



How Can We Build Inclusivity into the Infrastructure of the MBA?

by Sarah Radcliffe
MBA President

As we enter membership renewal season, I wanted to share a few of the ways in which the MBA is working to expand inclusion and support a thriving, diverse legal community. Relationships, showing up, listening, acknowledging

mistakes - these interpersonal interactions are the foundation of an inclusive organization. But there is also a role for specific, measurable goals. It's hard and imperfect to create a tangible measure for inclusivity - I get that. But, structural change is not achieved through aspirational goals. As we have reviewed our MBA committee charges, our membership promotions, our leadership pipeline, our budget, and how we allocate staff and committee time, we've tried to take some concrete steps to build equity into the structure of the MBA.

Supporting Diverse Bar Associations

The MBA has made strong efforts to be a resource for the wonderful diverse bar associations in Oregon. A lot of these exchanges have been facilitated informally without a memorialized "menu" of MBA offerings. In the spirit of making the MBA's support as broadly available as possible, I wanted to publicize these efforts here. Items that are contingent upon MBA staff time may not always be available, but we welcome requests from diverse bar associations for any of the following:

- Assistance with mailings (printing letters, postage, envelope stuffing)
- Sponsoring events
- Providing staff or volunteer assistance at events
- Use of the MBA conference room
- Checking and sharing important dates through the MBA calendar
- Posting announcements in the *Multnomah Lawyer* or E-Newsletter

Other ideas? Feel free to reach out. Each diverse bar association is also assigned MBA liaisons from our board and our Equity, Diversity & Inclusion Committee.

Expanding MBA Inclusion

We want to ensure that we have a membership base, committee participation, and a pipeline to MBA leadership that represents the broadest possible diversity of perspectives and practice areas. Last spring, the MBA Board decided to reduce dues by 50 percent beginning in 2020 for attorneys working for OSB Certified Pro Bono Programs, and attorneys working for Metro Public Defenders and Multnomah Defenders, Inc. Plus, MBA members employed by an OSB Certified Pro Bono Program have long enjoyed free, unlimited access to MBA CLE programming - whether attending in-person or viewing online. As a public interest lawyer, I am thrilled that the MBA has taken this step to make our organization more accessible to legal services attorneys, other nonprofits, and public defenders.

All 2020 MBA members, by the way, will receive access to the entire catalog of video webcasts recorded during the Fall 2018-Spring

...structural change is not achieved through aspirational goals.

2019 program year. This amounts to 60+ hours of free MCLE-accredited programming, available anytime online.

Members of any of the diverse bar associations who have not been MBA members for at least one year can join the MBA for 2020 - **for free**. If prospective members have questions about how to take advantage of these offers, please contact us.

Supporting and Tracking Diversity of CLE Presenters

The MBA wants to make sure that our 75+ CLE presentations per year reflect diverse identities and perspectives. That's long been our goal, but this year we are going to begin tracking our progress. We'll ask presenters to complete a quick questionnaire stating their gender, race/ethnicity, and whether they identify as LGBTQ or a person with a disability, and we'll review that data annually.

In my work with various organizations and institutions, I've found that what's tracked tends to correlate with what's prioritized; tracking data is both an incentive and a measure. This effort corresponds with the Oregon Women Lawyers' initiative to create a diverse CLE speaker database, which will serve as a source of self-identified experts for the MBA, OWLS, and other organizations.

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Accessibility of the Courthouse

Last year, several attorneys with disabilities shared their concerns with our past MBA President, Rima Ghandour about accessing the courthouse. The steps to the entrance (avoidable by pressing a button and waiting for admission at the side door on SW Salmon) and the lack of an alternative space for a security check for people who use mobility devices create serious barriers to accessing our current courthouse. Rima initiated a quarterly meeting with the trial court administrator, Multnomah County Sheriff, and representatives of

Continued on page 2

mba|CLE

To register for a CLE, please see p. 4 or visit www.mbabar.org and log in as a member to register at the member rate.

OCTOBER

10.10 Thursday Sexual Harassment in the Workplace: Moving the Needle through Employment Litigation

Dana Sullivan
Courtney Angeli

10.23 Wednesday Managing Difficult Clients

Jacqueline Alarcón
Ron Cheng
Mae Lee Browning

10.24 Thursday Corporate Practice of Medicine

Grant Engrav
Bruce Howell
Warren Foote

NOVEMBER

11.5 Tuesday Significant Appellate Opinions for 2018-19

Judge Katharine von Ter Stegge
Judge Scott Shorr

11.5 Tuesday Bringing Pro Bono into Your Practice

Judge Stacie Beckerman
Robert Koch
Vanessa Triplett
Jill Mallery
Amanda Caffall

11.14 Thursday Understanding UM/UIM Claims

Michael Colbach
Simon Harding

11.19 Tuesday Employment Law Update

Heidi Brown
Aruna Masih

11.21 Thursday Tips From Criminal Lawyers For Civil Litigators

Kaiti Ferguson
Tyler Francis
Kevin Sali

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Multnomah Bar Association
620 SW 5th Ave
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Portland, Oregon 97204
503.222.3275
Fax 503.243.1881
www.mbabar.org

mba|EVENT

Multnomah Bar Association Absolutely Social

The Grape Escape Featuring Wine Tasting

Tuesday, October 15
The University Club
5-7 p.m.

