Pro Bono Help is Needed Now More than Ever

by Dana Sullivan
MBA President

Like theABA, the OSB, and stateand local bar associations acrossOregon, the MBA devotes special attention during the month of October to pro bono service. These events are intended to spread the word about the increased need for pro bono services and to celebrate the outstanding work of lawyers who volunteer their services throughout the year.

We should take pride in the work being done

We have much to be proud of in Oregon. Unfortunately, it is impossible to gauge accurately the number of pro bono hours logged by Oregon lawyers because fewer than 15% of OSB members report their pro bono service to the bar. Nevertheless, the membership survey conducted by the MBA last spring revealed that well over half of our members perform pro bono work. According to Marya Crawford, supervisor of Legal Aid Volunteer Lawyers Project (VLIP), attorneys who volunteered through VLIP donated 9,900 pro bono hours last year and handled 2,000 cases. And VLIP is only one of many pro bono programs. The OSB’s listing of certified pro bono programs (i.e. programs through which PLF coverage is provided) includes more than 50 organizations statewide. This list can be found at www.osbar.org. The MBA also publishes a list of opportunities that includes over 35 programs in Multnomah County.

There may be fewer obstacles than you’d think

The MBA asked survey respondents to identify the barriers that made it difficult to do pro bono work. Our members offered a variety of impediments including lack of time, PLF coverage as a retired attorney or as an in-house counsel, lack of experience in the areas of law where services are most needed, and lack of information about available opportunities and the time commitment required for each. While I am sad to say that I have not devised a way to add hours to the day (oh, if only), happily, several of the other obstacles identified by our members are easily overcome.

For example, retired attorneys or in-house counsel need not be deterred from providing pro bono services because they are not active members of the Oregon bar. The OSB permits retired attorneys and those who are licensed elsewhere but working in Oregon to become licensed in Oregon for the limited purpose of doing pro bono work. Lawyers who opt for this “active pro bono” or “active emeritus” status need not pay for their own PLF coverage if they perform their pro bono work through a program certified by the OSB and they are exempt from MACLE requirements.

Those attorneys who are concerned that they cannot offer pro bono services because they are unfamiliar with family law, landlord-tenant law, or other practice areas that are currently the focus of pro bono programs, need not let their lack of expertise in these areas be an obstacle. Many pro bono programs, including the VLIP, provide training to volunteers. Further, there are needs to be served by attorneys in nearly every area of practice. While a business attorney may be leery about taking on a landlord-tenant matter, she can provide a valuable service advising clients without charge.

There is an increasing need for direct representation of low-income individuals

The need for attorneys to offer pro bono legal services to individuals unable to afford counsel is acute. According to representatives of Legal Aid Services of Oregon, the percentage of individuals eligible for legal aid services in Oregon increased 63% between 2000 and 2011. Legal Aid is only able to meet the needs of 15% of eligible individuals.

At the same time that need is increasing, some of the programs that traditionally serve low-income clients are in jeopardy. For years, law schools have run legal clinics that serve the dual purpose of providing free legal representation to low-income individuals and providing students with practical experience. Dean Jennifer Johnson of Lewis & Clark School recently announced that the law school will be closing the Lewis & Clark Legal Clinic effective December 31. The Lewis & Clark Legal Clinic has traditionally offered students opportunities to handle a variety of civil and administrative disputes and issues, including family law, consumer law, bankruptcy, and landlord-tenant law. This clinic was the first, and for a period of time the only, legal clinic that Lewis & Clark offered. According to Dean Johnson, because of the pressing need to contain tuition costs, the law school needed to restrict its in-house clinics to those with significant fundraising potential. Without outside funding, law school clinics must rely on tuition dollars adding to the cost of legal education.

Pro bono can include a broad range of services and is not restricted to direct representation of low-income individuals, although direct representation is emphasized. The OSB’s bylaws include a provision encouraging attorneys to perform 80 hours of pro bono services each year. Section 13.1.1 of the OSB bylaws defines pro bono broadly as “all unremunerated services performed by lawyers for the public good” and includes “civic, charitable and public service activities; as well as activities that improve the law, the legal system and the profession.” This aspirational standard also recognizes the critical need for direct representation by encouraging attorneys to devote 20 to 40 hours or to handle two cases involving the direct provision of legal services to the poor.

What is your “pro bono action item”? I want to conclude by thanking each MBA member for all of the work that you do for your clients, for the professionals for your community, and for the OSB. I recognize that we are all stretched thin and need to safeguard time for our families and for activities that help us counter-balance the stress of our practices. I also want to ask each of you to consider, during the month of October, to identify a “pro bono action item” for yourself. Whether it’s attending the OSB’s Pro Bono Fair on October 23 to explore what opportunities are available, signing up to volunteer for a particular project, or even simply going to the OSB website and reporting the pro bono work that you have recently done, we should all take a moment this month to consider the importance of pro bono and what role we might play in the legal community’s collective effort to improve access to justice.

mbaCLE

To register for a CLE, please see page 3 or go to mbar.com and log in as a member to register at the member rate.

OCTOBER

10.1 Wednesday
Privilege & Ethics Issues
Reconsidering In-House General Counsel within a Small or Mid-sized Law Firm
Bruce Schafer
Mark Fucile
Dan Keppler

10.2 Thursday
Oregon Benefit Companies: Merging Profit & Public Benefit
William Campbell
Jeffery Wolfstone

10.14 Tuesday
How the Cloud, BYOD, & Social Media are Rapidly Changing IT Security & Investigations
Eli Rosenblatt

10.28 Thursday
Should I Stay or Should I Go? What to Think About when Considering Withdrawing from a Case
Judge Anna Brown
Ron Heveret
Matt Levin
Roy Pulvers

10.30 Thursday
Getting on the Ballot: A Guide to Ballot Initiative Law in Oregon
Steve Berman
Jill Gibson
Lindy Kees

NOVEMBER

11.5 Wednesday
Child Abuse Reporting
Amber Hollister
Joe O’Leary

11.18 Tuesday
The Portland Harbor Superfund Site Demystified
Max Miller
J.W. Ring

mbaEVENT

MB Absolutely Social
The Grape Escape featuring Wine Tasting
Thursday, October 23
The University Club
5:30 p.m.
Drop in after work and catch up with friends and colleagues.
See insert for details to RSVP.
Thank you, sponsors!
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Fall has arrived, and so too has the time to renew your membership. Here are just a few reasons to continue with the MBA:

• Discounted MBA CLEs and an online library of programming available 24/7
• Socials, volunteer outings and other networking opportunities
• The Multnomah Lawyer newsletter, MBA ENEWS and the website keep you informed
• Members-only discounts from business service providers
• Access to the MBA group health insurance plan for members with at least one W2 employee

As an added benefit, renew for 2015 by December 31 to receive a $50 credit toward CLE programming. Visit mbabar.org to renew today.

Resources for Pro Bono Attorneys

LOCAL RESOURCES:

Multnomah Bar Association www.mbabar.org/about-us/pro-bono.html

Take the Pro Bono Pledge and find information on local pro bono opportunities and how to create a customized pro bono policy for your office. Download free CLEs from the MBA member section.

Oregon State Bar www.osbar.org/probono Find information on pro bono in Oregon that includes volunteer opportunities, attorney resources, PLF coverage for pro bono, pro bono committees and types of membership status based on pro bono activities.

