How to Get Along with Opposing Counsel" from Noon-1 p.m. The CLE will be presented by Michele Stone of Markowitz Herbold et al in the auditorium at The Standard.



"How to Get Along With Opposing Counsel" will explain how attorneys can replace an "attack dog" litigation style with an approach punctuated by grace, style and kindness which can yield material dividends for the attorney and clients. Michele will share practical advice effectively injecting a human element into dealings with clients, colleagues and adversaries.

This CLE is in addition to the current YLS Young Litigators Forum Seminar Series currently running January 20 through March 17. To register or to learn more about any of the CLEs organized by the PDE Committee, please contact Ryan Mosier at ryan@mbabar.org.

Young Lawyers Hold Well-Attended Social and Trivia Night

On January 13, MBA YLS attorneys gathered to socialize and play Pub Quiz Trivia at 21st Avenue Bar & Grill in Portland. Nearly 40 attendees escaped the rain to enjoy food, drinks, and trivia. The YLS Membership Committee, which plans monthly socials for young lawyers in the community, organized and sponsored the event. Thank you to 21st Avenue Bar & Grill for hosting the event and providing great appetizers!



The Legacy of John Adams in Film

By Valerie Colas and Hong Dao, Oregon Law Center and YLS YOUthFILM Project Committee members.

This year the YOUthFILM Project celebrates the ABA Law Day's theme of "The Legacy of John Adams: From Boston to Guantanamo Bay." John Adams is known for his fervent defense of the rights of the accused and his advocacy for the rule of law. Throughout American history, we have seen a lawyer's courage and conviction tested by significant and unique circumstances. From Adams and the Boston Massacre trial to Samuel Leibowitz's 1930s defense of nine black Alabama teenagers to Michael Tigar's and Brian Hermanson's representation of Terry Nichols, these lawyers upheld the rule of law despite the unpopularity of their clients. But we need not wait for a major historic event to test our notions of fairness and justice. As lawyers, we are confronted with this challenge in our daily practice of law.

The ABA Law Day Web site states: "the 2011 Law Day theme provides us with an opportunity

to assess and celebrate the legacy of John Adams, explore the historical and contemporary role of lawyers in defending the rights of the accused, and renew our understanding of and appreciation

for the fundamental principle of the rule of law." By adopting this theme, the YOUthFILM Project hopes to challenge and encourage student participants to explore the ways that justice and fairness play out in their daily lives. Student participants will make short films ranging in topics from defending the rights of an unpopular person to how John Adams would react to current events. It is hopefully a lesson on fairness, tolerance, and the right to access justice for everyone.



Oregon Supreme Court Chief Justice Paul J. De Muniz with the 2010 YOUthFILM Project winning team

If you wish to help the YOUthFILM Project in our efforts to get student participation, please contact us at info@theyouthfilmproject.org. For more information about the ABA Law Day theme or the YOUthFILM Project contest you can visit these Web sites www.abanet.org/publiced/lawday/home.shtml and www.theyouthfilmproject.org.

Join us on Facebook!

The MBA, YLS and YOUthFILM Project all have their own Facebook pages. We hope that you join the groups. YLS members are encouraged to post upcoming YLS events, submit photos and share information. Find out what the YLS committees are doing and how you can get involved. Join up today!



YLS Futures Committee members, pictured from left to right Bernadette Nunley, Joshua Lute, Chris Allnatt, James Sikora, Aaron Bals and Amy Hoven, write regular articles for the *Multnomah Lawyer*. Read and comment on their articles at www.mbabar.org/ylsfuturesarticles.php

community service Day - February 12

The YLS Service to the Public Committee has arranged with SOLV for a morning, cleaning up Northwest Portland. Meet at 467 NW 23rd Avenue on February 12 for this event from 8:45-10:30 a.m., which is part of SOLV's Second Saturday South Cleanup, a monthly clean up of litter. For more information and to register for the event online, go to: www.solv.org/programs/event_details.asp?eventID=18400 or contact Amanda Guile at aguile@batemansidel.com.

DJC LEADERSHIP IN LAW

The DJC honors long standing members of the legal community with the **LEADERSHIP IN LAW AWARD**.

The award recognizes those individuals whose leadership, both in the legal profession and in the community, has made a positive impact on our state.

