



Multnomah Bar Foundation Civic Education + Engagement = Informed Citizens

by the Hon. Julie Frantz
MBF President

Just a few weeks ago at the City Club's Friday Forum, I had the privilege of recognizing the recipient of a newly

established award for civic education funded by a grant from the Multnomah Bar Foundation (MBF). The award was given to Community 101, a student organization which, rather than asking for money, raised \$310,000 statewide last year to facilitate youth engagement in civic education projects. This followed the award to Momentum Alliance, a diverse group led by youth whose goal is to mentor future leaders of social justice, and preceded the award presented to a Roosevelt High School teacher, whose passion for the importance of civic engagement during her acceptance speech resonated not only within the room, but across the state's airwaves. The collective energy and optimism that permeated the event was palpable and defining - and underscored the reason the MBF matters as an ambassador of civic education and engagement.

The MBF ... is a virtual legal octopus ... whose tentacles reach out in many directions....

The MBF, established in 2005 under the umbrella of the MBA to commemorate the MBA's "Century of Service" to our profession, is a virtual legal octopus in the midst of a growth spurt, whose tentacles reach out in many directions to gather together individuals and organizations to support those whose work further the mission of the MBF:

"To increase the public's understanding of the legal system; to promote civic education, public participation and respect for the law; and to improve the quality and administration of the legal system."

It has been my experience, although many know of the existence of the Multnomah Bar Foundation, too few are aware of the breadth of the programs to which it contributes, nor of the community-wide impacts that flow from its grants. So, a brief primer may be helpful. To begin, the MBF has established two dedicated funds: Civic Education and CourtCare.

Few sustainable goals designed to promote the public good are achieved in our community without a collaborative effort and partnerships. Many such partnerships are fostered by the MBF. These create the adhesive that advances the goal of increasing civic education and engagement, and improving CourtCare for children entering our courthouse. Our legal profession has a rich history of lawyers giving generously to enhance civic understanding and involvement and helping to fund our CourtCare facility which provides children with a safe haven and a calming environment while their family members deal with troublesome legal issues in court. These donations are the lifeline that funds the work of the MBF. The Battle of the Lawyer Bands, which creates an evening of astonishingly fine music, and the annual WinterSmash team bowling competition, add a bit of fun as well as generating some revenue. Yet, annually the total dollars come up short to fund other worthy proposals in line with Foundation's mission.

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voter permeates the mission of the MBF and the grant awards to nonprofit organizations. The recipients of this year's grants, totaling \$44,000, included the Bus Project (Democracy Cup), Northwest Family Services (Four Cities Peer Court), Elders in Action (Civics 101), MetroEast Community Media (Legal Logic series), Sponsors Organized to Assist Refugees/SOAR (Voter Education Project), Classroom Law Project (Constitutional Law and Mock Trial programs), League of Women Voters ("Foundation of Government" public meetings), City Club of Portland (Civic Awards), and the YOUthFILM Project. Site visits by board members to the grantees' locales, and the exchanges at the October MBF social gathering to honor and showcase the work of these organizations, bring to life the community impact these grants enable. Together with the commitment of a hardworking board, the staff leadership of Pamela Hubbs and of MBA Executive Director Guy Walden has been both stabilizing and greatly contributed to the Foundation's success.

So, how do these grants translate into action that promotes civic education and engagement? For a quick introduction, just take a look at the MBF website and view the three 2012 nationally award-winning video projects: "Voting 101"; "The Court System" and "The Courthouse," created in collaboration with MetroEast Community Media, and starring lawyers, judges, students and community volunteers. In 2013, the videos on Civil Discourse (101) and Civic Engagement made their debut. These productions are distributed to middle and high school teachers across the state, are accessible through YouTube and televised on cable access channels, reaching an audience in excess of 350,000.

The Bus Project's Democracy Cup engages young professionals who lead workshops that teach roughly 5,000 students about civic responsibility, and orchestrates a competition among schools to register voters. The rule of law has never been more alive than in the Classroom Law Project's Constitutional Law competition, the winners of which have brought home several national championships - but the true winners are all the kids, who gained an understanding of

...the commitment of a hardworking board ... greatly contributed to the Foundation's success.

the Constitution and its impact on all our lives as they worked together as a team in discussing the Constitution's application to current issues. SOAR's program involves educating those from diverse backgrounds and cultures about voting rights and registration, as well as engaging refugees and immigrants in civic education.

The Multnomah CourtCare project is the quintessential model of an ongoing partnership created to protect our community's children from the often disturbing court proceedings of their family members. You need only once witness the relaxed smile and sparkle in the eyes of a kindergarten-age child as she clings to a fluffy stuffed animal while being read a happy story, or see the intensity with which an older boy creates a Lego structure, to know the tremendous value of our CourtCare facility run by the VOA staff, led by its dedicated Executive Director, Kay Toran. The vision for this facility dates back almost 20 years, and through a truly collaborative effort of the MBA, judges, our trial court administrator, prominent and committed lawyers, legislators and the VOA, the vision became a reality in 2001. The facility was remodeled in 2011, and the maximum age extended to 10 years to accommodate those who might well understand and thus be even more affected than their younger counterparts by witnessing a courtroom proceeding. This drop-in center, unique in the state, has served more than 10,000 children. Annual donations from the legal community hover around \$100,000, with a portion being contributed by legal staff. As Kay Toran once said, it is a shining example of "lawyers loving children."

So, this coming year, please dig deep into your pocket, pick up your guitar to battle your colleague's band, or find your bowling shoes, because the MBF relies primarily on your support to fund very worthy recipients.

The Civic Education Fund at its core focuses on educating our community members about the rule of law, the necessity of an independent judiciary, and the importance of juries. Understanding the roles of the three branches of government and becoming an informed

...a rich history of lawyers giving generously....

mba|CLE

To register for a CLE, please see pages 3 and 4 or go to www.mbabar.org.

DECEMBER

12.10 Tuesday What's New in Lawyer Regulation, in Oregon and Beyond

John Gleason
David Elkanich

12.12 Thursday Is the Defense of Marriage Act (DOMA) Dead? U.S. vs. Windsor and Beyond

Judge Beth Allen
Beth Wolfson

12.18 Wednesday Sailing in the Sea of Change: the Affordable Care Act

Bruce Howell
D'Anne Gilmore
Michael Schopf

12.19 Thursday Alternative Fee Arrangements

Marc Alifanz
Kieran Curley
Richard Oberdorfer
Dayna Underhill
David Wang

JANUARY

1.8 Wednesday Effective Use of Time and Technology for Lawyers

Tom Howe

1.23 Thursday Paid Sick Leave: A Healthy Understanding of Portland's New Ordinance

Amy Angel
Catherine Riffe

1.29 Wednesday Multnomah County Presiding Court Update 2014

Judge Nan Waller

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DEADLINE for copy: The 10th of the month*

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*or the preceding Friday, if on a weekend.

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Another Successful Absolutely Social

Over 200 lawyers, judges, sponsors and law school students gathered at the University Club on October 24 for the fall Absolutely Social - The Grape Escape. The event featured wine tastings selected by Matt Levin and Albert Menashe. Cash and canned food were collected for the Oregon Food Bank - thanks to all those who contributed!



Lissa Kaufman, Heather Decker and Ramón Pagán

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Calendar

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

DECEMBER

12.5 Thursday

OMLA Annual Meeting

Visit oregonminoritylawyer.org for details

12.10 Tuesday

Queen's Bench Holiday Luncheon

Visit owlsqueensbench.org for details

12.11 Wednesday

YLS Social & Toy Drive

See p. 12 for details

12.18 Wednesday

ZooLights

Visit mbabar.org for details

12.25 Wednesday

Christmas Holiday

12.28 Saturday

YLS Community Service Day

See p. 13 for details

JANUARY

1.1 Wednesday

New Year Holiday

1.20 Monday

Martin Luther King Jr. Holiday

FEBRUARY

2.8 Saturday

WinterSmash

Visit mbabar.org for details

2.17 Monday

Presidents' Day Holiday

2.19 Wednesday

CEJ Awards Luncheon

Visit cej-oregon.org for details

2.21 Friday

OHBA Awards Dinner

Visit oregonhispanicbar.org for details

MARCH

3.1 Saturday

ACLU of Oregon Liberty Dinner

Visit aclu-or.org for details

3.14 Friday

OWLS Roberts Deiz Awards Dinner

Visit oregonwomenlawyers.org for details

MBA 12th Annual WinterSmash

A Family Friendly Bowling Event



Saturday, February 8
6-9 p.m.

20th Century Lanes
3350 SE 92nd

10 minutes from downtown Portland
A Multnomah CourtCare fundraiser



THE CLOCK IS TICKING...

Renew by December 31 to receive a **FREE \$50 credit** toward MBA CLE programming. Attend a CLE in person, watch a video webcast online or listen to a seminar on your computer or smartphone.



Terms and conditions apply.
See www.mbabar.org for details.



Seminars are worth 2 OSB credits unless otherwise noted; 2 Washington MCLE credits may be obtained independently. Registrants who miss the seminar may request the written materials. Substitutions are welcome. Registration fees are non-refundable.

What's New in Lawyer Regulation, in Oregon and Beyond

Tuesday, December 10, 2013
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Note: This class will be worth two hours of ethics credit.

Rapid changes in technology, changing demands of clients, the disappearance of borders and globalization of the practice of law, are all trends that have spurred the reexamination and further evolution of the rules relating to lawyer conduct and admission.

Join **John Gleason**, Oregon State Bar Disciplinary Counsel and Director of Regulatory Services, and **David Elkanich**, partner at Hinshaw & Culbertson LLP, for a lively and frank discussion of their perspectives on the meaning and impact of recent changes to the Oregon Rules of Professional Conduct, recent Oregon disciplinary cases and formal ethics opinions of note, as well as national and global trends and developments in the area of lawyer admission and regulation.

For more information:

Call Shannon Armstrong, Markowitz Herbold Glade & Mehlhaf at 503.295.3085. For registration questions, call the MBA at 503.222.3275.

Is the Defense of Marriage Act (DOMA) Dead? U.S. vs. Windsor and Beyond

Thursday, December 12, 2013
3:00-5:00 p.m.

World Trade Center
Plaza Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Note: This class will be worth two hours of Access to Justice OSB MCLE credit.