Drop in after work and catch up with friends and colleagues.

Thank you, sponsors!

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See insert for details and to RSVP.

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

NEWSLETTER STAFF CONTACTS
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Let's Celebrate 30 Years of Oregon Leading the Way on Pro Bono

by Bill Penn
Assistant Director of OSB Legal Services Program
and Oregon Law Foundation



The annual Pro Bono Fair and associated Celebration and free CLE seminars will take place this year on Thursday, October 24 at the World Trade Center in downtown Portland. Celebrate not only the most recent winners of Oregon's Pro Bono Challenge but also 30 years of Oregon leading the way on pro bono. This is a triple pro bono anniversary year - the 30th anniversary of the OSB Pro Bono Aspirational Standard, the 20th anniversary of the Pro Bono Challenge Awards, and the 15th anniversary of the first Oregon Pro Bono Honor Roll.

On October 27, 1989, the Oregon Pro Bono Aspirational Standard was adopted at the OSB Annual Meeting. Although the general concept that it is an honorable thing for attorneys to take on pro bono work has long been part of the profession, having bar associations explicitly say lawyers should do pro bono work was new.

"Each lawyer in Oregon should endeavor to perform 80 hours of pro bono services annually. Of this total, the lawyer should endeavor to devote 20 to 40 hours or to handle two cases involving the direct provision of legal services to the poor, without an expectation of compensation. If a lawyer is unable to provide direct legal services to the poor, the lawyer should endeavor to make a comparable financial contribution to an organization that provides or coordinates the provision of direct legal services to the poor." The Oregon State Bar Aspirational Standard: OSB Bylaw 13.1

Inspired in part by Oregon's aspirational standard and in part by similar efforts in a handful of other states, the American Bar Association developed their Model Rule of Professional Conduct 6.1. From that model rule, pro bono aspirational standards have been adopted in most states.

On September 30, 1999, nine years and 11 months after the Aspirational Standard was adopted, the Oregon New Lawyers Division of the OSB presented the first Oregon Pro Bono Challenge Awards,

recognizing the attorneys and firms who gave the most time to pro bono in the prior year, 1998. The concept was simple: recognition for pro bono work inspires more pro bono work and lets lawyers know they are not alone in their efforts to help provide justice for all.

In 2004, the OSB conducted its first membership-wide collection of voluntary reports of pro bono time provided in the prior year. Attorneys who met the aspirational standard were listed in the Bar Bulletin as part of the Pro Bono Honor Roll. In the first year, 96 attorneys reported meeting the aspirational standard. This year, 312 reported meeting the standard.

The data from pro bono reports made between 2004 and 2019 shows the commitment Oregon attorneys have to justice for all. During that period, Oregon attorneys have given time worth over \$161 million to pro bono work. The data also shows that when times get tough, Oregon attorneys step up. Between 2007 and 2008, as the economy collapsed into the great recession, the amount of time Oregon attorneys gave to direct representation pro bono work nearly doubled and remained significantly elevated through 2012.

This is the 30th anniversary of the day Oregon attorneys decided that lawyers should do pro bono work; we now know that when given a goal to aspire to, Oregon attorneys rise to the challenge.

To celebrate this milestone, join us on Thursday, October 24, at the World Trade Center in downtown Portland. Three free CLEs will be presented in the afternoon:

- New Statewide Tenant Protections and Legal Aid's Pro Bono Housing Clinic - beginning at 2 p.m.
- Sustainable Pro Bono Advocacy: Why Caring for Yourself While Providing Trauma-Informed Assistance to Your Client is Critical - beginning at 2:30 p.m.
- New Innovations in Corporate Pro Bono: How In-House Lawyers at Amazon, Hewlett Packard, Nike and Other Leading Corporations are Creating New Paths for Access to Justice - beginning at 3 p.m.

At 5 p.m. there will be a reception, awards ceremony, and pro bono opportunity fair. Chief Justice Martha Walters will present the Pro Bono Challenge Awards and OSB President Christine Costantino will recognize the firms, lawyers, and law students who gave the most time to pro bono in the prior year.

To register for the CLEs, please contact Laura Greer at the OSB, lgreer@osbar.org.

Calendar

OCTOBER

9 Wednesday
YLS & ONLD October Drop-In Social
Details on p. 12

10 Thursday
OFALA 2nd Annual Gala Dinner
www.oregonfala.org/events

15 Tuesday
Absolutely Social
Details on p. 1

18 Friday
OGALLA Annual Dinner and Silent Auction
www.ogalla.org

24 Thursday
AILA Oregon Annual Gala Dinner and Fundraiser
www.mbabar.org

25 Friday
CEJ Laf-Off
www.cej-oregon.org/events

NOVEMBER

5 Tuesday
New Admittee Social
www.mbabar.org

13 Wednesday
Bench, Bar & Bagels
Details on p. 10

Resources for Pro Bono Attorneys

LOCAL RESOURCES:

Multnomah Bar Association
www.mbabar.org/probono
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.