Awards Dinner:

Thursday, March 17, 2011 | 4:30-7:30
The Nines, 525 SW Morrison, Portland, OR 97204
 early bird \$80, after March 11 \$95, Students \$35

To register: www.djcoregon.com/events

For more information, contact Cris Schulz,
 503.802.7212, cris.schulz@djcoregon.com

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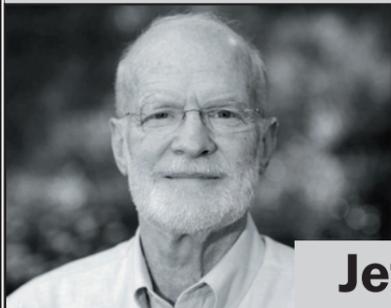
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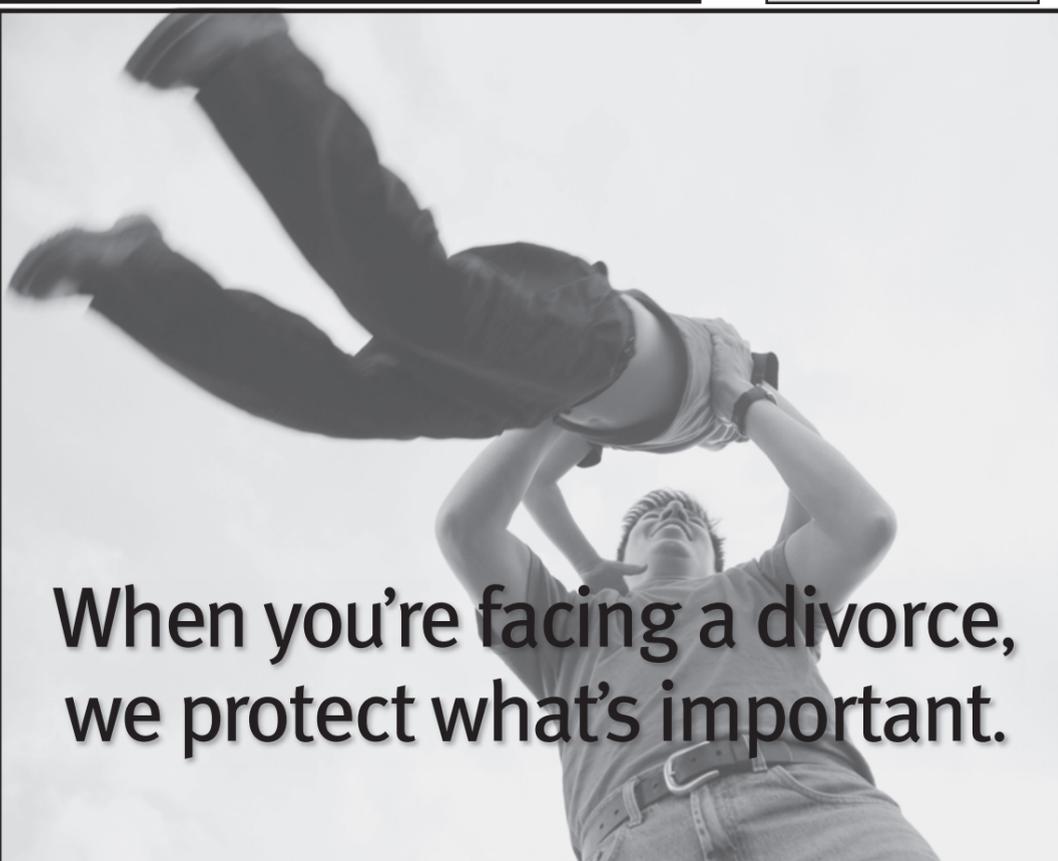