In *U.S. v. Windsor*, the United States Supreme Court held Section 3 of the Defense of Marriage Act (DOMA), unconstitutional under the Due Process Clause of the Fifth Amendment thereby giving married same-sex couples federal recognition. Multnomah County Circuit Court **Judge Beth Allen** and Portland Estate Planning attorney **Beth Wolfsong** will present a two-hour CLE addressing the implications of this landmark case, the federal executive response post-Windsor, and what this means for Oregon lawyers who practice in state and federal courts especially in the areas of family law, estate planning, civil rights, federal benefits, and/or taxation.

Following the seminar, please join the MBA and OGALLA, the LGBT Bar Association of Oregon, for a reception featuring hors d'oeuvres and a no-host bar.

For more information:

Call Michael Hallas, McKinley Irvin at 503.953.1032. For registration questions, call the MBA at 503.222.3275.

Sailing in the Sea of Change: The Affordable Care Act

Wednesday, December 18, 2013
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Join veteran health care practitioner **Bruce Howell**, Schwabe Williamson & Wyatt, **D'Anne Gilmore**, from the Oregon Insurance Division and **Michael Schopf**, from Cover Oregon for their informed perspectives on anticipated implementation, use and enforcement of the new health care legislation. Learn what to expect for your clients and practice as we move into this new era of health care law.

For more information:

Call Todd Cleek, Cleek Law Office at 503.706.3730. For registration questions, call the MBA at 503.222.3275.

Alternative Fee Arrangements

Thursday, December 19, 2013
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Are you wondering how contingent, flat, and everything-in-between alternative fee arrangements (AFAs) could fit your practice? Hear from in-house and outside civil counsel, an ethics expert, and a criminal practitioner about how to price and document your AFA. Our speakers are **David Wang**, in-house counsel, Vestas Wind Systems, **Marc Alifanz**, in-house counsel, Knowledge Universe (Kindercare), **Dayna Underhill**, Partner, Hinshaw & Culbertson, **Kieran Curley**, Managing Partner, Miller Nash, and **Richard Oberdorfer**, Owner, Oberdorfer Law Firm LLC.

In this seminar, you will learn:

- Ethics traps to avoid with AFAs
- What in-house counsel are looking for in AFAs both transactional and litigation
- How to price AFAs in both simple and complex matters, and "expect the unexpected"
- How to make a contractual or statutory fee claim with an AFA in place

For more information:

Call Seth Row, Parsons Farnell & Grein at 503.222.1812. For registration questions, call the MBA at 503.222.3275.

Effective Use of Time and Technology for Lawyers

Wednesday, January 8, 2014
3:00-5:00 p.m.

World Trade Center
Plaza Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Successful lawyers manage their time and use technology effectively to reach their goals. Although efficiency is important, effectiveness is the key. Learn essential time management techniques to help you get more done and be a more effective lawyer. See how technology can increase your productivity. Work Smart, Not Hard. What we accomplish each day varies dramatically by individual. Learn new skills, tips and strategies to become a high performer. Included with the CLE are over 20 Microsoft Word and Excel documents.

A trial lawyer with a deep technical background, **Tom Howe** has over 25 years of experience in law and technology. He is one of the leading e-discovery lawyers in the country, providing legal/technology consulting and expert witness services to some of the largest law firms, corporate legal departments, and e-discovery vendors in the United States.

For more information:

Call Courtney Dippel, Folawn Alterman & Richardson at 503.546.4630. For registration questions, call the MBA at 503.222.3275.

Paid Sick Leave: A Healthy Understanding of Portland's New Ordinance

Thursday, January 23, 2014
3:00-5:00 p.m.

World Trade Center
Mezzanine Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Join City of Portland Attorney, **Catherine Riffe**, and employment lawyer, **Amy Angel**, a partner at Barran Liebman LLP, for a review of Portland's new mandatory sick leave ordinance and administrative rules, which go into effect on January 1, 2014, for all employees working within Portland city limits. Learn what is necessary to comply with this new legislation, including who is an eligible employee, the minimum accrual rate, notice and use requirements, as well as other rights and responsibilities of both employers and employees. This CLE will be beneficial for practitioners representing employers or employees, managing partners, and anyone responsible for administering leave.

For more information:

Call Todd Cleek, Cleek Law Office at 503.706.3730. For registration questions, call the MBA at 503.222.3275.

CLE Class Registration on next page

Multnomah County Presiding Court Update 2014

Wednesday, January 29, 2014
3:00-5:00 p.m.

World Trade Center Auditorium
26 SW Salmon, Portland

Members \$55
Non-members \$85

In this update session the Multnomah County Presiding **Judge Nan Waller** and court staff will discuss the Supplemental Local Rules for Multnomah County Circuit Court and other issues unique to practicing in Multnomah County. This seminar is designed for attorneys at all levels of experience and questions are strongly encouraged.

For more information:

Call the MBA at 503.222.3275.

What's it Worth? Developing, Evaluating and Critiquing Business Valuations for Liquidation

Tuesday, February 4, 2014
3:00-5:00 p.m.

World Trade Center Plaza Room
26 SW Salmon, Portland

Members \$55
Non-members \$85

Determining the value of a business can seem a daunting task to a litigator. But, when the case calls for it, effective advocacy requires at least a basic understanding of the fundamentals of business valuation. Among other things, a litigator must be able to recognize when a valuation is necessary, work with an expert to develop the valuation, present valuation testimony in court, and critique the other side's valuation and cross-examine the opposing expert. Join respected business valuation expert **Serena Morones** and veteran litigators **Keith Ketterling**, of Stoll Berne, and **Kim McGair**, of Farleigh Wada Witt, for an inter-active discussion of these topics as they explore business valuation from a litigation perspective.

For more information:

Call Keil Mueller, Stoll Berne at 503.227.1600.
For registration questions, call the MBA at 503.222.3275.

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Photocopy, complete and mail or fax the registration form with payment to the MBA to reserve your space. Or register online and receive a \$5 discount. Self-study materials from past CLE classes may be downloaded at www.mbabar.org.

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Registration forms with payment must be received in the MBA office by 3:00 p.m. the day before the seminar, or the "at the door" registration fee will apply (see fees for each class and fill in the blank on registration form). Registration forms may be mailed or faxed to the address or number below. Accommodations available for persons with disabilities; please call in advance for arrangements.

Photocopy registration and mail or fax with payment to:

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Register online and order or download MBA self-study materials at www.mbabar.org.

Reduced fees for unemployed members are available and are assessed on a case-by-case basis. For details, call the MBA at 503.222.3275.

Seminar Selection:

Please select the seminar(s) you wish to attend. Written materials for each class are included with registration. Pre-registration with payment is required to reserve a space; at-the-door registrations are accepted if space is available; an additional \$5 charge will apply.

12/10 What's New in Lawyer Regulation, in Oregon and Beyond

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12/19 Alternative Fee Arrangements

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1/23 Paid Sick Leave

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1/29 Multnomah County Presiding Court Update 2014

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2/4 Developing, Evaluating and Critiquing Business Valuations

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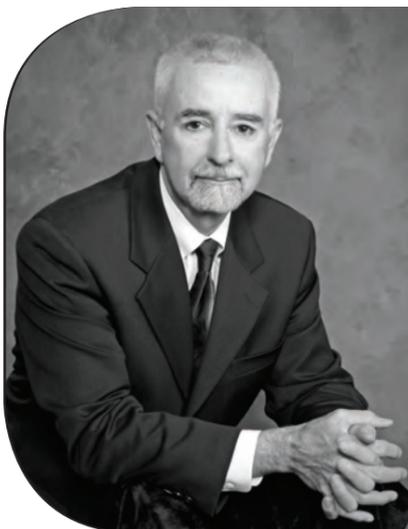


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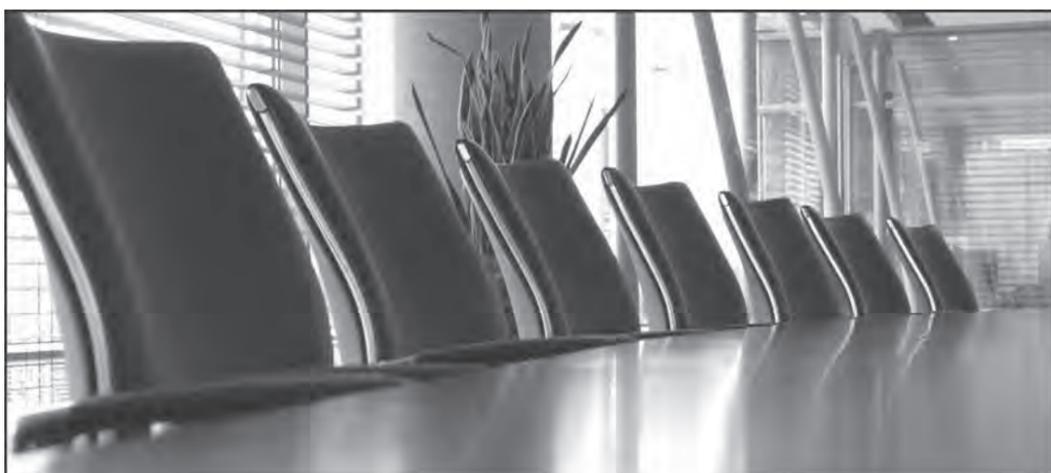
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Statement of Diversity Principles

The MBA Equality & Diversity Committee invites you to sign the Statement of Diversity Principles. Read the statement at mbabar.org/assets/diversitystatement.pdf and sign it online at mbabar.org/AboutUs/DiversityPledge.html.

Noon Bicycle Rides

Take a noon break for a short, fast ride with hills. Meet 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 just meet at the start.

Oregon Law Students Public Interest Fund (OLSPIF) Annual Auction

Saturday, February 15, 2014, at the Eugene Country Club, 255 Country Club Rd, OLSPIF will hold its annual auction. The Silent Auction begins at 5:30 p.m., the Dessert Auction is at 6:30 p.m. and the Live Auction begins at 7 p.m. A full buffet dinner will be served, with a no-host bar. Sponsorship for a table of eight is \$600; for a table of 10 it is \$750 (for guaranteed seating). There is a \$50 entry fee (for open table seating). For information or to sponsor a table/register, contact Jane Steckbeck, jsteckbe@uoregon.edu or 541.346.3987.