Oregon Advocates www.oregonadvocates.org This statewide advocate’s website is sponsored by the legal aid community in Oregon and features a substantive law library as well as free CLEs for pro bono attorneys. Membership is free. Once you are a member, sign up for ProBonoOregon, a weekly listserv offering pro bono cases for attorneys.

Oregon Law Help www.oregonlawhelp.org Free legal information to low income Oregonians is provided through this one-stop, statewide website sponsored by legal aid offices in Oregon. Self-help handbooks are available for download by laypersons and feature applicable statutes, remedies, forms and sample letters. These handbooks are great primers for the basics in some common areas of law. 211 Social Services Referral www.211info.org 211 provides assistance in finding health and community organizations in the Oregon and SW Washington geographical region. Professional intake staff is available 24 hours a day by dialing 211 on your phone or the referral system can be accessed through the website.

NATIONAL RESOURCES:

American Bar Association www.americanbar.org/groups/probono/public_service.html

The ABA Standing Committee on Pro Bono & Public Service is a national source for pro bono information and resources. The Pro Bono Institute www.probonoinst.org The institute specializes in supporting the pro bono work of law firms and corporate legal departments.

Pro Bono Net www.probono.net This site provides regional, national and international resources for attorneys working to assist low income clients.

Tools to Help Your Firm Incorporate Pro Bono into its Practice

“Take a Matter that Matters” by taking the MBA Pro Bono Pledge at www.mbabar.org/AboutUs/ProBono.html

Add a pro bono policy to your firm’s policies by using the OSB Pro Bono Model Policy Tool Kit at www.osbar.org/probono/policy/intro.html

Find pro bono opportunities at both the MBA and the OSB Websites www.mbabar.org/AboutUs/ProBonoOpportunities.html www.osbar.org/probono/VolunteerOpportunities.html

Calendar

TO ADD TO YOUR CALENDAR:

OCTOBER

10.2 Thursday MBA Battle of the Lawyer Bands Visit mbabar.org for details
10.7 Tuesday MBF Fall Social Visit mbabar.org for details
10.9-11, Thursday-Saturday ABA YLD Conference See p. 12 for details
10.15 Wednesday OWLS Disability CLE & Reception Visit oregonwomenlawyers.org for details
10.18 Saturday UGALLA Annual Dinner Visit oagalla.org for details
10.23 Thursday Pro Bono Fair See p. 11 for details
10.23 Thursday MBA Absolutely Social Visit mbabar.org for details

NOVEMBER

11.6 Thursday USOC Historical Society Annual Dinner Visit usdchs.org for details
11.8 Saturday Youth Rights & Justice Wine & Chocolate Extravaganza Visit youthrightsjustice.org for details
11.13 Thursday Bench Bar & Bagels Visit mbabar.org for details
11.27-28 Thursday-Friday Thanksgiving Holiday
Privilege & Ethics Issues Related to In-House General Counsel within a Small or Mid-sized Law Firm

Wednesday, October 1, 2014 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 2 hours of OSB MCLE ethics credit.

To what extent can lawyers within the same small or mid-sized law firm communicate confidentially regarding an ethics or malpractice issue involving a current client? The Oregon Supreme Court decision in Crimson Trace v. Davis Wright Tremaine LLP, 355 Or 476, ___ P3d ___ (2014) resolved privilege issues in the context of a large firm but did not consider whether a smaller firm may have in-house counsel and the relevant privilege, client relations, and ethics questions that may arise. Join Dan Keppeler of Kennedy Wats Attorneys LLP, Mark Fucile of Fucile & Reising LLP and Bruce Schafer of the Professional Liability Fund, who will discuss the privilege implications of the Crimson Trace decision, unresolved ethics concerns, and risk management issues related to small and mid-sized firms having in-house counsel.

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

The Devil’s in the Details: How the Cloud, BYOD & Social Media are Rapidly Changing eDiscovery & Investigations

Tuesday, October 14, 2014 3:00-5:00 p.m.

World Trade Center Mezzanine Room 26 SW Salmon, Portland
Members $55 Non-members $85

The MBA is pleased to present a two-hour program led by experienced Social Media Forensic Investigator Eli Rosenblatt, CFE, CFI, MiCFE, SMA, CCDI, of iBridge LLC. Topics to be discussed include:
- How non-tech professionals can better understand the whiplash world of digital evidence and eDiscovery
- Bringing Your-Own-Device-to-Work (BYOD) issues
- The explosion of social media and burgeoning technologies in litigation
- Best practices for working with professional social media investigators, security experts and others

For more information:
Call Sim Rapoport of iBridge at 503.906.3933. For registration questions, call the MBA at 503.222.3275.

Getting on the Ballot: A Guide to Ballot Initiative Law in Oregon

Thursday, October 30, 2014 3:00-5:00 p.m.

World Trade Center Plaza Room 26 SW Salmon, Portland
Members $55 Non-members $85

In nearly every election, Oregon voters are asked to weigh in on a variety of state and local initiatives. But how do those initiatives end up on the ballot in the first place? Join Steve Bereman of Stoll Berne, Jill Gibson of the Gibson Law Firm, and Lindy Rees of the Portland City Attorney’s Office for a lively discussion of the law regarding state and local ballot initiative processes in Oregon from a proposed initiative to election.

For more information:
Call Kell Mueller, Stoll Berne at 503.227.1600. For registration questions, call the MBA at 503.222.3275.

Should I Stay or Should I Go? What to Think About When Considering Withdrawing from a Case

Tuesday, October 28, 2014 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 one hour of OSB MCLE ethics credit and a half hour of general credit.

Even the best and most conscientious lawyers occasionally find it necessary to consider withdrawing from a pending case. In this program, our panelists – Judge Anna Brown, ethics attorney Roy Pulvers, civil litigator Matt Levin, and criminal defense attorney Ron Hoevet - will discuss the legal, ethical, and practical considerations associated with this decision.

For more information:
Call Kevin Sal, Kevin Sal LLC at 503.329.3598. For registration questions, call the MBA at 503.222.3275.

Oregon Benefit Companies: Merging Profit and Public Benefit

Thursday, October 2, 2014 3:00-5:00 p.m.

World Trade Center Mezzanine Room 26 SW Salmon, Portland
Members $55 Non-members $85

Almost a year has passed since Oregon authorized initiative processes in Oregon from a proposed initiative to election.

The MBA presents its annual seminar on child abuse reporting requirements. This program is intended to help lawyers meet their legal responsibilities as mandatory reporters, while maintaining their ethical obligations to clients. Questions to be addressed include the following:
- What are the reporting requirements?
- How do I recognize reportable child abuse?
- What is it that I’m really supposed to do?
- What happens if I make a report of abuse?
- What happens if I don’t report when I should have?

Amber Hollister, Deputy General Counsel of the OSB, and Joe O’Leary, Deputy Director of the Oregon Youth Authority will present a lively and practical discussion of the issues.

For more information:
Call the MBA at 503.222.3275.

Register using the form on the next page
MBF Grant Recipient

Elders in Action Promoting Civic Awareness for Older Adults

by Dana Schole
Cambria Health Solutions

The MBF awarded Elders in Action, a nonprofit serving older adults in Multnomah County, a grant in 2013 to develop a Civics 101 curriculum and promote civic awareness for older adults. I recently had the opportunity to sit down with Leslie Foren, Executive Director of Elders in Action, to learn more about the organization and the program developed with MBF grant funds. Leslie joined Elders in Action in 2001 as a program specialist holding various positions until her promotion to executive director in 2012.