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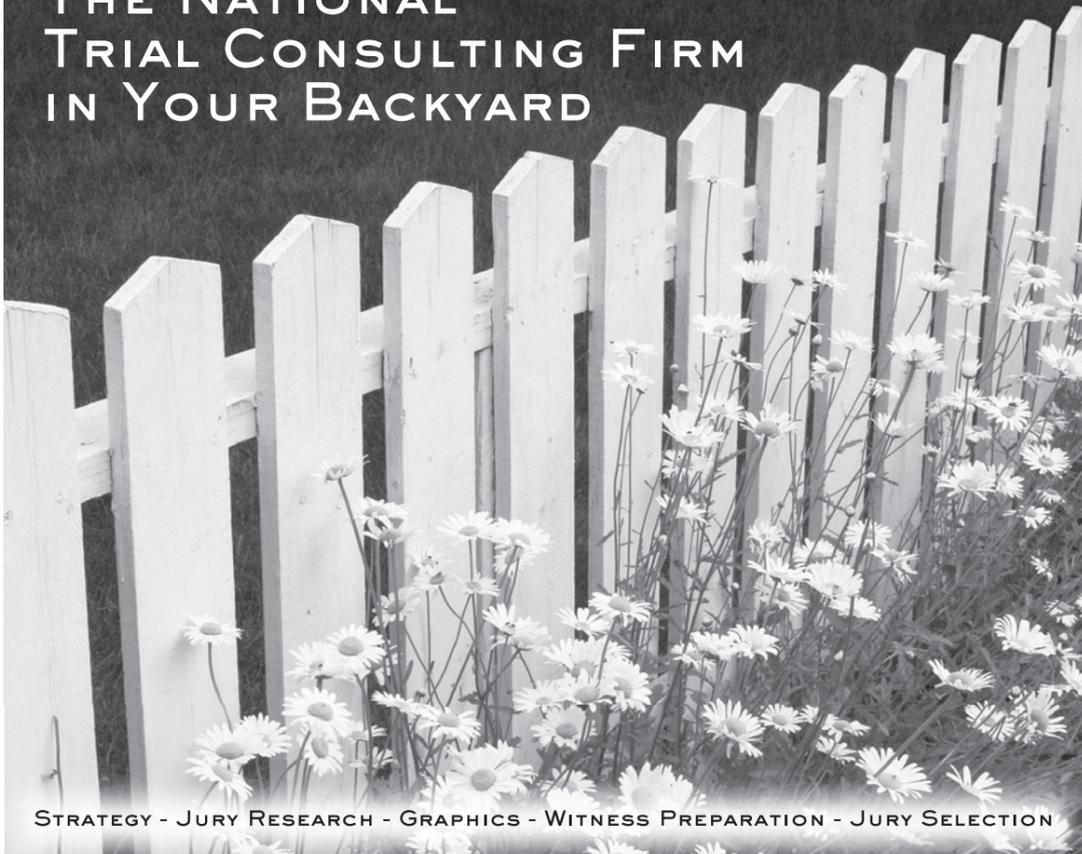
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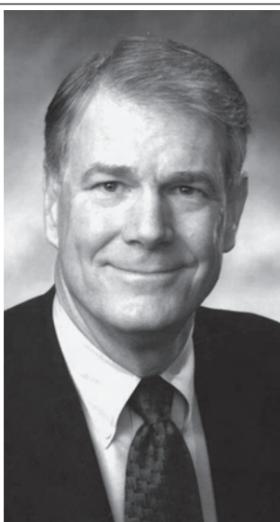
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Peter H. Glade, Markowitz Herbold et al, has been elected MBF President. Peter served as MBA President from 2006-07. He joined the firm in 1984 and was managing shareholder from 1990-99. Peter has been lead counsel

on many of the firm's largest, high-profile cases and drives the constant advancement of the firm's technological systems.

Edwin A. Harnden, Barran Liebman, is the new Vice President. Ed served as MBA President from 1996-97, OSB President in 2001, is a past president of the Professional Liability Fund and a Life Fellow of the American Bar Foundation. Ed is the managing



partner at Barran Liebman and specializes in the handling of employment dispute resolution, arbitration and litigation.



Loree A. Devery, Tonkon Torp, will continue as Secretary/Treasurer. Loree is Director of Marketing, Recruiting & Professional Development at Tonkon Torp, where she practiced law for 10 years. She is the former Executive Director of OWLS, a member

of OMLA and a member and past president of Oregon Legal Recruiters Association.

Newly elected to the board is **Hon. Julie E. Frantz**. Judge Frantz joined the Multnomah County Circuit Court in 1994 and is the Chief Criminal Judge. She became the first woman president of the OSB and received the MBA Award of Merit in 1992.

Continuing board members include **Thomas C. Sand**, Miller Nash, Immediate Past President; **Christine L. Hein**, Bateman Seidel et al; **Cashauna M. Hill**, Oregon Law Center; **Margaret**

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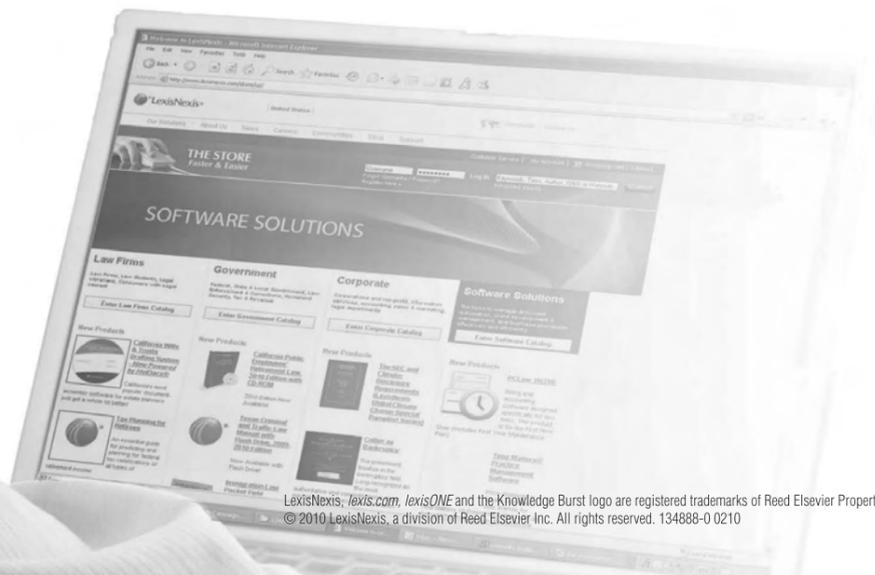
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