OLSPIF is a student-run organization that raises money for summer stipends for Oregon Law students to work in otherwise unpaid public interest positions. OLSPIF-funded students assist juveniles aging out of foster care, migrant farm workers, domestic violence survivors, the elderly poor and others. Fourteen stipends were awarded last year.

Oregon Paralegal Association Elects Board

At its October annual meeting, the association elected officers and directors. Brenna Dickey was elected president; Jeannie Lihs, vice president; Cindee Gannon, secretary; Alisa Stewart, treasurer. Other board members are Thomas Holmes, Mellissa Middleton, Brenton Sambuceto, MaryAnn Ivie, Wayne Akin Perla Caballero-Hoblit, Michele Davis and Joyce Kent.

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Ethics Focus

A Multitude of Sins Conduct Prejudicial to the Administration of Justice

by Mark J. Fucile
Fucile & Reising



In each of the past five years, the Oregon Supreme Court has wrestled with Rule of Professional Conduct 8.4(a)(4), which prohibits “conduct that is prejudicial to the administration of justice[.]” Reflecting the open-ended nature of this broad phrase, the Supreme Court found the lawyers liable on three occasions and dismissed the charges in the other two cases. In this column, we’ll review the definition of the rule crafted by our Supreme Court and survey the broad kinds of conduct that fall inside and outside that definition. In doing so, we’ll look primarily at the Supreme Court’s recent decisions and the principal cases from earlier years on which those decisions are built.

...the Oregon Supreme Court has wrestled with Rule of Professional Conduct....

The Definition

RPC 8.4(a)(4) is functionally identical to its predecessor under the former Disciplinary Rules, DR 1-102(A)(4). The Supreme Court, therefore, has continued to define RPC 8.4(a)(4) with the same elements it developed under DR 1-102(A)(4). This past August in *In re Carini*, 354 Or 47, 54-55, 308 P3d 197 (2013), the Supreme Court invoked that longstanding definition:

“To establish a violation of RPC 8.4(a)(4), the Bar must prove that (1) the accused lawyer’s action or inaction was improper; (2) the accused lawyer’s conduct occurred during the course of a judicial proceeding; and (3) the accused lawyer’s conduct did or could have had a prejudicial effect upon the administration of justice.”

The Supreme Court in *Carini* elaborated - again citing case law developed under the former Disciplinary Rules - that two distinct kinds of “administration” fall within the scope of the rule: the procedural functioning of the proceeding involved or a substantive interest of a party in the proceeding. With either variant, the *Carini* opinion noted (at 55) that the conduct involved must have “[h]armed [or had the potential to harm] the procedural functioning of the judicial system, either by disrupting or improperly influencing the court’s decision-making process or by creating unnecessary work or imposing a

...the conduct involved must have “[h]armed [or had the potential to harm] the procedural functioning of the judicial system....

substantial burden on the court or the opposing party.”

Although the focus under the Supreme Court’s definition is on judicial proceedings, the rule has also been applied to arbitration proceedings that are court-annexed or court-enforced (see, e.g., *In re Jackson*, 347 Or 426, 436, 223 P3d 387 (2009)) and other forums that “strongly resemble judicial proceedings” (see, e.g., *In re Boothe*, 303 Or 643, 654, 740 P2d 785 (1987) (lawyer disciplinary proceeding)).

Again summarizing its prior decisions, the Supreme Court in *Carini* observed (at 55) that the “prejudice” can come from either a single act that causes “substantial harm” or a series of acts that leads to “some harm.”

In or Out?

Given the broad sweep of the Supreme Court’s definition, it is not practical in this short space to catalog the many forms of conduct that the court has applied the rule to over the years. Two poles, however, suggest the range of conduct proscribed.

On one end, cases involving misrepresentations to courts that affect the orderly functioning of the judicial system clearly fall within the prohibition. *In re Kluge*, 335 Or 326, 66 P3d 492 (2003), for

example, involved a lawyer who appeared at an ex parte session of a court with an “affidavit of prejudice” against a judge assigned to hear his summary judgment motion without telling the judge handling ex parte that day that the judge against whom the “affidavit” was directed had already heard and denied an earlier summary judgment motion in the same case. At the other end of the spectrum, *Carini* and another recent case where the court found a violation, *In re Hartfield*, 349 Or 108, 239 P3d 992 (2010), primarily involved missed court appearances.

By contrast, the Supreme Court’s recent decisions dismissing charges suggest two broad categories of conduct that are not prohibited.

First, in *In re Lawrence*, 350 Or 480, 489, 256 P3d 1070 (2011), the Supreme Court held that the simple violation of a court rule or the equivalent will not violate RPC 8.4(a)(4) unless it also causes substantial actual or potential harm to a specific judicial proceeding:

“The Bar appears ... to take the position that virtually any violation of a statute, rule, or court order that occurs during the course of a court proceeding ... is prejudicial to the administration of justice.... Our cases, however, require proof by clear and convincing evidence that an accused’s conduct in a specific judicial proceeding caused actual or potential harm to the administration of justice and, when only one wrongful act is charged, that actual or potential harm must be ‘substantial.’”

...cases involving misrepresentations to courts that affect the orderly functioning of the judicial system clearly fall within the prohibition.

Second, in *In re Marandas*, 351 Or 521, 538, 270 P3d 231 (2012), the Supreme Court noted that simply fighting hard does not violate the rule either:

“The accused advance plausible legal arguments during the litigation, responded to requests for information from the court and other parties, and did not make knowing misrepresentations of material fact[.] ... His approach to the litigation may have been more combative and aggressive than was appropriate or reasonable in the circumstances, but it violated no ethical rule.”



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Around the Bar



Will Glasson

Will Glasson

Will Glasson has been named UO School of Law associate director of external relations. Glasson is based in Portland, where he focuses on employer outreach, career-related counseling for students and alumni, admissions, development and alumni affairs.



Shaun Jillions

Tonkon Torp

Shaun Jillions has been elected to the board of the Commercial Association of Brokers of Oregon and Southwest Washington, a regional trade association dedicated to serving commercial real estate interests.

Jillions is a member of the firm's Government Relations & Public Policy Practice Group, which represents corporations, municipalities, trade and professional associations, nonprofit organizations and higher education institutions. A seasoned lobbyist, Jillions represents a range of clients before all levels of elected and appointed government entities in Oregon as well as Oregon's congressional delegation.



Damien Hall

Ball Janik

Damien Hall has joined the firm as an associate practicing with the Land Use and Real Estate Groups. Hall has worked for several years representing both property owners and local governments, helping them navigate Oregon's unique land use requirements and political

sensitivities to controlled growth and land development. With a background in urban planning and development, he regularly assists clients with land use matters, real estate transactions, natural resources law, municipal law, and formation and organization of business entities.



Brett Applegate

Harrang Long et al

Brett Applegate has joined the firm as a litigation associate.



Carol Bernick



Gene Grant



Robert Newell

Davis Wright Tremaine

Partner-in-charge **Carol Bernick** has been honored as a recipient of the Litigation Counsel of America's (LCA) inaugural Peter Perlman Service Awards. This award recognizes LCA Fellows and others within the legal profession who have contributed in meaningful ways to society by giving their time and resources in an effort to improve the lives of others. The award is supported and sponsored by Peter Perlman, the LCA's 2013 president. The first class of 25 Peter Perlman

Service Award recipients is being recognized throughout this year.

Bernick, who has almost 25 years of experience representing employers in complex employment cases, currently serves as a board member of Northwest Earth Institute, and has participated in a number of Habitat for Humanity builds, including two weeks in Honduras and Zambia. She previously served on the board of the MBA and served as a fee arbitrator for the OSB. She is a regular mentor and speaker to new lawyers, particularly women litigators. She has also provided pro bono representation to nonprofits, including the Oswego Housing Development Council, Mercy Corps, Planned Parenthood Columbia Willamette, and Stand for Children.

Gene Grant, former co-chair of the firm's Real Estate and Land Use Practice, has been awarded the OSB's 2013 President's Award for Public Service. The annual award recognizes a single Oregon attorney for "significant contributions to the public" through pro bono work, community service, and other activities.

Grant has served on the boards of the Cascade Pacific Council of the Boy Scouts of America (which he also chaired), the Mt. Hood Cultural Center and Museum, and the Portland Stake High Council of the LDS Church. He has also served on and chaired the executive committee of the real estate and land use section of the state bar, and more recently was chair of the Urban Land Institute Oregon board. He's devoted many hours of pro bono work to a variety of individuals and organizations. Grant also served as planning commission chair (1992-98) and mayor (1998-06) of Happy Valley, Oregon.

Robert Newell, a partner who handles complex commercial litigation, has been honored by the OSB with a Pro Bono Award. Each year the bar recognizes a large, medium, and small firm, a solo practitioner, and an individual, for their dedication to pro bono work.

Newell is a longtime board member of Mercy Corps, a leading international relief organization, and has devoted countless hours to furthering the group's humanitarian mission. He is also former president of the MBA and a former member of the board of governors of the OSB.



Rachel Atchison



Jeff Bradford

Tonkon Torp

Rachel Kiyoko Atchison is an associate in the firm's Business Department. She served as a summer associate at the firm for two consecutive years while a law student. An accomplished musician, Atchison co-managed a Portland music store prior to attending law school. She has performed more than 400 concerts throughout the United States.

Jeff Bradford has joined the firm's Litigation Department. He served as a summer associate at the firm in 2012. He is an active member of the J. Reuben Clark Law Society, an organization of lawyers and law school students throughout the world who are committed to public service.



Matthew Ellis

Matthew Ellis

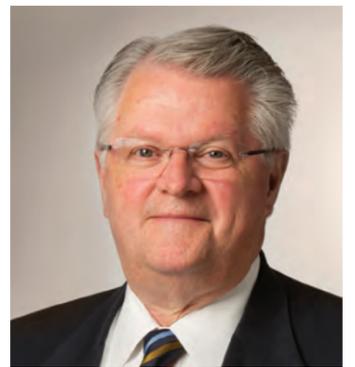
Matthew C. Ellis has opened his own practice, which will continue to focus on plaintiffs' employment law, housing discrimination law and general civil rights law. He will continue to serve on the executive committee of the OSB Civil Rights Section and to be active with the Oregon Trial Lawyers Association and the Owen M. Panner American Inn of Court. His office is located at 621 SW Morrison Ste. 1050, Portland OR 97205. Phone 503.765.5396. Email matthew@employmentlawpdx.com.