Elders in Action was established in 1968 on the heels of the 1965 passage of the Older Americans Act, the first federal level initiative aimed at providing comprehensive services for older adults, defined as age 60 and older. The act created the Administration on Aging, state units on aging and area agencies at the local level. Among these organizations, funding is provided for nutrition and supportive community-based services, health promotion services and elder rights programs. Meals on Wheels and senior centers are funded through the act as well as community organizations like Elders in Action, whose mission is "to assure a vibrant community through the active involvement of older adults."

Pursuant to the act, Elders in Action receives 75% of its budget from state, county and city resources. The remaining 25% is donated by individual and corporate donors, raised by program fees charged for evaluating local businesses to determine whether they exhibit age-friendly practices, and provided through foundation grants.

The organization also strongly relies on over 150 dedicated volunteers, who donated 12,175 volunteer hours in 2013. Elders in Action volunteers advocate on behalf of older adults, assist in recovering money for older adults victimized by fraud or other financial problems, educate the public on various resources available in the community and audit local businesses to identify age-friendly business practices.

Businesses identified as "age-friendly" are promoted on the Elders in Action website and through social media networks. Multiple local attorney volunteers assist the organization with advocating for and representing older adults who need legal assistance.

Elders in Action applied for the MBF grant with four goals in mind: (1) developing a Civics 101 curriculum, (2) facilitating five presentations on civics issues, (3) recruiting three minority elders to the Elders in Action Commission and (4) conducting two field trips to a city council meeting or neighborhood board meeting.

The organization utilized volunteers and project staff to develop the Civics 101 curriculum with five presentations taking place in

Continued on page 19
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ANNOUNCEMENTS

Take the Multnomah County Central Courthouse Survey
The Multnomah County Board of Commissioners will be making decisions about the new courthouse location, look and functions. The community is asked to participate in the survey at the link below to help provide the commission with much-needed input. mbuco.us/central-courthouse/news/take-central-courthouse-community-survey

MBA Professionalism Award Nominations due Friday, October 31
The MBA Professionalism Award is one of the most highly regarded honors an attorney in our area can receive. You are strongly encouraged to nominate a member who meets the criteria for the award, which can be found on the nomination form inserted in this issue.

New Free CLE Content for Members
The video webcast of the seminar entitled “Tax Planning for the Taxable Estate” is now available in the Members Center at mbabar.org. The seminar is worth two hours of general OSB MCLE credit. MBA members receive access to a rotating selection of six different CLE seminars each year – a $300 value. The free webcast content is refreshed every two months, so stay tuned!

Take a Matter that Matters
Sign the MBA Pro Bono pledge at mbabar.org/about-us/pro-bono.html and commit to taking at least one pro bono case this year.

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.

At the Corner of Law Practice and Disability CLE and Reception
Join OWLS on October 15 from 3-5 p.m. at Steel River for this thought-provoking program followed by a reception from 5-6 p.m. The focus will be primarily on solo practitioners and those in smaller firms, but this CLE is for any lawyer who is disabled or who has the possibility of becoming temporarily or permanently disabled - in other words - every lawyer. Learn more at: oregonwomenlawyers.org/events/event-at-the-corner-of-law-practice-and-disability-cle-and-reception/

AILA 10th Annual Awards Benefit is October 23
The Oregon Chapter of the American Immigration Lawyers Association’s benefit is at 5:30 p.m. on Thursday, October 23 at the Sentinel Hotel. All proceeds from the benefit dinner go to Oregon nonprofit immigration legal service providers. At the dinner, Jennifer Middleton, David Henretty, and Nicole Brown will be presented with the Outstanding Leadership for Immigrant Rights Award; David Shamalo will receive AILA’s Gerald H. Robinson Excellence in Advocacy Award; and Ronault “Polo” Catalani will receive AILA’s Oregon Immigrant Achievement Award. Dinner tickets are $125. Mail checks payable to “Oregon AILA” and send to Irma Valdez, Yarosh Valdez, 520 SW Yamhill Ste. 428, Portland OR 97204.

OPA’s 35th Convention is October 24-25
Oregon Paralegal Association’s 35th annual convention will be at the Shilo Inn Suites in Seaside. The event will feature seminars and the keynote speaker will be The Hon. Daniel Stidham, now an active supporter of the Innocence Project. For details or to register for the convention, visit opaconvention.com.

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Tug of War
Fights Over Files
by Mark Fucile
Fucile & Reising

Clients and their lawyers go their separate ways mid-matter for many different reasons. Whenever this occurs, however, a frequent flashpoint is "the file." Statistics compiled by the OSB Client Assistance Office list "return client file" as accounting for approximately 5% of all bar complaints filed annually over the past few years. Fights over files are not new, with cases from the 1980s disciplining lawyers for their failure to release files to their clients (In re Arkubell, 308 Or 135, 775 P2d 632 (1989)) or replacement counsel (In re Chandler, 306 Or 422, 760 P2d 243 (1988)). Although lawyers may take reasonable steps to protect the client in the process, including "surrendering papers and property to which the client is entitled," the lawyer may also assert a civil claim for harm resulting from a tug of war over a file (Lee v. Lee, 204 Or 60, 282 P2d 348 (1945); Lee v. Lee, 5 Or App 74, 482 P2d 745 (1971)).

Ground Rules
RPC 1.15-1(d) states the basic duty to return client property:

"Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client … any funds or other property that the client … is entitled to receive.

RPC 1.16(d), which addresses duties when withdrawing, echoes this by counseling that lawyers must take reasonable steps to protect the client in the process, including "surrendering papers and property to which the client is entitled.

OSB Formal Ethics Opinion 2005-125 describes "the file" as belonging to the client even though it is maintained by the lawyer. RPC 1.16(d) asserts lawyers a possessory lien over a client's file to the extent of unpaid fees, and RPC 1.46(c) notes that "[t]he lawyer may retain papers, personal property and money of the client to the extent permitted by other law.

But, OSB Formal Ethics Opinion 2005-90 concludes that under RPC 1.16(d) a client's need for the file "trumps" the lawyer's possessory lien rights (at least when the client is otherwise unable to pay the lawyer or to secure a bond as provided in ORS 873-435–440). ORS 9.360 provides clients with a judicial remedy to obtain their files and ORS 9.370 outlines accompanying procedural avenues for resolving related possessory lien claims. Formal Ethics Opinion 2005-90 notes, however, that clients do not necessarily need to avail themselves of these judicial remedies to obtain their files. The appellate courts (see Crawford v. Crane, 204 Or 60, 282 P2d 348 (1945); Lee v. Lee, 5 Or App 74, 482 P2d 745 (1971)) have also concluded that these statutory procedures only apply to client property the lawyer actually possesses and are not a means to enforce a separate "charging" lien.

The File
Formal Opinion 2005-125 (at 332) succinctly summarizes what constitutes "the file."

"By entire file, we mean papers and property that the client provided to the lawyer; litigation materials, including pleadings, memoranda, and discovery materials; all correspondence; all items that the lawyer has obtained from others, including expert opinions, medical or business records, and witness statements. The client file also includes the lawyer's notes or internal memoranda, that may constitute "attorney work-product." (Emphasis in original.)