Oregon State Bar
www.osbar.org/probono
Find information on pro bono in Oregon that includes volunteer opportunities, pro bono hours reporting, 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 CLE seminars 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. You also can easily view selected pro bono opportunities from around the state at the new ProBonoOregon webpages, located on the OregonAdvocates site at www.oregonadvocates.org/probonooregon.

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 Oregon and SW Washington. Professional intake staff is available 24 hours a day by dialing 211 on your phone, or access the referral system can be accessed through the website.

NATIONAL RESOURCES:

American Bar Association
www.americanbar.org/groups/probono_public_service
www.americanbar.org/groups/center-pro-bono
The ABA Standing Committee on Pro Bono & Public Service and the ABA's Center for Pro Bono are national sources 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.

Inclusivity

Continued from page 1

the disability community to engage in an ongoing dialogue to facilitate a more welcoming and accessible courthouse for people with both visible and hidden disabilities. As a result of those meetings, there will be a lunch and learn regarding hidden disabilities presented to judges and court staff. In addition, OJD has updated the ADA access information on their website and

jury summons in Multnomah County now have updated ADA access information.

We have a long way to go in order to achieve a bar that reflects the diversity of our communities. But we can start by identifying some tangible changes, making those changes, and institutionalizing the change. Do you have ideas? Feel free to reach out.

Contact us at mba@mbabar.org, 503.222.3275.



The MBA will apply for 2 hours of general OSB MCLE credit unless otherwise noted; Washington credit may be obtained independently. Registrants who miss the seminar may request the written materials. Substitutions are welcome. Registration fees are non-refundable.

Unless otherwise noted, all classes are held at the World Trade Center, 26 SW Salmon, Portland.

Sexual Harrassment in the Workplace: Moving the Needle Through Employment Litigation

Thursday, October 10 Noon-1 p.m.

US Bancorp Tower Lobby Conference Room, 111 SW 5th Ave, Portland

Members \$30/Non-Members \$50

If you missed the dynamic presentation by **Courtney Angeli** and **Dana Sullivan** at the Time's Up forum this past summer, we hope you will join us for this lunchtime CLE with these two national employment law experts. This seminar will present a compelling case for the nexus between change in workplace culture and change in how we navigate employment litigation. Whether you defend employers or represent employees, this CLE will help all of us look at sexual harassment issues in the law through a new lens. Please bring your lunch and join us. Ms. Angeli and Ms. Sullivan are both partners at Buchanan Angeli Altschul & Sullivan.

For more information: Contact Adrian Brown, US Attorney's Office at 503.727.1003. For registration questions, contact the MBA at 503.222.3275.

Managing Difficult Clients

Wednesday, October 23 3-5 p.m.

World Trade Center, Sky Bridge

Members \$60/Non-Members \$95

Three attorneys from different backgrounds (criminal defense, family law, and personal injury) will discuss how to handle difficult clients at all levels of litigation, from catching red flags at intake to managing difficult expectations throughout litigation. Hear horror stories about clients refusing to sign settlement agreements they agreed to; clients failing to show up to court; and uplifting stories about working with indigent clients and those with diminished capacity. **Jacqueline Alarcón**, Yates Family Law PC; **Mae Lee Browning**, Attorney at Law; and **Ron Cheng**, Kaplan Law, LLC will explore the various strategies used to preserve your integrity while still effectively advocating for clients who can be their own worst enemies.

For more information: Contact Liani Reeves, Bullard Law at 503.248.1134. For registration questions, contact the MBA at 503.222.3275.

Health Care Law and the Corporate Practice of Medicine in Oregon: Is it Lore or Law?

Thursday, October 24 3-5 p.m.

World Trade Center, Sky Bridge

Members \$60/Non-Members \$95

The corporate practice of medicine (CPOM) doctrine generally provides that entities providing a licensed health care service need to be owned by licensed medical professionals. This CLE will discuss the history and applicability of CPOM in Oregon, enforcement, what medical licenses are affected by it, management services agreements as a tool for compliance, and how the Oregon Board of Medicine looks at CPOM issues. The panelists will include attorney general for the Oregon Medical Board **Warren Foote** and health law attorneys **Bruce Howell** and **Grant Engrav**.

For more information: Contact the MBA at 503.222.3275.

Significant Appellate Opinions for 2018-19

Tuesday, November 5 Noon-1 p.m.

World Trade Center, Mezzanine

Members \$30/Non-Members \$50

Please join the MBA for an update on Oregon appellate decisions for civil law practitioners. Multnomah County Circuit Court **Judge Katharine von Ter Stegge** and Oregon Court of Appeals **Judge Scott Shorr** will present an overview of some key civil law decisions from the Oregon Court of Appeals and Oregon Supreme Court from 2018-19. These esteemed speakers will touch on issues relevant to nearly all practitioners. An absolute "must-see" to wrap up 2019 and prepare for a new year.