Angela Wilhelms

Dunn Carney

Angela Wilhelms joined the firm as of counsel to practice governmental affairs and business law. She served as chief of staff, Oregon House Minority Office from 2007 until January 2011, and served as chief of staff, Oregon House Co-Speaker from January 2011 until January 2013.



Michael Crew

Michael Crew has joined the firm as of counsel and **Brian Parrott** has joined as an associate. Crew's practice will focus on health care and business law. He will head up the Health Care Team at the firm. Parrott's practice will focus on health care and business law and he will also be a member of the Health Care Team at the firm.



Sandra Fraser

Tomasi Salyer Baroway

Sandra Fraser has joined the firm as it expands its Real Estate and Construction Law Practice Group. Her practice extends from the coast to Eastern Oregon, handling construction and timber litigation and a broad range of business disputes. She also advises clients on matters involving entity formation, sales or construction contract language, borrowing, and real estate lease and sale transactions.



Collin McKean

McKinley Irvin

Collin McKean has been named partner-in-charge of the firm's Portland office. McKean is particularly skilled in high-asset dissolution matters and complex child custody cases.



Mary Anne Nash

Continued on page 9

Around the Bar

Continued from page 8

Schwabe Williamson & Wyatt

Mary Anne Nash has joined as an associate. She focuses her practice on environmental and natural resources law. She advises clients on a wide range of issues, ranging from state and federal cleanup laws to the Endangered Species and National Environmental Policy Acts.



Christine Slattery



April Upchurch

Jackson Lewis

Christine Slattery has joined the firm as an associate. She provides counsel and litigation services in general employment law. She defends single plaintiff and class action lawsuits in state and federal court alleging harassment, discrimination and retaliation, breach of contract, wrongful termination, Title VII, ADA, ADEA, employment torts, wage and hour, and family medical leave claims. In addition to her litigation services, Slattery proactively counsels clients on creative solutions to personnel issues to help eliminate or reduce the risk of litigation. She may be reached at christine.slattery@jacksonlewis.com.

April Upchurch has transferred from the firm's Seattle office to Portland. Her practice focuses on labor and employment law and litigation and she has represented management exclusively since 2004. In addition to an active litigation practice, Upchurch advises employers on employee discipline and termination, employment discrimination, state and federal leave laws, disability accommodation, wage and hour compliance, employment policies and practices, and non-compete agreements. Upchurch also has significant experience with organizing campaigns, elections, unfair labor practices, arbitration, and collective bargaining. She may be reached at april.upchurch@jacksonlewis.com.



Carla Kelley

Miller Nash

Business attorney **Carla Kelley** was elected to the Urban League of Portland's Board of Directors. Kelley brings a wealth of knowledge from having previously served on community boards, including the Morrison Center, Portland Center Stage, and the City Club of Portland. The Urban League of Portland is a nonprofit, community-based organization that helps empower African Americans and other Oregonians to achieve equality in education, employment, and economic security.

Kelley is a member of the firm's Business Group, where she works with clients on government and regulatory issues.



Timothy Lawson

Greene & Markley

Timothy Lawson has become an associate with the firm. Lawson's practice will focus on commercial litigation and bankruptcy. Lawson joined Greene & Markley as a law clerk in 2011, during law school.



Laura Salerno Owens

Barran Liebman

The Oregon New Lawyers Division has honored **Laura Salerno Owens**, an associate, the Member Services Award for helping organize the 2013 District of Oregon Conference. In her role as the co-chair of the Ninth Circuit Lawyer Representatives for the District of Oregon, Laura worked with a committee made up of leaders from the Federal Bar Association and the U.S. District Court of Oregon to bring together over 60 presenters to speak at the "Innovations in the Law: Science & Technology" conference.

Traci Ray, the firm's executive director, was recognized with Project of the Year Award for initiating Oregon's first Wills for Heroes project where 40 volunteers prepared and executed estate planning documents for 100 first responders in one day. The Wills for Heroes program is a pro bono project that the

ABA YLD created, where lawyers and legal staff volunteer to produce wills for firefighters, law enforcement officers and other first responders.

The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. The

submission deadline is the 10th of the month preceding publication or the prior Friday if that date falls on a weekend. All submissions are edited to fit column format and the information is used on a space-available basis in the order in which it was received. Submissions may be emailed to Carol Hawkins, carol@mbabar.org.

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Jeffrey A. Bowersox

Jeff has been appointed by the Federal Court to the Plaintiffs' Steering Committee for the Stryker Hip Device litigation.

Jeff serves on the Discovery Committee which conducts all depositions and obtains and manages all document and ESI production from the defendants in preparation for Bellwether trials.

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Tips From the Bench

Jurors - Behind the Scenes

by Judge Cheryl Albrecht
Multnomah County Circuit Court

In Ancient Athens, the Theatre of Dionysus served as a site for both dramatic productions and important trials of the day. In that setting, the elements of litigation and narrative danced cheek-to-cheek, and it was not uncommon for Greek plays to present the characters' dilemmas to the audience for resolution as if the audience were the jurors deciding the outcome of the play.

Those early imprints continue to play out today in the theater that is the modern courtroom. Lawyers and litigants aren't the only ones on stage, however. Before prospective jurors ever get to the courtroom, they've been through their own version of rehearsals. Attorneys rarely witness what goes on behind the scenes as jurors get ready for their roles. Here's a short introduction.

Central Casting - Eligibility and Excusals

Article I of the Oregon constitution confers rights to jury trials in both civil and criminal trials. A lesser known provision, Article I, Section 45, passed in 1999, details when people with criminal convictions may be barred from serving in criminal trials or grand juries. No other provision in the constitution addresses eligibility requirements for jurors, though Article VII, Section 5 delegates establishment of juror qualifications to the legislature.

ORS chapter 10 is the chapter of all things jury. Statutes provide that the State Trial Court Administrator looks to "source lists," such as DMV records, to compile an annual "Master List" of prospective jurors. Local administrators pull names at random from the Master List to create "Term Jury Lists" of people who will receive a summons to report for jury duty on a given day.

Jurors must be citizens and must live in the county in which summoned. Jury room staffers field juror calls and have discretion to grant certain kinds of excusals and deferments over the phone. Most hardship requests get referred to the trial judge, who looks to the standards in ORS 10.050. The only automatic exemptions occur if requested by people over age 70 or women who are breastfeeding children. Sole caregivers of dependents should generally be excused unless the public need for jurors outweighs that person's circumstances.

Jurors may not be considered ineligible to serve because the person is blind, hard of hearing, speech impaired or physically disabled. For hearing-impaired jurors, the court must provide assistive listening devices or sign language interpreters upon request.



The law does not require foreign language interpreters. The chapter does not address the ability to serve by people who may have difficulty understanding English, but a court has discretion under ORS 10.050 and ORCP 57 to excuse jurors whose service or lack of qualifications may result in prejudice to one or both of the parties.

Makeup & Costume - Process of Becoming a Juror

Once a Term Jury List is created, a summons is issued to all those on the list. The summons provides reporting instructions and includes an eligibility form for the juror to fill out. A copy of the Multnomah County summons is included at http://courts.oregon.gov/Multnomah/General_Info/Jury_Service/pages/copy_of_summons.aspx. In the past, jurors serving in Gresham would report downtown first and only then learn they were to report back the following day to Gresham. Along with the construction of the new East County Courthouse came a new system that issues summons directly to that courthouse. Currently, misdemeanors are the only jury trials held there.

Grand Jurors are pulled from the regular panel as required by Article VII, Section 5. They are pulled at random just as if they were called for a regular trial. Chief Criminal Judge Julie Frantz conducts selection of the Grand Jurors. There are typically three Grand Juries operating in the courthouse on any given day - one for person crimes, one for property crimes and one for drug crimes. The jurors work together on their assigned cases as a single unit, just as regular trial juries do. Because evidence sometimes comes in piecemeal fashion, the term is longer, one month. Another Grand Jury can't take up a prior jury's case. All the evidence has to be heard by the same jurors.

The jury room staff has to anticipate how many jurors will be needed for a given term. Many trials in Multnomah County don't get assigned out until the day before trial, so estimating how many jurors will be needed weeks ahead of time is a guessing game. For the downtown courthouse, a

Continued on page 11



News from the Courthouse

by Kevin Kono
Court Liaison Committee

Chief Civil Judge Report

Chief Civil Judge Bushong was present to discuss his chief civil duties and responsibilities; this is a new position for the court. In his role, Judge Bushong chairs monthly meetings of the Civil Motions Roundtable (formerly known as the Civil Motions Panel) and facilitates discussion of issues and management of civil cases. He attends monthly meetings of the Presiding Judge Advisory Group and weekly chief judges' meetings with Presiding Judge Waller and Doug Bray. Judge Bushong will also assist Judge Waller in serving as a liaison with the civil bar.

Judge Bushong will lead efforts for improvements in civil case management, including working with judges, court staff, and the bar in developing and recommending to the presiding judge proposals for any policies, programs, procedures and Supplemental Local Rules (SLRs) that may be needed to improve effective and efficient handling of civil cases as part of the overall work of the court.

Right now, the court's focus is the implementation of eCourt and the new courthouse project. With the current rule changes approved by the UTCR Committee, Judge Bushong does not anticipate any big changes in the handling of civil cases. Significant changes occurred in 2012 with implementation of the case management system which required two conferences in each case. Now, the court is modifying the system by proposed amendments to the SLRs to streamline the process, including eliminating the initial case management conference and other changes necessitated by the elimination of that conference. Every case will still have a trial readiness conference, and will still have a motion judge assigned. The

proposed revisions to the SLRs were posted for comment by the MBA in July and reviewed by the Uniform Trial Court Rules Committee on October 18, and are now pending before Chief Justice Balmer for final consideration. The implementation date for the new rules is February 1, 2014. In addition, whereas certain types of civil cases had been omitted from the case management process under the current rules, once the new rules are in place, all civil cases will be part of the same case management process.