The limited exceptions mentioned in Formal Opinion 2005-125 are for items prepared for other clients (such as a legal research memo) that the lawyer has temporarily placed in the file concerned for the lawyer's convenience and materials (such as conflict checks and collection notes) that do not relate to the legal services provided.

Copy Costs
Because Formal Opinion 2005-125 classifies the file as property of the client, it also frames the copy cost issue from that perspective. The opinion notes that the lawyer may retain a copy (at the lawyer's expense) - and, in many instances, that is a prudent loss prevention tool so that the firm can document the work performed "on its watch." Under RPC 1.15-1(d), original documents provided by the client must be returned in any event. Once the lawyer has furnished the equivalent of a complete file to the client, however, Formal Opinion 2005-125 generally permits the lawyer to charge for what amounts to additional copies of the same file. Formal Opinion 2005-125 (at 334) addresses associated labor costs as well and concludes: "[A] lawyer may charge a client for labor costs associated with the production of a file to the extent that the lawyer could have charged the client for the same work if the same request had been made during the lawyer-client relationship." Formal Opinion 2005-125 also finds that a firm could charge for labor costs associated with producing additional copies of the same file.
Pro Bono Spotlight: Stacy Hankin
Or Why People Hire Lawyers

by Natasha Oginia
3L at Lewis & Clark Law School

Law was a natural fit for Stacy Hankin. It gave her an opportunity to put her problem-solving skills to work while interacting with interesting clients and colleagues. Stacy certainly got her wish and then some, as she was able to impact the way Oregon law is interpreted when she argued in front of the Oregon Supreme Court. Stacy Hankin moved to Oregon to attend Lewis & Clark Law School after growing up in a suburb north of Chicago and attending Carleton College in Minnesota. Stacy has practiced in Oregon since 1986 in both the private and public sector, benefitting and gaining a greater understanding of the law from each experience. Since 2006 Stacy has volunteered with Legal Aid’s Domestic Violence Project (DVP), although she has done other pro bono work for far longer than that. The DVP matches volunteer attorneys with domestic violence survivors for representation in contested restraining order hearings. These cases have short timelines, limited issues and require a court appearance. Attorneys sometimes receive as little as a day and a half to prepare for a hearing, and many are not family law attorneys. Even so, Stacy understands the need for pro bono work. “People don’t hire a lawyer because life is going well,” she says. In her eyes, a lawyer can help clients articulate their problems and work to solve them in a way the law will recognize. Pro bono work does not always look the same way, but in many cases it seeks to reach out to people who fall between the cracks. Stacy believes this is especially the case at the DVP. Survivors reach out hoping to change their immediate situation because they do not like the solutions they see. Attorneys provide survivors with choices and empower them to make changes in their lives rather than wait for things to happen to them. Judges are also important in this process. When Stacy represents DVP clients she finds that the judges are very patient and good at listening to both parties while taking into consideration that these people were in crisis. Her advice to new lawyers and law students - be open. Be open to opportunities, to new people, to new ideas and possibilities. As a young attorney she may not have been able to guess where she would be in 2014, but by keeping an open mind she has become a successful attorney with many colorful stories. She could not have gotten this far without the network of attorneys who were always ready to lend support and advice when she needed it.

Stacy Hankin

Marlene Findling

Marlene Findling has returned to solo practice. Her location remains the same, 2720 NE 33rd Ave., Portland OR 97232, and her phone is still 503.288.3133. Her new email is marlene@findlinglawoffice.com, and her new fax is 503.546.5956. She will continue to represent clients in estate planning, low-conflict family law, adoption, and alternative reproductive technology, including surrogacy and egg donation.

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 Hawkes, carol@mbabar.org.

MBA @ MultnomahBar

255 Oregon lawyers are Active Pro Bono members - their practice consists of only pro bono representation through Certified Pro Bono Programs. Oregon has 20 Certified Pro Bono Programs - attorneys without PLP are covered for the pro bono services provided through those programs.
Connect Students & Pro Bono Attorneys

by Jon Straubull
Oregon Law Center

The Oregon State Bar Pro Bono Committee, Lewis & Clark Law School, the University of Oregon School of Law and Willamette University College of Law have created a new program as part of their continued commitment to Oregon attorneys and law students interested in pro bono work. A new email address, ProBonoStudent@osbar.org, will replace the Oregon Pro Bono Student Network website, in order to streamline the connection between pro bono attorneys and students. This approach is designed to allow attorneys engaged in pro bono work access to free and capable assistance from law students, while increasing the attorneys’ capacity to help the underprivileged obtain legal services. Law students will benefit from the opportunity to work with attorneys and get real-life legal experience on a case-by-case basis.

To use the program, pro bono attorneys should send assistance requests to ProBonoStudent@osbar.org, using the format provided in orientation packets from pro bono providers or available on the bar’s website. No confidential information should be posted. The OSB will route those posts to the University of Oregon, Lewis & Clark and Willamette law schools to distribute to students electronically. Students can then respond directly to the attorney requesting assistance.

If you have any questions about this new service, contact Cathy Petrecca at cpetrecca@osbar.org or 503.431.6355.
Tips From the Bench

Nothing endures but change

Heracitus (540 BC-480 BC), from Diogenes Laertius, Lives of Eminent Philosophers

by Judge Leslie Roberts
Multnomah County Circuit Court

You have a motion in Multnomah County. How do you handle it? You could stuff it in a bottle and throw it out to sea. You could pack it away in a time capsule for the corner of the new courthouse. However, I would hope you want to do a bit more. You want to put it in a docket for a decision. Sadly, too many of us have not yet encountered a motion left to languish for want of a decision. The judges do not scan the electronic files periodically to see if in any of the many cases assigned, a motion has been filed.

3. The parties must promptly (not just at the meeting of hearing) provide paper copies of the motion to the judge and memorandum to the motions judge. LR 5.015 (6) clarifies that the motion itself is electronic and does not require copies of the motion. Moreover, the copies to go to the judge's chambers: if merely mailed to the court, they will go to the file room (and oblivion) and the courtesy copies will not be forwarded to the judge.

4. Deliver the order or judgments directly to the judge, in paper, or eFile it as an unsigned document and the clerk will route it correctly. No copy of the original is needed to provide along with it. The clerk is the judge's assistant, an accompanying copy is pointless - it will go directly to recycling. LR 5.035.

5. Finally, forget about including the familiar little self-addressed postcards. We're not doing that anymore. CJO 14-913 effective May 6, 2014.

One last thing, however, if your motion is a motion for summary judgment, the motion is not necessarily set with the generally responsible motions judge. You must call the Civil Calendar Motion Clerk (530-988.3166) and the summary judgment motion will be assigned to a pro tem judge or, upon request, to a sitting judge, who may not be the regular motions judge.

Once you have these rules all put in place, consider the wonderful blue præcipites of my distant youth: praecipe, so delightfully arcane (but metaphorical) tears at the demise of eFiling and, generally, with the transition of the court to an electronic environment.

The absolute best practice tip you could possibly get on this subject (and many other subjects) is to look at the current rules. Here you must be a master of the Supplemental Local Rules. They change from time to time and they have perhaps changed from the last time you looked.