For more information: Contact the MBA at 503.222.3275.

For the Public Good: Sharpening Your Skills Through Pro Bono Practice

Tuesday, November 5 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

The term "pro bono" comes from the Latin phrase "pro bono publico," which means "for the public good." While we all share a professional commitment to pro bono practice, taking on a pro bono case can also sharpen your litigation and advocacy skills, which benefits your practice overall. This CLE is for civil litigators of all experience levels. It will cover how lawyers can get involved in pro bono work; the variety of opportunities available; and how to balance pro bono work with your existing practice. Our esteemed panel of speakers includes the Honorable **Stacie F. Beckerman**, US District Magistrate Judge; **Robert Koch**, Appellate Practice Group Chair, Tonkon Torp LLP; **Vanessa Triplett**, Associate, Miller Nash Graham & Dunn LLP; **Jill Mallery**, Pro Bono Coordinator, Legal Aid Services of Oregon; and **Amanda Caffall**, Executive Director, The Commons Law Center.

For more information: Contact Adrian Brown, US Attorney's Office at 503.727.1003. For registration questions, contact the MBA at 503.222.3275.

Understanding UM/UIM Claims

Thursday, November 14 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

This CLE is for any practitioner who wants to learn more about UM (uninsured) and UIM (underinsured) motorist claims. Come hear from practitioners on both sides about the ins and outs of these types of claims.

Topics will include:

- Coverage considerations;
- Claim requirements and procedures;
- Damages and attorney fees;
- Arbitration.

Our speakers are **Michael A. Colbach**, a Portland personal injury attorney and **Simon J. Harding**, a shareholder at Schulte, Anderson, Downes, Aronson & Bittner, P.C. who focuses on personal injury defense, automotive liability and general liability defense.

For more information: Contact Jovanna Patrick, Hollander Lebenbaum et al at 503.222.2408. For registration questions, contact the MBA at 503.222.3275.

MBA Employment Law Update: Oregon on the Cutting Edge

Tuesday, November 19 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

At the same time that federal agencies are taking a more conservative stance and the US Supreme Court is set to hear argument on significant cases in the arena of LGBTQ rights, Oregon adopted several pro-employee protections, including the Paid Family & Medical Leave Law, prohibition of certain nondisclosure agreements, extension of the statutes of limitation for employment discrimination or sexual harassment claims, and amendments to public sector labor law. This CLE seminar will review labor and employment updates in federal enforcement, new legislation passed by the Oregon State Legislature, significant new cases, and anticipated developments on the horizon. **Heidi Brown**, Portland City Attorney's Office and **Aruna A. Masih**, Bennett Hartman, Attorneys at Law, LLP are the panelists for this must-attend class for all employment law attorneys.

For more information: Contact Liani Reeves, Bullard Law at 503.248.1134. For registration questions, contact the MBA at 503.222.3275.

Tips From Criminal Lawyers for Civil Litigators

Thursday, November 21 3-5 p.m.

World Trade Center, Mezzanine

Members \$60/Non-Members \$95

Join our panel of experienced criminal practitioners (some now in civil litigation practice) as they provide advice gleaned from years of courtroom experience defending those accused of crimes. The panel will include **Kaiti Ferguson**, attorney at Hart and Wagner, and former indigent defender with Metropolitan Public Defender, **Kevin Sali**, principal at Sali Law, and former civil litigator at Perkins Coie and **Tyler Francis**, attorney at Angeli Law Group, and former state prosecutor in Virginia. How do we best present an unsympathetic client to a jury or judge? How can we argue persuasively over the meaning of seemingly damning evidence. Defending criminal clients requires both creativity and the preservation of credibility: these talented lawyers will provide civil litigators with advice about how to do both. (Also: what do you do when your civil client has been arrested and calls you for help? Get the answers!)

For more information: Contact Judge Benjamin Souede, Multnomah County Circuit Court at 503.988.3972. For registration questions, contact the MBA at 503.222.3275.

Annual Probate Update

Tuesday, December 3 3-5 p.m.

World Trade Center, Auditorium

Members \$60/Non-Members \$95

The MBA presents the 2019 Annual Probate Update, featuring **Judge Patrick Henry**, Multnomah County; **Judge Beth Roberts**, Washington County; **Judge Katherine Weber**, Clackamas County; and **Tim McNeil**, Davis Pagnano McNeil & Vigna LLP who will provide an update of recent case law and legislation. The judges will discuss current practices and procedures in the metro area, highlighting each court's unique procedures and processes. This CLE seminar is a must for all probate practitioners and their staff in the tri-county area.

For more information: Contact Terry Wright, Willamette College of Law at 503.375.5431. For registration questions, contact the MBA at 503.222.3275.

To register for these classes, see page 4.

The Multnomah Bar Foundation Thanks its CourtConnect Volunteers

Many people talk about the law, but don't always understand the justice system. CourtConnect, the MBF's primary public facing project, teams a judge and lawyer to visit a community or student group and share their knowledge of the rule of law. This civic education speaker program was developed in 2017.