In addition to his administrative duties as chief civil judge, Bushong will still maintain his full caseload. The presiding judge will still have the final word on civil case processes and will continue to handle call, ex parte, Tuesday scheduling conferences, set-over requests and the court arbitration program.

Presiding Judge Report

Judge Waller reported that the court continues to move toward eCourt implementation. The court has 370 people to train internally counting all judges (including pro tem judges) permanent and part-time staff and work-study students and interns. The court is working on the training schedule with the state's program staff. Along with the new system, the court is looking at changes to business processes. With eCourt, there will not be paper - the court will scan filings immediately, and the filings will make their way electronically in appropriate staff's queues. From November through January, the court will be documenting all business processes and then building the new business processes into the production version of the system. There will be eight to nine weeks of training starting in March. The court is trying to continue work during training so that there will not be an additional backlog. The goal is that when the court opens for business on Monday, May 12, 2014, it will be on Oregon eCourt.

One month after eCourt goes live, one firm will be selected as a pilot to e-file. The plan is to open e-filing to all firms in mid-July 2014. Judge Waller said that she expects that e-filing will eventually be mandatory, so practitioners should learn it early. Doug Bray is presently meeting with some legal assistants at large firms who are e-filing in the eight Oregon counties that have implemented the Oregon eCourt case information system. The purpose of the meeting is setting up channels of communication with attorney offices and the Oregon eCourt Program. The eCourt product, Odyssey File and Serve, is different than the filing system used in federal court and the appellate courts. File and Serve is vendor-owned and operated and cannot be changed easily, but the documentation provided to Oregon users can be updated to make the system more understandable and expanded in detail to better explain its functions. The legal assistant focus group is extremely helpful and the court is grateful that the time has been made available by their firms.

Judge Waller reported that eventually there will be a portal so that users can view documents online. There will be a pilot program running by the end of the year, then governmental agencies will have access, with the bar at large eventually having access. In addition, there will be kiosks at the courthouse for anyone to view documents in files that are public records by law.

The court and the county are also working on a vision for a self-representation center with the Law Library Board. Approximately 23% of civil cases and 85% of domestic relations cases involve an unrepresented party. Under consideration is the possibility of expanding the purpose of the law library to be a resource center for the self-represented with volunteer assistance and web-based guided interactive forms.

Continued on page 11

Judge Greg Silver Multnomah County Circuit Court

by Chief Judge Rick Haselton
Oregon Court of Appeals

In the fall of 1973, Naval ROTC candidate Greg Silver was beginning his junior year at the University of Virginia in Charlottesville. The brigade commander proclaimed during a weekly drill that “If Richard Nixon ordered me to bomb my grandmother, I’d bomb my grandmother.” Silver, who loved his grandmother (and wasn’t that fond of Nixon) - decided that he was in the wrong place at the wrong time. . . .

The ensuing life journey took Silver through Nittany Lion heaven, with a brief life as a disc jockey, to law school and practice in Pittsburgh, from a watershed move to Portland and a life-defining commitment to sobriety, to service as a public defender and ultimately (in retrospect, inevitably) as a judge.

Shortly after leaving Virginia, Judge Silver, who had grown up in Bucks County, Pennsylvania, enrolled at Penn State University. He graduated a decade later, after working his way through school, first, as a local disc jockey, and, later, in a variety of university-related communications positions. From 1984 to 1990, Silver was the producer/director of live radio broadcasts of Penn State football games and the weekly “Joe Paterno Call-In Show,” carried over a 70 station network. Those were halcyon times - on the field - for Penn State football, including two national championships. Judge Silver smiles as he recounts a bus ride through rural Pennsylvania back to the campus after one of the championship games: “It was well after midnight when we landed in Harrisburg, and nearly a two-hour drive back to State College - and, in all these little towns, people, some holding babies, lined the road, cheering, cars honking, hook-and-ladder trucks all lit up. . . .” Years later, when Judge Silver first learned of the Penn State sex-abuse scandal, he, like thousands of other PSU alums, was shocked and “saddened.”

In 1990, Silver began law school at the University of Pittsburgh. For years - from the time that he was a champion high school debater - he had thought about becoming a lawyer, and, as he neared 40, a change in careers was compelling. Silver excelled academically and, especially, in moot court competitions. That, in turn, opened doors to formative externship experiences with federal judges, including the Honorable D. Brooks Smith, from whom he learned that “every litigant deserves a complete and impartial analysis” and to “go below the surface because things aren’t always as they seem to be.”

After graduating in 1993, Silver joined a Pittsburgh civil firm. Between the time that he had accepted the firm’s offer and when he began, the firm had

doubled in size after taking on several blockbuster environmental clean-up cases - and Silver, to his disappointment, worked primarily performing complex litigation support tasks, with little time in the courtroom. Within three years, another transition was in order: this time to Oregon.

Why Oregon? Silver’s son, Travis, had moved to Portland and extolled its virtues. At the same time, Silver’s drinking - exacerbated by his years in the radio and college sports environments - was becoming an increasingly serious concern. He and his (then) wife agreed that a “change of scenery” might help. In April 1997, they made the cross-country move.

Silver’s drinking continued, unabated. Judge Silver speaks forthrightly of the challenges of acknowledging one’s alcoholism, saying that it happens only when the alcoholic believes that he or she has “reached bottom.” For Silver, that catharsis occurred in November 1997, when his son invited him along for a four-day ski trip, and Silver, who cherished time with his son, felt he had to decline because he believed that he could not stay sober for that period and did not want his son and his friends to see him drunk.

On December 6, 1997, Silver, who had never had a DUII or lost a job because of an alcohol-related issue, checked himself into a treatment facility. He has been sober ever since. For the last 16 years, Judge Silver has continued to attend recovery-related meetings and has also counseled and supported others in their recovery through the Oregon Attorneys Assistance Program. Almost from the beginning of his recovery, Judge Silver has been sustained by his wife, Dale, a former Navy nurse and also a recovering alcoholic; they married in late 1999.

From his experiences in Pittsburgh, and especially his federal court externships, Silver believed that clerking with a local judge would provide a great opportunity to learn about, and connect with, his new professional community. He “papered the courthouse” with his resumes and, in April 1998, Multnomah County Circuit Court Judge Nely Johnson hired him. At that time, Judge Johnson had just finished presiding over a massive environmental clean-up case, involving exceptionally complex issues of insurance coverage, on which she was drafting opinions, and Silver’s experience in Pittsburgh with similar litigation caught her eye.

It was a fortuitous match. For the next two years, Silver worked with, and learned from, Judge Johnson. She remembers him, fondly, as extremely bright, thoughtful, and humane - and she was, and is, especially impressed by



Judge Greg Silver

his openness about his alcoholism and recovery. The mutual regard - and affection - is patent. When asked about the most important lessons of his clerkship, Judge Silver speaks of Judge Johnson’s integrity: “She showed me that judges can do the right thing and make a real difference.”

Over the course of his clerkship, Silver became increasingly interested in criminal law, which he believed would afford the greatest opportunities for trial practice coupled with intellectual challenge - and, most of all, the ability to “have an impact on the lives of real people.” In May 2000, Silver joined the Metropolitan Public Defender’s Office. Over the next seven years at MPD, he handled hundreds of misdemeanor and felony matters, including two murder cases, and served for the final three years as the chief attorney of the Misdemeanor Section. Among Judge Silver’s contemporaries at MPD were (now) Court of Appeals Judge Rebecca Duncan and Multnomah County Circuit Court Judges Tom Ryan and Kelly Skye.

In 2007, Judge Silver was appointed as a Multnomah County Circuit Court judge pro tem, presiding over a full array of misdemeanor jury trials, landlord-tenant disputes, DUII diversion hearings, and other matters. For Silver, the transition to judicial service was natural: “I believed that one of my strengths as a lawyer was being able to look at both sides of a case,” and judging was “the next step to serve the people of Oregon.”

In May 2013, Governor Kitzhaber appointed Judge Silver as a Multnomah County Circuit Court judge, succeeding Judge Janice Wilson. He is characteristically thoughtful about his service on the general civil and criminal trial bench. When asked about the greatest potential virtues of a judge, he pauses, and responds: “Humanity, humility, empathy. And perspective - the ability to step back in that moment right before you make a ruling, pause, and ask, ‘Have I missed anything? Is this right?’”

When asked about the greatest potential judicial vices, the Honorable Greg Silver responds with the wisdom of a life fully lived: “Setting yourself apart from those who appear before you. Being a judge doesn’t change who you are. You have to remember that, as judges, we are still just people who make some very important decisions - but that doesn’t change who you are.”

Tips From the Bench

Continued from page 10

loose average is that 120 to 150 jurors show up for each term. Multiple trials holding voir dire can quickly gobble up all available jurors. Following the enactment of ORS 10.107 in 1999, Multnomah County followed the “one day/one trial” model for many years, meaning that jurors serve for one day or, if chosen for a trial, for the duration of that trial. Multnomah County recently shifted back to the two day/one trial system due to budget constraints.

For trials of three weeks or more, judges often issue a summons for a special panel. The summons is sent to a larger group of people to account for the greater number of hardship excusals that inevitably occur. The jurors are told to report on a Friday as the jury room cannot accommodate two large groups of jurors. The judge typically gives a brief orientation and has clerks administer a questionnaire that the parties have submitted or agreed upon.

Regular panel jurors are told to report at 8 a.m. Most days, a volunteer judge greets the reporting jurors, shares his or her thoughts about the importance of jurors and provides information about the courts and trial process. There are no uniform remarks. Each judge gives his or her own version. After the judge’s remarks, the jury staff airs an informative video, which is available at http://courts.oregon.gov/Multnomah/General_Info/Jury_Service/pages/juror_orientation_video.aspx.

News From the Courthouse

Continued from page 10

Judge Waller also provided an update regarding a new courthouse. There is no site selected but there is a process for it identified. The National Center State Courts is helping develop a program plan - what do we need in the courthouse for the next 50 years? The new courthouse will be built anticipating growth. They are looking at trends in new courthouse design that reduce cost. For example, some new courthouses do not include a jury trial courtroom for all judges, because there are not jury trials in all courtrooms each day.