When I started practicing law, and for many years in Multnomah County, you practiced the motion. That's gone. As a litigator, I wept bitter and archaic, and distinctive to praecipe, so delightfully arcane (but metaphorical) tears at the demise of eFiling and, generally, with the transition of the court to an electronic environment.

The National Center for State Courts has issued its plan for the new courthouse. The program plan looks at community needs until 2018 (in terms of the forecast of population, case growth of population, case filings and judgments) for the new courtrooms that will be added in 2016. The program plan contains a building that will require a building that would cost $350 to $400 million. The state and county are not prepared to fund a courthouse at this level, so are looking at

Continued on page 17
Working Together for Civil Justice
The Oregon Model

by Sandra Hansenberg
Campaign for Equal Justice

The national Equal Justice Conference (EJC), sponsored by the ABAn and the National Legal Aid and Defenders Association, convened in Portland in May.

The annual EJC brings together all components of the legal community to address major civil legal justice issues as they relate to the delivery of legal services to the poor and limited income individuals in an array of legal assistance.” Portland lawyer Ed Harnden chaired the local planning committee and many Oregon lawyers, law firms and Chief Justice Tom Balmer pitched in to welcome the more than 1,500 visitors to the Rose City. We wowed them with food carts, perfect weather and a reception at the Portland Art Museum - and a model for partnerships for legal aid programs nationally and in other states.

The emphasis of the EJC was on strengthening partnerships among the key players in the civil justice system, and this provided the perfect opportunity to showcase Oregon’s model of collaboration in support of civil legal aid programs. Panelists from the Oregon courts, the Oregon Coalition for Equal Justice (CEJ), the Oregon Law Foundation, the OSB, and private practice presented information on how we work together. The Oregon model was recognized by the ABA in 2013 as the Oregon model of collaboration among the key players in the civil justice system, and this provided the perfect opportunity as described in the previous paragraph. While funding for legal aid programs nationally and in Oregon is disjointed, Oregon has a history of being at the forefront of statewide legal services delivery and funding. Here are just a few examples:

• The second state in the nation to conduct comprehensive statewide legal needs assessments (1971, The Marmaduke Study; 2000, The Legal Needs Study).
• The first in the nation to conduct statewide strategic planning using client need assessments, changing client needs, demographic data about client communities and national standards for high quality services to distribute revenue statewide in a manner that furthers the best interests of clients (2002, 2007 and 2013).
• One of the first statewide combined fundraising campaigns ever for legal aid programs through the CEJ (1991).
• In response to the 1996 federal funding cuts and restrictions, the Oregon Supreme Court chief justice and OSB president appointed the Civil Legal Services Task Force, which addressed client need/priorities/delivery systems, the structure and organization of legal aid, and funding. The task force decided to create a mechanism for administering state funds for civil legal aid in accordance with these Standards and Guidelines (1998).
• The first state in the nation to have bar associations and client groups appoint the same individuals to serve on the boards of directors of non-profit legal aid corporations. This created the structure that encourages the type of collaboration and cooperation needed to operate an integrated statewide service delivery system focused on the most critical interests of clients (1998).
• Receives bipartisan support for legal aid funding, with Oregon’s legal aid community and delegation unanimously supporting legal aid.
• Received one of the first awards from the ABA for grassroots lobbying for federal funding and one of the first to form a coalition between the CEJ and Oregon’s OSB.
• Washington, D.C. to lobby for increased federal funding (2006).
• One of the first to direct state pro bono service fees to legal aid (2002).
• One of the first to direct abandoned property from IOLTA accounts to legal aid (2009).
• One of the first states to require mandatory access to justice continuing legal education.

In addition, Oregon has an annual push to raise about $1.2 million from the private bar through the CEJ, and over 317 lawyers who help with the campaign’s efforts. Oregon is likely one of the first to study a Centralized Legal Needs system to supplement legal aid funding, but we are behind the curve in using residual class action funds to help support legal aid. CEJ’s annual fund drive has participation from the legal community around the state, including participation by 85% of appellate judges and 84% of members of large law firms. The OSB has participation from the corporate community and the annual awards luncheon is sponsored each year by Nike and Adidas.

So, why is our model distinctly Oregon? The recent trend for supporting civil access to justice is to appoint an Access to Justice Commissioner. These commissions, which are listed on the ABA’s website, work well for some states, especially larger states like Texas and California, and are typically well staffed, requiring additional funding. In Oregon, we have already been working together for decades and this predates the trend of establishing commissions. Oregon’s legal aid programs and our communications are strong and work efficiently. And, we don’t require the additional bureaucracy that a commission would create here. When a task force or strategic planning group is called for, our leaders try to be active and participate and we involve them when they are needed.

Recently, Oregon leaders were called into action to help form legal aid’s strategic plan. In December of 2013, when data collected and analyzed in the legal aid strategic planning process concluded that Oregon had funds to meet about 13% of the civil legal needs of the poor in Oregon - down from 20% a few years ago - the Campaign for Equal Justice convened the Task Force on Legal Aid Funding in January. This task force adopted its final report in June. Leaders such as the chief justice, the attorney general, bar groups (including the MBA), the governor’s office, and key legislators were very willing to participate. The task force essentially met the mandate that was identified in the strategic planning process. That is, Oregon has only one legal aid lawyer for every 9,444 low-income Oregonians - a far cry from the minimally adequate standard set by ABA standards.

The task force set long- and short-term goals for doubling the revenue for legal aid - from about $15 million annually to $30 million. Ed Harnden, a task force co-chair remarked “We know this isn’t going to be easy or a quick fix. But Oregonians and Oregon lawyers have always been in the forefront when it comes to funding legal aid, and we plan on continuing that trend.” Several suggestions from the task force have already been adopted.

As the Campaign for Equal Justice kicks off its fall annual fund drive for 2014-15, we hope to engage you all in supporting Oregon’s legal aid programs. If you are interested in participating as a volunteer to help raise money for or awareness about legal aid, or be a part of our new “Be a Walking PSA for CEJ Initiative” please contact the CEJ offices, or visit cej.org.

Kara Tatnall, Perkins Coie LLP, shows off informational buttons at CEJ’s Advisory Committee and Leadership Meeting. For more information about what the buttons mean, go to www.cej-oregon.org and watch the video.

October 2014

Pro Bono Fair
This year’s Pro Bono Fair and Celebration is on Thursday, October 23 at the World Trade Center in downtown Portland. Please join the Oregon Lawyers Division and co-hosts MBA YLS, OSB Pro Bono Committee and LASO/LC for one of these or more of these events:

• Three free CLEs
• Pro Bono Providers’ Fair
• Pro Bono Challenge Award Winners Ceremony

This year’s free CLEs are:
• Pro Bono for New Lawyers: Getting your Feet Wet without Drowning, hosted by the MBA Young Lawyers Section
• Protective Orders in Oregon: Protecting Victims of Domestic Violence and Sexual Assault, hosted by Legal Aid Services of Oregon

Working with Non-Traditional Business Clients, Uncovering Assumptions and Breaking Down Stereotypes, hosted by the Lewis & Clark School of Law.

The CLEs start at 3 p.m. For information on registration, please contact Michelle Lane at the OSB, mlane@osbar.org or 503.431.6384.