Thank you, CourtConnect volunteers.

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To learn more about CourtConnect, contact Pamela Hubbs (503.222.3275, pamela@mbabar.org).



and it's time to renew your MBA membership.

Here are just a few reasons to join now for 2020:

- **NEW FOR 2020 MEMBERS:** Free online access to the entire catalog of video webcasts recorded during the Fall 2018-Spring 2019 program year. This amounts to 60+ hours of MCLE-accredited programming, available anytime. See www.mbabar.org/freecleoffer for details.
- Socials, volunteer outings and other professional and networking opportunities.
- Comprehensive member benefits from business partners Clio Case and Practice Management, LawPay, Columbia Bank, Ruby Receptionists, and more.
- Access to the MBA group health insurance plan for members with at least one W2 employee in addition to the attorney.

As an added benefit, **renew before January 1, 2020 and receive a \$60 coupon good toward any upcoming seminar or CLE product available online.**

Please renew your membership today at www.mbabar.org

CLE Registration Form

NAME _____			CARD NUMBER _____
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ADDRESS _____			
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OSB# _____			

Member Status:

MBA Member

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Payment Options:

Check VISA MasterCard

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Registration forms with payment must be received in the MBA office by 3 p.m. the day before the seminar. 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:
 Multnomah Bar Association
 620 SW Fifth Ave., Suite 1220 ■ Portland, OR 97204
 503.222.3275 ■ Fax to: 503.243.1881

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.

- 10/10 Sexual Harassment in the Workplace: Moving the Needle Through Employment Litigation**
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- 10/23 Managing Difficult Clients**
 Class Registration (\$60 Members/\$95 Non)\$ _____
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- 10/24 Health Care Law and the Corporate Practice of Medicine in Oregon: Is it Lore or Law?**
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- 11/5 Significant Appellate Opinions for 2018-19**
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- 11/5 For the Public Good: Sharpening Your Skills Through Pro Bono Practice**
 Class Registration (\$60 Members/\$95 Non)\$ _____
 CD-ROM & Written Materials (\$60 Members/\$95 Non) ..\$ _____
- 11/14 Understanding UM/UIM Claims**
 Class Registration (\$60 Members/\$95 Non)\$ _____
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- 11/19 MBA Employment Law Update: Oregon on the Cutting Edge**
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 CD-ROM & Written Materials (\$60 Members/\$95 Non) ..\$ _____
- 11/21 Tips From Criminal Lawyers for Civil Litigators**
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- 12/3 Annual Probate Update**
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 CD-ROM & Written Materials (\$60 Members/\$95 Non) ..\$ _____

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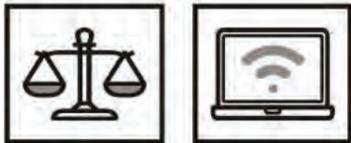
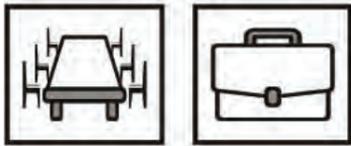
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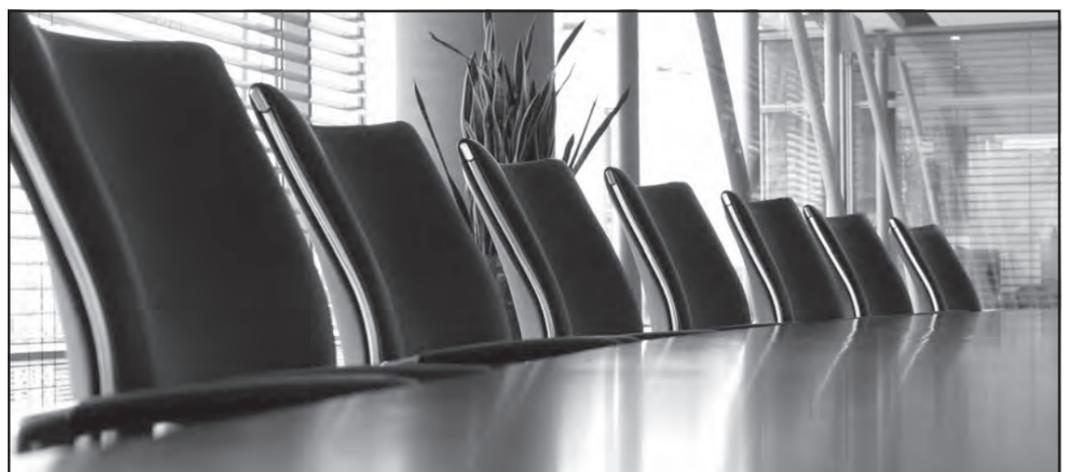


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mba | ANNOUNCEMENTS

2020 MBA Award Nominations Due November 1

To learn more about the Professionalism, Diversity and Merit awards and propose nominees for this year's award selection processes, please complete and return the nomination form(s) available at www.mbabar.org or contact Kathy Modie at kathy@mbabar.org. Nomination forms are due November 1 to the MBA. The MBA will present the recipients of the Professionalism, Diversity and Merit awards at the MBA Annual Meeting on May 13, 2020.