With respect to funding, Judge Waller said that there is a possibility for 50% state funding. They are looking at how partnership with the state will work. Presently \$15 million has been authorized by the state, to be matched by the county, for preliminary work, including acquisition of a site for the new courthouse. In addition, RFPs are coming up to select an owner’s representative, whom the county would rely on to manage the courthouse project. The goal is to be ready by the 2015 legislative session to ask for the larger sum of state matching funds (at least \$100 million each)

Dress Rehearsal - Setting the Stage for Trial

When a courtroom is ready to call jurors up for a trial, the clerk communicates via instant message with jury room staff. In determining the number of jurors to call, a judge takes into consideration if there will be alternates, the number of peremptory challenges, whether the case may trigger cause challenges, and whether a long trial will generate more hardship excusals. Most panels don’t exceed 40 jurors even if multiple panels may need to be examined to obtain a jury.

If enough jurors are available, the jury room composes a trial panel pulled at random and identifies and numbers the panel in the system. Once compiled, the clerk receives and prints the list of the jurors assigned for that particular trial and the jurors trickle upstairs. Some judges have their clerk meet the jurors in the hallway while others have jurors come directly into the courtroom. The clerk directs them to their assigned seats, usually in the same order as on the list. Different judges have different arrangements for where alternates are placed. Once seated, the judge or clerk administers the oath and sets out the easel with the general juror questions. The court turns to juror number one. The curtain opens. And the show begins.

to actually build the courthouse, and the court will need the help of the bar in 2015 if there is any question regarding getting the funding (bonds). Both the county and the state have present bonding authority to issue bonds for the courthouse.

Doug Bray distributed a copy of SB 5506, which he said is vitally important to the courthouse project. It builds in the state partnership. The Department of Administrative Services will be the leaseholder for space occupied by the court until the bonds are repaid. This will affect the dynamics of building and occupation. This is the first time the state has agreed to build or remodel a county courthouse. There is no change in who has responsibility for the courthouse, however - it is still the county.

Finally, Judge Waller said that the legislature had held back 2% of the budget. For Multnomah County Circuit Court, that is approximately \$1 million. In light of the September forecast and the expected December forecast, she expects the 2% to become available, but no legislative decisions will be made until the February, 2014 session. Judge Waller may look to the bar to help advocate for the 2% to come back to the judicial department.

Young Lawyers Section

Imprint Program Seeks Volunteers

The Imprint Program has returned for another great year of reading real books and corresponding with local high school students. This YLS Service to the Public Committee's popular program is a way for high school students to connect with young attorneys in their community and develop writing and analytical skills. Each student in the participating class will be paired up with a volunteer attorney. Both the attorney and the student will be assigned a novel to read over a two-to-three month period. The student and attorney will write approximately four letters apiece, discussing both their lives and interests as well as discussing the portion of the novel that was read that week. By the end of the program, the student and attorney will have developed a mentoring relationship and will

have the chance to meet at an informal gathering celebrating the project.

The first letters will go out in mid-February. To participate, you must be able to attend one of two program-end parties on Tuesday, May 13 from 8:30-9:30 a.m. and 9:30-10:30 a.m. at Parkrose High School. Yes; a top requirement is that you relax and attend a party.

An orientation meeting for volunteers will be held at 5:30 p.m. on Wednesday, January 22, at the Standard Insurance Center, 900 SW 5th Ave. Attendance at the orientation is not mandatory, but is strongly encouraged.

To sign up for the program contact Kathy Modie at the MBA at kathy@mbabar.org or 503.222.3275. If you have any questions, contact Alison Brown at abrown@carrbutterfield.com or 503.635.5244.

Ask the Associate

Dear Awesome Associate:

I know that in order to be valuable at my firm and be on the "partner track," I need to bring in work and my own clients but I don't know where to start. How do you find time to bill all those hours and still get out there and market? By the way, what does "marketing" really mean when you're a new lawyer?

Your friend,
Marketing Amateur

Dear Marketing Amateur:

First of all, good for you to realize early on in your career that it's going to take more than working late nights and billing lots of hours to be on the partner track. Generating your own work and bringing in your own clients is often the most important thing partners will look at when considering you for partnership. This will also greatly affect your success if you're considering going out on your own. "Marketing" is really about getting to know people and making connections. You don't have to be extroverted

or go to a different function every night to market.

As a newer lawyer, you should think about your marketing plan - what kind of clients do you want or need and where are you most likely to get those clients? What is your personality and what do you enjoy doing? What is a realistic marketing goal for you every week and how will you track your success? After answering those questions you can begin thinking about the best use of your time. Remember, never participate in any activity or committee simply to get business; do it because you have an interest in the activity so you'll enjoy going. For example, if you're most likely to get your type of clients from other professionals, think about joining a nonprofit board for a cause you believe in. Don't forget the small stuff you can do once per week like reaching out to a lawyer outside your field and taking him or her for coffee or lunch; sending a congratulatory note to a local businessperson in the

A New Profession The Limited License Legal Technician

by Jesse Wilburn
YLS Futures Committee

The Washington State Legislature has created a new class of legal professional: the Limited License Legal Technician (LLLT). Although Oregon does not yet have an analog, Oregon lawyers should be aware of exactly what the LLLT is, and what it could mean for the legal community because the Washington Supreme Court adopted the Limited License Legal Technician Rule, effective September 1, 2012. But what does this new profession entail? What is required to obtain the license and who is responsible for supervising those licensed?

On June 15, 2012, the Supreme Court of Washington adopted the new APR 28-Limited Practice Rule for Limited License Legal Technicians. The court makes clear that LLLTs are NOT lawyers. It explains that justice requires available and affordable limited levels of assistance that can be provided by non-lawyers. The 2003 Civil Legal Needs Study documented that civil legal needs have become unaffordable for those with low and moderate incomes, thus creating the need for APR 28. The example the court focuses on is in the area of family law (specifically changes in family status such as divorce, child support, etc.) due to a "ballooning population" of pro se litigants who cannot afford an attorney and yet legal practice is required to follow statewide and local procedures. It explains that the adopted rule is narrowly tailored, includes appropriate training, financial responsibility, regulatory oversight, and ethical requirements.

What does the Limited Practice Rule for Limited License Legal Technicians itself establish?

news; or sending a card to a past client with whom you enjoyed working. Most importantly, keep in mind that wherever you go there's an opportunity to connect with people, so don't be shy about telling people who you are and what you do. Remember, relationships grow over time, so even if you don't reap the benefits of your efforts right away, you never know where the next client will come from.

Yours Truly,
Awesome Associate

Send your questions to Awesome Associate at mba@mbabar.org.

It authorizes persons with the license to give limited legal assistance or advice in approved practice areas of law. It sets forth the scope of practice authorized, which must be within the defined practice area the LLLT is licensed for, and lays out nine services the LLLT may undertake. These services include completing court forms, assistance in obtaining necessary documents, informing the client of applicable procedures and deadlines, and explaining documents the client has received from the opposing side. The rule establishes an LLLT Board, which was appointed in December 2012 and consists of 13 members, nine of whom are active lawyers; four of whom are non-lawyer residents; and one member who is a legal educator. It lays out the board's responsibilities which include approving education and experience requirements for licensure, disciplinary procedures, and recommending practice areas of law for LLLTs. In January 2013, the board got to work and recommended family law as the first practice area in which to license LLLTs, which the court approved in March 2013.

The rule establishes the requirements for licensure as an LLLT which was amended on July 10, 2013. To apply for licensure, one must have an associate level degree or higher, complete 45 credit hours of core curriculum through an ABA approved law school or ABA approved paralegal program, and complete practice area courses with curriculum developed by an ABA approved law school (family law courses have been developed by

Gonzaga University, Seattle University, and the University of Washington). There is a Limited Time Waiver exception that provides a partial education waiver (it waives the associate level degree and the 45 hour core curriculum requirement) for certified or registered paralegals who have 10 years of substantive law-related experience. Once all education requirements are completed, the LLLT Examination must be passed which consists of a core curriculum examination and a practice area examination. The examination is currently being developed by the board and will be held in fall 2014. The applicant must also acquire 3,000 hours of substantive law-related work experience supervised by a licensed lawyer.

Thea Jennings, the LLLT Program Lead, has indicated they will be accepting enrollment forms and waiver applications through December 16, and are currently promoting and educating students about the courses. The hope is to have 30-50 students enrolled in the family law courses. She expects that most of those enrolling in the courses will apply to take the licensing exam in fall 2014, but many students will need to take one or two missing courses from the core curriculum before qualifying to apply. She does not expect more students to register in the family courses under the Limited Time Waiver, and most students will qualify to apply based on their studies at an ABA approved law school.

Keep an eye out for Limited Licensed Legal Technicians in Washington, because around this time next year applicants will be taking the LLLT exam and be authorized to engage in the limited practice of law in the approved practice area of family law.

mba yls | EVENT

**YLS Drop-In Social & Toy Drive
Portland Prime
121 SW 3rd Ave., Portland
Wednesday, December 11
5:30 p.m.**

Celebrate the season and mingle with your fellow young lawyers!

Please bring a new unwrapped toy for Toys for Tots and help bring holiday cheer to children in our area.



No RSVP necessary.

Glenn Robles Pro Bono Spotlight

by Timothy Crawley
YLS Pro Bono Committee

For Glenn Robles, a seasoned litigator of over 15 years and a current partner at Cosgrave Vergeer Kester, pro bono has a broader connotation than its traditional application in the legal field. Glenn, a marathon enthusiast breaks the pro bono mold by giving his time for the public good in and out of the legal context.

Glenn comes from a long line of scouts. His grandfather was a Scout Master and his father, two older brothers and he were Eagle Scouts in Sacramento, California, where Glenn grew up. From an early age, Glenn learned how to mobilize the resources of the troop to effectuate change in his community and act on behalf of the public. His Eagle Scout project included refurbishing playground equipment for children with health deficiencies.

Out of law school, Glenn, acting on a wanderlust desire, chose to serve the communities of the U.S. territories of Guam and the Commonwealth of the Mariana Islands. Glenn principally practiced in commercial litigation; however, he also represented a number of defendants in criminal matters. On one particular occasion, there was a high-profile prison break. One of the prisoners showed up on his former girlfriend's doorstep for sanctuary. The former girlfriend, Glenn's client, fell into the legal mess that ensued. Since she was not a U.S. citizen, Glenn faced the added difficulty of finessing the court on her status as a resident. Ultimately, under the public eye, Glenn fought and won his client's absolution from the charges she faced.