Following the CLEs, two dozen legal services providers will be available at a Provider Fair. Find the perfect pro bono fit for you by speaking with providers who assist low-income Oregonians in all types of cases: immigration, consumer law, family law, housing issues and more.

Finally, the evening includes the Oregon New Lawyers Division Pro Bono Challenge Awards. Join your colleagues as you celebrate the pro bono contributions of these award winners.

Large Firm:
Davis Wright Tremaine

Medium Firm:
Stanhackney Kent & Hokio

Small Firm:
Janet Hoffman and Associates

Solo Practitioner:
William Haberlach

Active Pro Bono Member:
George Galloway

Individual at a firm:
Tim Volpert of Davis Wright Tremaine

Additional sponsors of this year’s event include Barran Liebman and Miller Nash.

Want to know more? Please contact Cathy Petrecca at the OSB (cpetrecca@osbar.org or 503.431.6384).

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Please join your colleagues as you celebrate the pro bono contributions of these award winners.
Dear Partner,
I want to work on your cases. What can I do to catch your attention? How do you know me to assign me projects?

Aspiring Associate
Dear Aspiring Associate,
You’re on the right track by asking me this question. I’m flattered that you want to work on my cases, but know that doing so will require a significant commitment from you.

The short answer? Treat me like a client.
Partners say this all the time and it’s true - if you want me to assign you projects, treat me like a client. This means that if you have not yet had the chance to work with me, make yourself known to me. Start by establishing a good reputation among the other partners for doing excellent work. Soon enough, I should hear accolades about your abilities and performance. This will pique my interest. When you do let me know you want to work with me, the door will be open for you.

Once I assign you a project, impress me. Take ownership of the project. I’m always relieved to receive work product that could essentially be sent directly to the client with few revisions, if any. Keep providing finished work product to the best of your ability, even if I do edit your work ruthlessly. Never give up. Tailor your work to my style.
For instance, if you know I have a preference for formatting or tone, etc., incorporate them. Look to prior work I’ve done for this client or in similar cases to use as a guideline.

Ultimately, your job is to make my life easier by minimizing the role I need to play. Don’t simply agree with my analysis or suggestions if you are unsure or have a better idea. We both win when you’re able to add value by spotting a new issue or by devising more creative solutions. Even if I merely give you one discrete project, take the initiative to think of other tasks you can do that I’ve yet to address or assign. At the same time, however, know your place. Be prepared and assertive, but also efficient and respectful.

At the end of a project, I want to feel confident - even relieved that I can hand you another matter and you will expend the necessary time to deliver a professional work product, irrespective of other priorities. I know you have other priorities, but it’s not my job to manage that balancing act.

Don’t be afraid to ask me questions, but also don’t waste my time. If you can find the answer via another source, do so. Understand that as much as I want to help you succeed, you need to be proactive.
Lastly, don’t feel discouraged. Keep doing your best. Before you know it, you’ll have your own clients and your own associates to manage. Then you’ll feel my pain.

Ruthlessly. Never give up.
If any. Keep providing finished work product to the best of your ability, even if I do edit your work ruthlessly. Never give up. Tailor your work to my style.
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Success through Service
A Profile of Riley Makin

by Aurelia Erickson
YLS Pro Bono Committee

“In some ways being a lawyer is like being a rancher,” Riley Makin laughs, “instead of working cows, I’m working cases.” This rancher started raising his parents’ cattle ranch in Jospeh, Oregon. His father’s experience as an entrepreneur and influence on Riley’s decision to go to law school and eventually start his own practice. And although Riley believes his background has been the driving force behind becoming a lawyer, he attributes his current success to his experience as a volunteer attorney.

Riley started volunteering with Legal Aid Services of Oregon (LASO) in December 2013 and has never looked back. Although Riley originally contacted LASO to learn about and help with filing Family Abuse Protective Orders, he found his niche at the Senior Law Project (SLP). The SLP is the largest of LASO’s Volunteer Lawyer Projects, providing over 25 clinics per month in Multnomah County. All clients age 60 or over are eligible for free 30-minute consultations, regardless of their income. SLP volunteers provide continuing pro bono services for only those clients who meet financial eligibility requirements. At each clinic, volunteer attorneys like Riley consult with clients on a variety of civil legal issues.

Riley has worked on cases involving debt collection, wills and trusts, landlord/tenant law and elder abuse. ’I’ve never seen the same issue twice,’ he noted. For Riley the work is rewarding on many levels. Riley has served over 25 clients during his time with the SLP. He has seen the sense of relief many of his clients feel when he is able to provide them solutions to what seemed like insurmountable legal problems. Listening to Riley describe his experience at the SLP, it’s easy to understand why he has become such a trusted advisor to the clients he serves. “LASO truly appreciates Riley’s dedication to serving low-income seniors,” says Maya Crawford, supervising attorney at LASO.

Riley graduated from Willamette University College of Law in 2012. As many law grads at that time remember, finding a job was difficult. Riley started his own practice, but without the help of three important mentors: Gary St. Louis, Attorney at Law, Michael Yates of Yates, Matthews & Eaton PC, and Don Carter at McEwen.

Legal services clinic to learn about the project and how to implement it in their respective cities. There is also a tooityl drive throughout the conference for attendees, as well as The Nines Hotel, to support local youth shelters.

The Health and Wellness track will be comprised of 5K and 10K jogs for attendees to take part in, combining sightseeing around Portland with a little exercise. “With Andrew’s leadership, the YLD is really making a commitment to promote personal health,” notes Colin Andries, Co-Chair of the Portland Host Committee. “It has been great to work with local organizations to put these events together.” Our thanks to the Portland Running Company for their assistance.

From the event host committee, we thank all of the Oregon speakers on the conference agenda and the conference sponsors. We look forward to an exceptional Portland Conference, and we hope to see you there!

For more information and to register for the conference, please visit www.americanbar.org/calendar/2014/10/yld_full_2014 or email Andrew at aschpak@barran.com.

Riley Makin
Garvid LLP Riley credits his mentors with encouraging him to participate in one of LASO’s Volunteer Attorney Projects. Each suggested that getting involved would provide a way to learn how to become an attorney, gain experience, and meet other young practitioners.

Riley states that volunteering at the SLP has paid off, “it really helped push me through my first year.” And he encourages all new attorneys - especially solo practitioners - to volunteer: “It is critical for the people we are helping but also for the attorneys who get involved.”

Of volunteering with the SLP Riley adds, “I don’t plan to stop volunteering anytime soon.” For more information about volunteering with the Volunteer Lawyer Project at LASO, contact Maya Crawford at 503.322.4086 or maya.crawford@lasoregon.org.

mba yls EVENT
YLS Wine Tasting Social
Blackbird Wine Shop
NE Fremont & 44th, Portland
Thursday, October 16
5:30-7:30 p.m.

Please join the YLS, Financial Planning Association, and Oregon Society of Certified Public Accountants for this casual opportunity to network and socialize.

The registration fee of $15 includes wine tasting and hors d’oeuvres.

Please register with Ryan Mosier, ryan@mbabar.org, to reserve your spot. Space is limited. Prepaid reservations are required.