Real Estate Attorneys Needed

Proud Ground is a nonprofit organization active in Oregon and Washington that creates permanently affordable homeownership opportunities for first-time homebuyers using the Community Land Trust model. It is in need of a few real estate lawyers to meet with their homeowners to explain transaction documents to them. The time investment is typically one to two hours per homeowner, and there are several deals in the works for which immediate help is needed.

If you have time and an interest, please feel free to reach out to Proud Ground's Deputy Director Jackie Keogh at 503.493.0293 x19.

Conference Room Available to MBA Members

Conveniently located downtown, the MBA conference room is available for reservation by members for client meetings, depositions and other practice-related uses. Contact the MBA for details and availability at 503.222.3275 or mba@mbabar.org.

Free CLE Webcast for MBA Members

The video webcast of the seminar "Writing to Persuade" is now available in the Members Center at www.mbabar.org. The seminar was accredited for two hours of practice skills OSB MCLE credit.

2019 MBA members receive access to a rotating selection of six different CLE seminars each year - a \$360 value.

Take a Matter that Matters

Sign the MBA Pro Bono Pledge at www.mbabar.org/about/pro-bono.html and commit to taking at least one pro bono case in 2020.

Noontime Rides

Short fast rides with hills. Meet at SW corner of Pioneer Courthouse Square (Yamhill & Broadway) between noon and 12:10 p.m., Monday and Thursday. Contact: Ray Thomas 503.228.5222 with questions, or meet at start.

St Andrew Legal Clinic Taste for Justice

The annual Taste for Justice brings together our supporters for a lively evening with world class wines, good food, and auction packages galore.

The 14th annual Taste for Justice will be held Friday, October 18th from 5:30-10 p.m. at the Elysian Ballroom, (918 SW Yamhill, 5th Floor). More information may be found at www.salcgroup.org/taste or email development@salcgroup.org.

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Ethics Focus

Helping Those in Need Oregon's Unique Lawyer-Mediator Rule

by Mark J. Fucile
Fucile & Reising LLP



Although most of Oregon's Rules of Professional Conduct are patterned on the corresponding ABA Model Rules, Oregon RPC 2.4(b) is unique regionally in allowing lawyer-mediators to prepare documents implementing a settlement reached at a mediation and to file them in court. This provision traces its roots to a concerted effort in the late 1990s to address the unmet legal needs of pro se litigants, primarily in the area of family law. Oregon's rule has evolved since then but still provides a useful tool in that context. At the same time, lawyer-mediators using this tool need to remain sensitive to the line between the relatively limited follow-on tasks permitted by RPC 2.4(b) and the very real conflicts they face if they go beyond those boundaries.

In this column, we'll first briefly survey the history of RPC 2.4(b) for context. We'll then outline the tasks permitted by the rule. We'll conclude with a discussion of the inherent conflict risks if a lawyer-mediator crosses the boundaries set by RPC 2.4(b).

Historical Context

The origins of RPC 2.4(b) help explain what is - and what is not - permitted by the rule.

As initially adopted in 1986, former Oregon DR 5-106 allowed lawyer-mediators to draft settlement agreements reflecting the resolution reached during mediation but not related implementing documents. Similarly, because DR 5-106 classified appearing in court as a representational activity, it prohibited mediators from filing a resulting stipulated

judgment with a court. OSB Formal Opinion 1991-101 (1991) summed up (at 2) the parameters of the rule in its original form by noting that although a lawyer-mediator could draft a settlement agreement "Attorney could not... then endeavor to represent one or both spouses in placing the agreement of record with the court." In 1997, however, the legislature created the Oregon Family Law Legal Services Commission to, in relevant part, develop ways to better assist litigants of modest means in the family law area who were often representing themselves pro se. The commission worked with the OSB to develop an amendment to DR 5-106 in 1998 that permitted lawyer-mediators to file an agreed order or judgment with the court concerned to implement the settlement. In 2001, this provision was reframed to extend "Attorney could not... then endeavor to represent one or both spouses in placing the agreement of record with the court."

beyond simply a stipulated order or judgment to encompass "documents" more generally - but remained tethered to the idea that the "documents" involved reflected or implemented the agreement reached at the mediation.

Tasks Permitted by the Rule

When Oregon moved from the old "DRs" to the RPCs in 2005, former DR 5-106(B) was carried over as RPC 2.4(b) and reads:

- "A lawyer serving as a mediator:
- (1) may prepare documents that memorialize and implement the agreement reached in mediation;
 - (2) shall recommend that each party seek independent legal advice before executing the documents; and
 - (3) with the consent of all parties, may record or may file the documents in court."

In keeping with these changes, OSB Formal Opinion 2005-101 (2015 rev) was also updated to read consistent with the rule.

RPC 2.4(c) adds that subsection (b)(2) does "not apply to mediation programs established by operation of law or court order."