Since his return to the mainland, Glenn joined the Cosgrave firm and began his practice in the railroad industry. He has spent endless hours, effort and energy representing low-income clients through groups such as the Oregon Law Center and the St. Andrew Legal Clinic. In particular, Glenn feels compelled to represent victims of domestic violence in tragic circumstances where legal representation would otherwise be completely out of reach.

Glenn recognizes that the constraints on many lawyers' time often prohibits some from the kind of time-consuming service he dedicates to low-income client representation, so he takes the extra step in the Campaign for Equal Justice, an annual legal fundraising effort designed to raise money to keep Oregon's Legal Aid offices open and staffed.



Glenn Robles

Surely Glenn's public defense work in Guam and the Commonwealth of the Mariana Islands, his private representation of clients in situations of domestic violence and abuse who otherwise could not afford legal services, and his dedication to raising awareness and money for access to justice through the Campaign for Equal Justice fall very neatly into the legal services category of pro bono work. However, the full spectrum of his commitment to the public good is even broader.

Glenn's commitment to pro bono work runs back to his service as an Eagle Scout and his deeply ingrained desire to serve his community. A few years ago, Glenn was diagnosed with cancer. He considers himself a "chemotherapy survivor." So Glenn took his survival experience and offered his support, love and mentorship for a child in the Chemo Pal program through the Children's Cancer Association in Portland. That child is now on his way to recovery, in part, from the gift of hope Glenn was able to provide.

Glenn Robles, a super lawyer and a super person, knows no boundaries when it comes to pro bono.

Getting to Know the Oregon Hispanic Bar Association

by Jeanne Sinnott
YLS President-Elect

The Oregon Hispanic Bar Association (OHBA) is an association of people who represent the voice of Latinos in the Oregon legal community. The OHBA seeks to encourage Latinos to become lawyers, support and mentor Latino law students and legal professionals, raise awareness of Latino legal issues, and promote advancement of Latinos in the legal community. I recently interviewed Ramón Pagán, president of OHBA. Ramón and I talked about the goals of OHBA and OHBA's 8th Annual Awards Dinner, which is scheduled for February 21, 2014 at the Nines in downtown Portland.

Q: How did you get involved with OHBA?

A: When I first came to Portland in May 2011, I wanted to be active with different bar associations. I immediately joined the OHBA and other associations like the MBA and the Oregon Criminal Defense Lawyers Association. In the fall of 2011, board members asked me to help plan the annual dinner. The first real assignment that I had was to help with the Ambassador Program, where we pair law students with practicing attorneys to introduce them and help break the ice at the dinner, as it can be intimidating for law students who first attend functions with practicing attorneys. After that, I joined the OHBA board relatively quickly. And then the next year, I was asked to be president.

Q: Can you explain OHBA's goals and how OHBA implements those goals?

A: OHBA's goals and activities follow the timeline of the life of a lawyer in training and then in practice. At the beginning, we seek out prospective law students

from diverse backgrounds that may be thinking of coming to Oregon, from, say, the East Coast, or other regions. We try to reach out to these prospective students to help them feel comfortable coming to Oregon. We help them understand that it's an attractive place to live and practice.

Then, when they are in law school, we focus on retaining them in Oregon. To accomplish that goal, we organize socials for law students and practicing lawyers, such as informational events with judges or practicing lawyers who talk about the issues they face as practicing attorneys. We also participate with OLIO (Opportunities in Law for Oregon through the OSB), which is really a fantastic program for new lawyers that are of diverse background who are coming into law school.

Our next focus is integrating new Latino lawyers in the community. We try to get them out to social events with other bar associations or co-sponsored CLEs. At that point we are really focusing on welcoming them to the community, giving them a shoulder to cry on, and generally mentoring them. We also make available to them multiple panels for dealing with the fact that they're a minority here, uncomfortable moments in their past and how to deal with them. We want them to see that there are people like them in powerful positions, such as Judge Ortega on the Oregon Court of Appeals. Seeing Hispanics in positions of power and understanding that they are very supportive of them is very important.

Finally, once Latino lawyers are more progressed in their careers, OHBA works to keep them integrated, promote and celebrate them through award nominations and ceremonies, and support them in applying or running for political positions, such as judicial positions.

Q: That's great. It sounds like OHBA has a very comprehensive approach to helping its members. And tell me about the OHBA Annual Award Dinner coming up on February 21.

A: This year our annual award dinner will be at The Nines. We aim to provide a little bit of culture, so we will have some music that is representative of our community. There is also a big focus on the Ambassadorship Program that I mentioned before, where important people in the legal community volunteer to be ambassadors for students and introduce those students to a lot of fantastic people, both Hispanic and non-Hispanic. Also, like always, we will be awarding the Paul J. De Muniz Professionalism Award.



Ramón Pagán

The event begins with a reception with some really fantastic cultural music, people relaxing with excellent cocktails and beverages, and then the night concludes with dinner and a small series of presenters who discuss important topics.

This year, we intend to have an excellent keynote speaker to follow last year's amazing keynote speaker. I have been to a billion of these types of dinners and at last year's dinner we had a D.C. Circuit Judge Jimmie Reyna. We don't tell them what they have to speak about; they can speak about whatever they want. Last year, Judge Reyna gave the most impassioned speech about how he had to deal with adversity growing up and how he fought through that adversity. The speech ended with this real call to action. People's hair was standing up on the back of their necks. It was so impassioned. I can't even describe it to you without getting into character, but he was literally just screaming out to his audience, "Don't stop, no matter what obstacles are put before you, no matter what people say to you, no matter what prejudice you think that they are trying to impose upon you. You just push forward and turn the corner." My wife, who is not even a lawyer, was like, "Oh, that's the best speech I've ever seen!" He hit this really fantastic note for us.

Q: You're an Oregon transplant from NYC. What do you think are the biggest differences between practicing in Portland and NYC?

A: My wife and I moved here for a better quality of life. We really like coffee, we like to ride our bikes, and Portland just fit us perfectly. But I had no idea moving out here that I would meet such fantastic people. The bar is so welcoming. The number of attorneys that I meet who are very diligent, conscientious, and cautious is much greater than NYC. It's just a totally different atmosphere and I really feel like I learn a lot from attorneys here on a daily basis. They are professional, they're friendly, the bar associations are very welcoming and genuine. So it's been very, very easy for me to be integrated. I came here two and a half years ago and thought "I should get involved with some of these bar associations," and a year and a half later, I was made president of OHBA which would never happen in NYC. It's great.

mba yls | EVENT

YLS Community Service Day

Blanchet House

Saturday, December 28

11 a.m. - 12:30 p.m.

The YLS Service to the Public Committee invites you to volunteer at the Blanchet House on December 28 from 11 a.m. - 12:30 p.m. The Blanchet House of Hospitality regularly serves more than 800 free meals per day, six days a week, totaling more than 300,000 hot meals each year. Volunteers may be asked to help plate and serve meals, pass out utensils or help with clean-up.

Friends, family, and children over the age of eight are welcome to join us.

To sign up or for more information contact Jenny Eadie at 503.954.1573 or jenny@pekelderlaw.com.

Inaugural YLS Luncheon a Hit!

The YLS hosted its first of many YLS luncheon events at Portland Prime on Tuesday, November 12. The lunch was a sold out event and welcomed new admittees and current YLS members.

Albert Menashe, shareholder at Gevurtz Menashe, attended the lunch and shared his views and insights on client development. I'll do my best to summarize, but there's really no substitute from being present at the lunch - hopefully you can make it to our next lunch, to be held in January.

In short, Menashe explained that client development is something that you should do every day and that it is not distinct from your legal practice or your life. There's no single secret to client development. It takes time and energy, and



Albert Menashe

it's important to take the long view. Client development can be compared to growing an apple tree from a sapling - you won't get apples right away, but you will over time if you properly care for and nurture it. You meet new people every day, or at least have opportunities to

meet new people every day, and it's important to be mindful of and take advantage of those opportunities. Menashe shared a number of examples from his experience that highlighted the value of this perspective.

(Warning: shameless plug coming.) Menashe also emphasized the importance of connecting with other lawyers in the local bar, for both personal and professional reasons. He applauded getting involved with the MBA and MBA YLS as a great way to meet fellow lawyers and suggested that getting involved in leadership positions and committees was the best way to do this. We agree and will always strive to find opportunities for those looking to get involved. Please contact Traci Ray, our MBA YLS President, if you would like to get involved or would like more information about the MBA YLS and future luncheons and other networking opportunities at tray@barran.com.

The YLS thanks Albert Menashe for helping make our first lunch such a success. Keep an eye on the MBA calendar and your inbox for our next lunch event.

Note from the YLS Articles Editor: A big thank you to Duke Tufty, Paige De Muniz and Kathy Modie for organizing this fantastic luncheon.



Attendees at YLS luncheon

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Eliminate. Automate. Delegate. Do.

by Tom Howe
E-Discovery Lawyer
Howe & Associates



January is a new beginning; a time to evaluate goals and improve effectiveness. I have learned that law firms can increase their effectiveness and implement technology and time management strategies by adopting this simple mantra: *Eliminate – Automate – Delegate – Do.*

Eliminate

The first rule is to eliminate.

“Besides the noble art of getting things done, there is the noble art of leaving things undone. The wisdom of life consists in the elimination of non-essentials.”

Lin Yutang

In our world of overwhelming demands, when asked to take on a new task, your default answer should be “No.” Attempting to assume every task and to please every client and employer invites health problems, malpractice claims, and general unhappiness. Avoid the knee-jerk answer “Yes.” Don’t take

every case; don’t accept every task. The ability to say “No” is critical to your success.

Challenge yourself with these questions to avoid overcommitting to new tasks:

- Why do I not need to do this?
- Why should I say no?
- Will accomplishing this task help me achieve my long-term goals?
- Does this relate to the most essential things in life (e.g., family)?

Eliminating tasks is the most effective time management technique. Suppose that you work eight hours a day, five days a week (yes, I am asking you to fantasize!). Eliminating as few as 30 minutes of tasks per day saves a minimum of 3.1 weeks per year. This is equivalent to an extra three-week vacation!

Automate

The second rule is to automate. Many common tasks can be completed quickly using automation, especially with the help of technology.