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Pro Bono Practice = Lawyering Skills for Paying Clients

by Joshua Stadler
YLS Pro Bono Committee

For a young lawyer endeavoring to build a viable practice, two of the basic ingredients are marketing and honing your craft. The former brings in the paycheck; the latter translates into the community required to successfully navigate that work. Numerous readily available pathways exist for marketing, such as participating in the MBA, networking with lawyers from other fields, and attending relevant industry events. Early in your career, suitable opportunities for practicing your craft may come less readily. Clients and law firms alike often hesitate to hand the reins over to newer lawyers, particularly when the stakes are high.

With pro bono, you can fill the void. Legal Aid Services of Oregon’s Domestic Violence Project (DVP) exemplifies how young litigators can develop the skills and confidence they need to thrive with paying clients, while also meaningfully helping those in need of guidance.

In the typical DVP case, after suffering abuse at the hands of a spouse or partner, the petitioner obtains a restraining order in a matter of days. The average number of pro bono hours per case is 24, while the pro bono program itself has achieved over 1,000 cases designed to establish a base level of representation (in 2013, for instance). This required skill is particularly valuable to clients in high-stakes cases, and the average number of pro bono hours per case is 24, with nearly 500 cases to date.

Tips for judges encouraging attorneys to participate in pro bono work:
• "Be a cheerleader for the pro bono program so that judges to different conclusions.

Pro bono cases are not just an important public service; they can provide young lawyers with a unique pathway to polish their craft for paying clients. It can also directly lead to work from paying clients. As I was writing this article, I received a call from an estate planning lawyer at my firm who had heard about my participation in the DVP. One of her clients had obtained a restraining order that the adverse party was contesting, and she needed someone to represent her at the hearing. I told her that I was ready to take the case.

And the judge said, “I want you to do pro bono work.”

by William Penn
Lewis & Clark Law School

Can an Oregon judge encourage you to participate in pro bono work? The old Oregon Code of Judicial Conduct was silent about the subject, leading different judges to different conclusions.

Some took the silence conservatively and avoided the subject, while others advocated and even developed pro bono programs. The almost 15-year-old Children’s Representation Project (CRP) exists to help young serving abuse at the hands of a spouse or partner, the petitioner obtains a restraining order in a matter of days. The average number of pro bono hours per case is 24, while the pro bono program itself has achieved over 1,000 cases designed to establish a base level of representation (in 2013, for instance). This required skill is particularly valuable to clients in high-stakes cases, and the average number of pro bono hours per case is 24, with nearly 500 cases to date.

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Check out all the NEW plans offered by the Multnomah Bar Association
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sdoey@nwebi.com

Check www.nwebi.com for more details. Click on MBA link. The password is: MBA (all caps).

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• 1 H.S.A. Plan
• Covers alternative providers

OREGON HEALTH CO-OP
• 3 PPO Plans
• 1 H.S.A. Plan
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Check www.mbabar.org for more information.

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• Appreciated Property

Find out more www.equityfoundation.org
The Corner Office PROFESSIONALISM

Pro Bono Work
Meet Local
People & Make
World Peace

Lately, the persecution of people who lack political and economic power has left me with a heavy feeling. As individuals, what do we do about the injustice in our world? There are lots of things we can do that are hard and time-intensive. But, there are also meaningful changes that we can make in our daily lives. One small but important gesture is simply to engage with people whose backgrounds are different than our own. At the risk of sounding trite, those instances of genuine engagement are the building blocks of peace. And, pro bono work might be one of the best ways to meet and get to know people from a broad cross-section of Multnomah County’s diverse population.

As lawyers, the way we engage with our clients is uniquely personal: our services are often sought in times of crisis, we delve into intimate facts, we position ourselves as a trusted resource. If we make sure the attorney/client relationship is a two-way street in which we listen to and trust our clients as well, then attorney-client relationships that cross gaps in class, ethnicity, race, language, abilities, and generations carry an important potential for moments of understanding and connection – moments that can profoundly impact our own lives, and our broader communities. Sometimes pro bono work is characterized as a “deal” in which clients get a specialized and otherwise expensive service, and attorneys get gratitude or a sense of personal fulfillment. I think we should strive for an exchange in which clients gain empowerment and attorneys get an education. If we can frame the relationship this way in practice, we may be able to soften the power differential to a degree that allows that peace-fomenting connection to occur.

I have two suggestions for fostering a more meaningful attorney/client relationship even when your own life experience as an attorney is very different from that of your client’s.

First, take extra time to ensure your client is in the driver’s seat, especially when language, education, mental illness, or cultural differences may inhibit their equal participation in the case. As you explain the legal process, strengths and weaknesses of the case, and possible outcomes, adjust your approach if needed.

One of my favorite moments as a lawyer was when four clients - Guatemalan women who spoke an indigenous language - accepted a settlement offer from their corporate employer. Initially, they looked to me to make the decision. I had to take extra time, working through an interpreter, to explain not only the offer and possible outcomes if they declined to settle, but also the basics of the American legal system. I waited while they discussed (a flurry of unintelligible K’iche’ to me), and when they announced their decision, they were giddy with excitement. For a moment they shed their status as underpaid immigrants in an often hostile land and said “you’re going to have to pay us what we’re owed, plus statutory damages and attorney fees.”

Second, recognize your client’s expertise (you know the law, she knows the facts). Learning is a prerequisite to good legal representation, and it’s also an amazing opportunity for us as lawyers to broaden our world view. Some lawyers might know what it’s like to raise a family on $400 per month, what it’s like to survive as a single woman sleeping on the street, or what it’s like to be forcibly medicated as a patient at the state hospital. Most of us don’t. Creating regular opportunities to hear directly from people whose voices are often silenced or unheard - whether through pro bono work or community engagement - is a political act on an interpersonal level.

When the MBA’s most recent website launched, it included a unique feature: the ability for law-related organizations and nonprofits to add their social events to the MBA online calendar. The idea behind the MBA offering other organizations the ability to access our online calendar was to create one site where all law-related events could be listed to help prevent conflicts.

Please consider adding your social events to the MBA online calendar at the following link: mbabar.org/Calendar/SubmitAnEvent.html. Or, you may contact the MBA by emailing us at mba@mbabar.org to add your item to our online calendar.
Oregon City Office

John Henry Hinson III has an office available in his building at 409 Center St., Oregon City. Close to elevator, off street parking, law library, conference room, share copier, fax, etc. Oregon Bar teacher lawyers. 503.656.0355.

Law Office Space Available Downtown

Honeyman House, 1318 SW 12th, Portland. Professionally remodeled Victorian House. Window view offices, secretarial space, easy street parking for clients, 10 minute walk to courthouse, and easy freeway access. Amenities include law library, large conference room, copier, fax, parking and more. $660 a month and lease available. Contact Eric at 503.224.1212.

Beaverton Office Space

Beaverton attorney building for over 35 years. Several offices available in his building just outside downtown core. Bring your own copier, fax, parking and more. $660 a month and lease available. Contact John at 503.998.5902.

Positions

Associate Attorney (Portland, OR)

We are seeking a litigation associate with two years of experience for our established East Portland law firm. Candidates must be current members of the Oregon Bar. Washington State Bar membership is desired. Prior litigation experience is strongly preferred, but judicial clerkships, or related experience, may be considered.

You must be professional, competitive, a powerful communicator, a team player and an excellent legal writer. Practice includes all aspects of civil litigation (e.g., family law, personal injury, real estate disputes, probate disputes, landlord/tenant law, etc.) and non-litigation matters (estate planning, real estate transactions, etc.). Associates are responsible for research, motion practice, case development and a variety of court appearances.