Although RPC 2.4(b) clearly traces its lineage to family law, it is not limited on its face to that practice area.

Remaining Risks

OSB Formal Opinion 2005-101 explains (at 2) the underlying rationale for the conflict rules

not applying within the narrow spectrum of activities covered by RPC 2.4(b):

"Pursuant to RPC 2.4, an Oregon lawyer who acts as mediator does not represent any of the parties to the mediation. This is why, among other things, the multiple-client conflict-of-interest rules set forth in Oregon RPC 1.7 do not apply."

Lawyer-mediators using RPC 2.4(b) need to remain acutely aware of its limited scope. In *In re Van Thiel*, 24 DB Rptr 282 (OR 2010), a lawyer was disciplined under RPC 2.4 for essentially moving beyond his role as mediator in a divorce proceeding. OSB Formal Opinion 2005-101 also emphasizes that mediators will only qualify for the "safe harbor" provided by RPC 2.4(b) (1) and (3) if they comply with the requirement in RPC 2.4(b) (2) of "recommend[ing] that each party seek independent legal advice before executing the documents" or are excused from that requirement by RPC 2.4(c) as noted above.

More fundamentally, outside the confines of RPC 2.4(b), the Oregon Supreme Court in, among others, *In re McKee*, 316 OR 114, 849 P2d 509 (1993), has long held that representing both sides in a divorce is prohibited. In that vein, the OSB *Ethical Oregon Lawyer* treatise (2015 rev ed at 10-22) classifies such conflicts as non-waivable under RPC 1.7. Therefore, mediators who attempt to represent both sides in a divorce beyond the settlement agreement and

...a lawyer was disciplined under RPC 2.4 for essentially moving beyond his role as mediator in a divorce proceeding.

implementing documents specifically permitted by RPC 2.4(b) are potentially at risk of both regulatory discipline and, because the conflict rules are a reflection of the underlying fiduciary duty of loyalty, potential civil damage claims.

RPC 1.12(a) does permit a mediator to later represent one of the parties to a mediation in the matter involved - but only if "all parties to the proceeding give informed consent, confirmed in writing." As with other conflict waivers, informed consent under RPC 1.12(a) must include (under RPC 1.0(g)) "a recommendation that the client seek independent legal advice to determine if consent should be given."

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Around the Bar



Heather Kmetz

Sussman Shank LLP

The firm is proud to announce that **Heather Kmetz** has been elected president of the board of directors for the Portland's Centers for the Arts Foundation. Portland's is a nonprofit that supports education, access to the arts, and community outreach programs for five of metro Portland's finest performing arts venues. Kmetz has been an active member on the board of directors since 2017.

Kmetz is a tax lawyer and chair of the firm's business group, advising individuals and businesses in establishing tax-sensitive wealth preservation plans and transactions. She also serves as outside corporate counsel for a variety of closely-held businesses, helping them to develop and transition their business.



Avalyn Taylor

Rizzo Mattingly Bosworth PC

Attorney **Avalyn Taylor** has been re-appointed to the board of directors for the Elakha Alliance.

Named for the Chinook Indian word for sea otter, the Elakha Alliance is a nonprofit organization dedicated to restoring sea otters to Oregon's coast. The sea otter, which was hunted to extinction in Oregon in the early 1900s, is both a keystone ecological species and a significant cultural icon for Oregon's coastal tribes.

In her law practice at Rizzo Mattingly Bosworth, Taylor represents clients in environmental matters ranging from regulatory compliance to litigation.



Tim Nay

Nay & Friedenberg LLC

The National Academy of Elder Law Attorneys (NAELA) is pleased to announce that NAELA Fellow **Tim Nay** was named the 2019 recipient of the Theresa Award. The Theresa Awards recognize the outstanding efforts of those individuals who go above and beyond in helping and advocating for people with special needs.



Donovan Bonner



Nicole Elgin

Barran Liebman LLP

The firm is proud to announce that **Donovan Bonner** has been named as Scholar of the American Bar Association Young Lawyers Division. In addition, Bonner was selected as Vice Chair of the Labor &

Employment Committee and a member of the Men of Color Project in the Young Lawyers Division. Through these roles, Bonner looks forward to empowering others to become leaders in the legal profession.

Barran Liebman is also pleased to announce that **Nicole Elgin** has joined the Ambassador Board for College Possible. Through this role, Elgin looks forward to supporting students with mentorship and resources to help them apply to, enroll in, and graduate college.