My toughest challenge is convincing law firms to acquire technology and automate systems. The benefits include:

- Working more effectively;
- Eliminating mundane tasks;
- Reducing errors; and
- Increasing profitability (work less, make more).

And yet, many law firms resist automation citing the cost. Numerous times I have recommended software that

demonstrably saves time for everyone at the law firm only to have it rejected because it costs a few hundred dollars.

Instead of the software or technology costs, firms should focus on increasing the efficiency of their highest overhead cost - their employees. Proper use of technology enables your employees to become much more effective. Technology enables employees to apply their knowledge and skills for better case outcomes, not drain their energy by performing mundane tasks.

Of course, you must first identify which tasks can be automated. Ask yourself: will I ever need to do this task again? The more often you do a task, the more you will benefit from automation. Efficient firms use case management software; pleading, letter and email templates; and office systems to handle tasks quickly and with consistent high quality. With software and systems lawyers manage information faster and better.

When I take my dog Riley to the veterinarian, I’m shown his entire medical history on a computer monitor (read: no paper). Surprisingly, in many law firms this type of computer access to information is impossible. Instead, they respond, “I have to order up the file,” or “I have to ask my legal assistant,” or “That document is on another lawyer’s chair.” This is ridiculous! What is this – 1990?

Challenge yourself to perform tasks as quickly as possible (I use a stopwatch myself). The improvements you make with technology to automate your tasks will provide benefits and a return on investment until the day you retire.

Delegate

If you cannot eliminate a task, and you cannot quickly do it with automation, consider delegating it. Delegation is a productivity multiplier! Having others do our work is so sensible so why don’t we do this? Some believe no one can do the task better than they can (*read: control freak*).

Delegate tasks when:

- You have higher-priority work;
- Others can do it better, cheaper or faster; or
- You are procrastinating (I’ll deal with procrastination later - sorry, old joke!).

Learn to delegate with clear instructions and communicate the desired outcome. Make sure the deadline is understood and reasonable.

Do

If you cannot eliminate it, automate it, or delegate it to others - do it. If you can do it in less than 10 minutes, do it right now. If not - schedule it.

Attack tasks with the vigor of a highly trained athlete. Develop your own list of motivational mantras. Here are some of my favorites:

- “Every calling is great when greatly pursued.” *Oliver Wendell Holmes*
- “Win a day!”
- “Every second counts!”

Use visual reminders, inspirational books and movies, and music playlists to help you stay motivated, positive and productive. In time you will develop habits for success.

Learn More

To learn more time management and technology techniques and see practical demos, attend the MBA CLE “*Effective Use of Time and Technology for Lawyers*” on January 8, 2014. Attendees will receive over 20 Word, Excel, and PDF documents to use in their practice.



PHOTO BY LEEANN GAUTHIER



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Welcome, New Admittees!

On November 6, the YLS Membership Committee hosted the annual YLS New Admittee Social at Spirit of '77. This event gave new admittees to the OSB and young attorneys an opportunity to mingle in an informal setting.

The YLS would like to acknowledge the support of LexisNexis, which sponsored the event.

Thank you to all who participated. We look forward to seeing you at the next social!



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Downtown Portland - One Office - Class A Space River View

\$1,200/Monthly: Class A office space, 18th floor of Umpqua Bank Building, at One SW Columbia. One exterior office with panoramic view of mountains, riverfront and downtown. AV family law practice will share two conference rooms, receptionist services, and kitchen. Copier, fax, telephones and email provided at cost. Building amenities include conference rooms, private gym and bank in building. Approximate room size 10 X 15. Call Cecelia Connolly 503.224.7077.

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Positions

Family Law Associate Position

Yates, Matthews & Eaton, P.C., an AV rated Portland firm seeks an attorney with at least 5-7 years' experience in family law. Competitive salary, full benefits and bonus potential. Send resume, with writing sample Attn: Office Administrator, Cecelia Connolly, cconnolly@yatesmatthews.com. All inquiries will remain strictly confidential.

Litigation Associate

Cosgrave Vergeer Kester has an immediate opening for an entry level associate to join our civil litigation practice. Work assignments may include personal injury, general liability, business and construction litigation. Some prior litigation experience including clerkship or externship desirable. Strong academic record, demonstrated analytical and writing skills and Oregon Bar membership is required.

This is a good opportunity to join a well-established firm with strong roots in the Northwest. With 37 attorneys, the firm is known for its exceptional

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Qualified applicants should apply at: <http://cosgravelaw.applicantpool.com/jobs/>:

- Cover letter
- Resume
- Writing sample (5 pages)
- Law school transcript

Documents may be uploaded in Word or PDF format on the website. Applications must include all documents for full consideration. All inquiries will be handled confidentially.

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A NW Portland law firm is seeking an experienced litigation associate attorney with a minimum of two years of experience. Our associates quickly take on substantial responsibility in accordance with their demonstrated abilities. We are a well-established firm with excellent benefits, facilities and staff. Please direct inquiries to: employment@kilmerlaw.com. All inquiries will be kept confidential.

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Law firm specializing in insurance defense, construction defect litigation, and insurance subrogation seeks associate attorney. Will consider new graduates with clerking experience as well as admitted attorneys with up to three years of litigation experience. Must have excellent writing and organizational skills. Prefer top 25% of law school class and Washington Bar membership. Please submit cover letter, resume and transcript to Eric D. Virshbo, MacMillan, Scholz & Marks, P.C., via email only (evirshbo@msmlegal.com).

Associate Attorney - Business and Real Estate

Cosgrave Vergeer Kester has an immediate opening for an entry level associate to join our business and estate planning practice group. Work assignments may include contract preparation and review, entity formation, related business advice and counsel, and real estate transactions. At least

one year of relevant experience is required. Strong academic record, outstanding analytical and writing skills and Oregon Bar membership are required.

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Client Assistance Office Attorney

The Oregon State Bar is looking for someone who will provide evaluation of inquiries and complaints concerning the conduct of attorneys and determine appropriate disposition.

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Would You Like to Help Students? YOUthFILM Project Needs You!

The YOUthFILM Project allows elementary, middle school, and high school students from all over Oregon and SW Washington to show off their creativity, knowledge, and skills by producing short films on a chosen civics theme. The films are screened as part of the MBA Community Law Week celebration. This year's theme is "American Democracy and the Rule of Law: Why Every Vote Matters."

The YOUthFILM Project Mentorship Program provides an opportunity for civically-minded students to learn about the law from an attorney. As an attorney mentor, you will

be matched with a group of student filmmakers to provide insight to the students on the law relevant to this year's theme, help the filmmakers develop ideas for their film, and assist

with planning and organization. Technical filmmaking ability is not required. Orientation for attorney film makers will be held on January 14, at 5:30-6:30 in Café B at the Standard Insurance Building, 900 SW 5th Ave., Portland.



If you would like to volunteer your time as mentor this year, please contact Kelvin Adkins-Heljeson, directly at kdadkins@gmail.com. This is a great opportunity to get involved and help encourage students to care about civics issues. For more information, please visit www.theyouthfilmproject.org.

On Thursday, May 1 at 6 p.m., the YOUthFILM Project will host its 7th annual film screening event at the Hollywood Theatre, highlighting the students films and giving them a once in a lifetime chance to see their work on the big screen. Special guest Chief Justice Thomas Balmer of the Oregon Supreme Court will provide the keynote address and present awards to the winning film submissions.

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mba|EVENT

ZooLights
Portland Children's Museum & Oregon Zoo
Wednesday, December 18
5:30-7:30 p.m.



Come join the MBA and MBA YLS at the Portland Children's Museum and the Oregon Zoo for ZooLights. This event is open to all ages.

The fun starts at the Children's Museum across the parking lot from the Zoo entrance. Come join us for refreshments and fun before heading over to the Zoo to enjoy the lights.

Please watch for further emails regarding this event - we look forward to seeing you on the 18th!

A big holiday thanks to event sponsors Barran Liebman, Miller Nash, Stoel Rives, and Hill & Lamb.

Questions? Contact Ryan at the MBA at 503.222.3275 or ryan@mbabar.org.



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MBA Members Donate to VLP

Thanks to the following 2014 members, who have donated more than the \$25 specified for the dues check-off to the Volunteer Lawyers Project, administered by Legal Aid Services of Oregon. Your dedication to access to justice is greatly appreciated.

Jeffrey Batchelor
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Pro Bono Volunteers

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

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Grants Advance Civic Education

by Pamela B. Hubbs
Office and Foundation Administrator

“I know of no safe depository of the ultimate powers of the society but the people themselves...”

Thomas Jefferson, 1820

“...And if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but inform their discretion.” Thomas Jefferson’s premise that an

informed citizenry is the only basis upon which democracy can flourish goes to the heart of the mission of the MBF Civic Education Fund to advance civic education and engagement through annual grants to local nonprofits.

With support from the legal community, this year MBF grants:

- Engaged **young professional mentors** to teach high school students about the importance of voting and challenge teams of students to register friends and family to vote

- Created **civic awards** to recognize, strengthen and reward excellence in individuals, student groups and nonprofits that promote civic and political knowledge and skills and present an innovative approach to civic engagement
- Enabled elementary, middle and high school **students** to spend at least a month studying the U.S. Constitution or a trial and learn about current issues’ connections to constitutional principles
- Developed a program to teach the **fundamentals of civics** and regional government to older adults in underserved communities and provide them with opportunities for volunteer civic engagement
- Launched a monthly program with **expert panelists** examining the legal, political, economic and social aspects of various general civic issues
- Produced a **public affairs** show about the role the judicial branch plays in people’s lives, fostering an increased understanding of the judiciary and helping empower the community to be more civically engaged
- Provided high school students an opportunity to learn about the **rule of law** and restorative justice through service as peer attorneys and jury members in a hands-on program that endeavors to help teens in trouble become better citizens
- Taught **newly naturalized citizens** about the voting system, voter registration and civic engagement to help new Americans gain an understanding of the democratic process and enjoy meaningful civic participation
- Enlisted K-12 students to learn about **civic involvement** and the law through the creativity and fun of a student filmmaking contest

Please consider a year-end gift to the MBF to continue this good work. To make a charitable donation, see the insert in this issue, visit mbabar.org or call 503.222.3275.

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