We will offer a competitive salary and benefits package, along with free parking. The compensation package will depend upon experience and skills. Applicants must email all of the following items, in order to be considered for this position: (1) resume; (2) cover letter; (3) writing samples (4) references; and (5) salary expectation. Email: warrenalen@outlook.com.

Preg, O'Donnell & Gillett

A Civil Litigation firm with offices in Seattle, Portland, and Anchorage, seeks a highly-motivated associate to join our Portland office. The ideal candidate will have at least three years of experience with a focus on personal injury and construction defect litigation. Must be licensed to practice in Oregon (with Washington preferred). We offer a competitive salary, benefits, and a performance-based bonus program. Interested applicants may send cover letter, resume, professional references, and a writing sample by email to: Debra Pfejovic, Human Resources Director, depejovic@pregdonedon.com or by mail: 501 5th Ave, Ste: 3400, Seattle WA 98164. No phone calls. EOE.

Portland Based Immigration Law Firm

Is seeking attorney with at least five years’ experience and a well-established practice either in immigration or a compatible practice area. Interested persons please reply to pacificnwlawfirm@gmail.com.

Associate Attorney

Family Law

Small, busy Portland family law firm seeks enthusiastic associate. Friendly, supportive work environment. 2-5 years’ relevant experience preferred. Email letter/resume to mark@kramer-associates.com.

Discipline Paralegal

The Oregon State Bar is looking for someone to process lawyer trust account overdraft notification matters and provide paralegal/trial assistant support through all phases of formal proceedings.

The Bar invites all interested applicants to submit a cover letter and resume. Please visit www.osbar.org/osbarcenter/ openings.html for job details & information about how to apply.

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Litigation Associate

Entry Level

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 (minimum one year) including clerkship or externship desirable. Strong academic record, demonstrated analytical and writing skills and Oregon Bar membership is required.

Experienced Litigation Associate

Cosgrave Vergeer Kester has an immediate opening for an experienced associate to join our civil litigation practice. Work assignments may include personal injury, general liability, business, and construction litigation. A minimum of three years’ litigation experience is required. 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 practice in the Northwest.

With 37 attorneys, the firm is known for its exceptional client responsiveness and highly effective advocacy in both the courtroom and the boardroom. Cosgrave’s clients range from individuals and small business owners to national and international corporations.

We offer a unique opportunity to develop professionally in a collegial working environment among many of the best trial, appellate, and business lawyers in Oregon.

Cosgrave Vergeer Kester LLP is an equal opportunity employer. We welcome all applicants and strive to provide a workplace in which all employees feel included, respected and valued.

Qualified applicants for either position should visit our website at www.cosgravelaw.com to submit the following:

• Cover letter
• Resume
• Writing sample (five 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.

Folawn Alterman & Richardson LLP

A small to mid-sized law firm with a diverse practice in general commercial litigation experience is looking for an associate. The ideal candidate has excellent written and oral communication skills, is self-directed, has a strong legal acumen, an entrepreneurial spirit, and is ready to work in an exciting and positive environment. Admission in OR and WA preferred. Please send a resume, reference and a writing sample to Marisa Martin at marisa@FARlawfirm.com.

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News from the Courthouse

Continued from page 10

ways to move certain functions offsite into less expensive office space on both the court and the county side of the equation.

Judicial Outreach

Judge Amy Holmes Hohn will be chairing the Judicial Outreach Committee. John Casalino volunteered to be a liaison to the committee. The MBA provides administrative support for this program, which identifies opportunities for judges to speak to community organizations and similar groups about the importance of a functioning court system, the role of law and the role of the judicial branch of government.

Justice Reinvestment Program Underway

Oregon will need to build more prisons unless it can reduce reliance on prison beds. HB 3194 provides funding to counties for the purpose of developing programs to keep people out of prison. The court is currently working on plans to implement these programs.

Judicial Salaries

In the National Center for State Court’s ranking of trial general jurisdiction courts, Oregon is near the very bottom of state rankings on judicial salaries. There will be an effort this legislative session to increase judicial salaries.

Law Library

On August 18, Jacques Jurkins marked 50 years of service to the Multnomah Law Library. Her service to the bar and to our community is noteworthy and commendable.

The court and Multnomah County recently funded a PSU study on transforming the law library. The study will be shared with the Multnomah Law Library Board. There is a large demand for resources to provide services to the self-represented. Approximately 85% of family law cases and 23% of civil cases involve at least one self-represented litigant. The new courthouse will not have as much space to dedicate to a new law library. The PSU study will help define how a leaner space can be used to meet today’s demands for law library resources.

East County Courthouse

The court is looking at ways to better utilize the East County Courthouse (ECC), and has implemented several changes toward achieving that goal. On two days of the week the Family Court is using the ECC; on Monday for Family Abuse Prevention Act Order petitions, and on Wednesday for Family Law ex parte and scheduled domestic relations hearings. Civil cases are also being scheduled for jury trials in the ECC. At the time of the Trial Readiness Conference, parties are asked if the trial could be set at the ECC; currently there are trials set out into February to use an ECC courtroom if assigned from the call calendar to trial. Jurors will be available at the ECC on the scheduled civil trial dates, and judges will be assigned at call.

The court would like to expand the ECC cases handled daily to include Small Claims and FEOs, but is constrained by the lack of sufficient staffing as the result of staffing cuts. The court has resubmitted a request for additional ECC staff for 2015.

Thank you Carol!

The lawyers and staff of Davis Wright Tremaine LLP extend their gratitude to Carol Bernick for her 25 years of service to the firm and ongoing service to the legal profession.

We look forward to upholding your legacy of excellence!

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The MBA Professionalism Award is one of the most highly-regarded honors an attorney in our area can receive. Do you know a lawyer who is a pleasure to work with as both an ally and an adversary, who regularly goes well beyond minimum ethical and professionalism standards, who constantly mentors others and works to improve the quality of our practice as a whole? We strongly encourage you to nominate him or her for the 2015 MBA Professionalism Award.

Any MBA practicing attorney member, except a member of the MBA Professionalism Committee or the MBA Board of Directors, is eligible to receive this award. Esteemed award recipients include Raymond Conboy, Thomas H. Tongue, Randall B. Kester, Frank Noonan Jr., Donald W. McIwen, Don H. Marmaduke, Norm K. Salviet McGraw, Thomas E. Cooney, John D. Ryan, George H. Fraser, Barrie Herbold, Walter H. Sweek, Daniel E. O’Leary, Mark R. Wada, Sandra A. Hansberger, Robert C. Weaver, Walter H. Grebe, Susan M. Hammer, Carl R. Neil, Jeffrey M. Batchelor, Judy D. Snyder, Garry L. Kahn, Michael D. Schrank, Edwin A. Harnden, Thomas W. Brown and Mark Johnson Roberts.

Former nominees may be and often are re-nominated. To propose an outstanding attorney for this year’s award selection process, please complete and return the nomination form included in this issue of the Multnomah Lawyer and available at www.mbabar.org or contact Kathy Modie, Professionalism Committee staff liaison, kathy@mbabar.org for more information.

2015 MBA Professionalism Award Nominations due October 31

Please join your colleagues and members of the judiciary for a light breakfast and coffee. This event is offered at no cost to MBA members and judges. Non-members: $10.

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