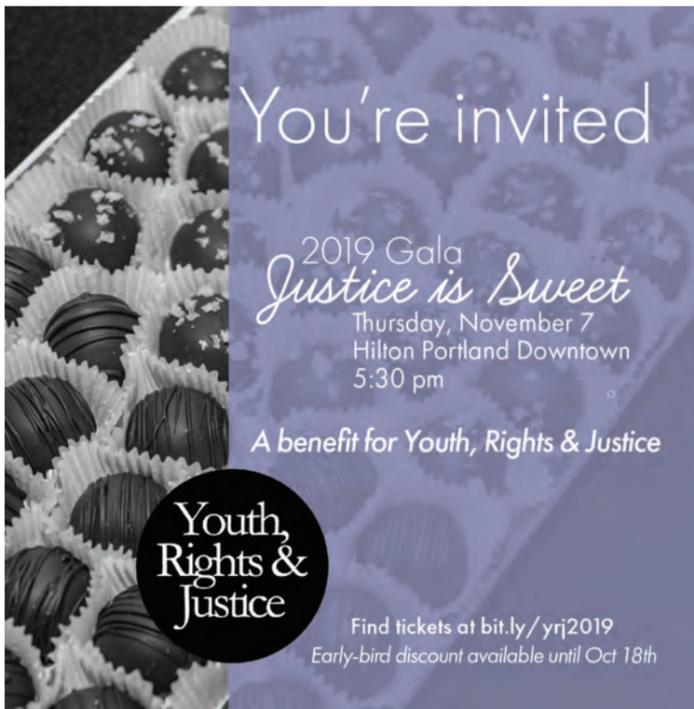
Natalie Horwitz

Fisher Phillips

Natalie Horwitz has joined the firm as an associate in its Portland office.

Horwitz represents companies in all areas of employment litigation and advises on general employment and compliance issues, including disciplinary actions, settlement agreements, grievance responses, alternative disciplinary agreements, labor relations and performance improvement plans. Horwitz joins the firm from the US Army Corps of Engineers, where she handled labor and employment matters.

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 mba@mbabar.org.



Lewis & Clark Law School Adds a Service Component to New Student Orientation

by Carra Sahler, Director of Public Interest Law
Lewis & Clark Law School

Groups of brand new incoming first-year law students trudged down to the Nature Center from Lewis & Clark Law School on a Wednesday afternoon at the end of August, dressed to get dirty. Meanwhile, other 1L students carpooled to locations around the area as far away as Hillsboro and as close as downtown Portland ready to put their hands, brains, and compassion to good use.

Nearly 180 of Lewis & Clark Law School's newest students participated in an afternoon of service as part of orientation this year, the first time the law school has ever undertaken

documents at both of St. Andrew Legal Clinic's locations. They processed frozen cranberries at the Oregon Food Bank. They helped foster children shop



Pictured from left to right: Mara Bauermeister, Viviana Mendoza (SALC's Legal Assistant), Justine Tran, Mason Pierce, and Allison Moeller

for back-to-school clothing at Project Lemonade. They deep cleaned the community space at Sexual and Gender Minority Youth Resource Center. At Habitat Restore, they processed donations of new and used



Pictured from left to right: Tlima Umbhau, Liza Silverman, Ryan Sloan, Marley Grenafegge, Kylie Couturier, Jeremiah Jensen

such a project. All incoming first-year students volunteered at organizations tackling issues in our community such as homelessness, food insecurity, and fire safety.

Professor Sandy Patrick, who conceived of the idea, said, "As lawyers, a large part of what we do is help others, no matter what kind of law we practice. As a law school, we aspire to foster that sense of service in our students. Having students begin their legal career by volunteering with local Portland organizations helps students connect with each other and the local community; maybe more importantly, it instills a sense of purpose and fulfillment that will last a lifetime."

Tasks ranged from sorting clothes at Dress for Success to sanitizing children's toys at Ronald McDonald House. Students scanned and filed

building materials, furniture and appliances for sale to support Habitat for Humanity home-building projects.

"I think it's really important that we, as law students and (hopefully) future lawyers, engage in the community because a huge part of becoming a lawyer is a desire to advocate for people who perhaps are not able to advocate for themselves,"



Back row, from left to right: Peter Broberg, Rohan Hiatt, Clarens Emrich, Adrienne Del Monte
Front row, from left to right: Skye Walker, Madelyn Tillemans, Dara Illowsky, Cynthia Davis, Josie Moberg, Chloe Williams

incoming 1L Mason Pierce thoughtfully remarked. "I think it can be really easy to get lost in the law school bubble and become removed from the needs of the community. Engaging in service is a good reminder of what still needs to be done and what responsibilities we carry as we pursue this profession."

Continued on page 15



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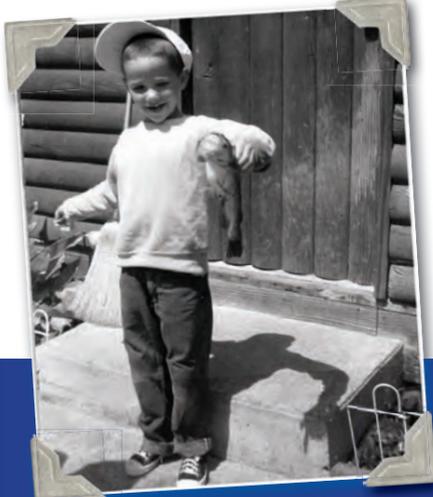
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Tips From the Bench

Courtroom Mode

by Judge Judith Matarazzo
Multnomah County Circuit Court



Although on most airline flights you can use your phone in “airplane mode,” there is no such mode for the courtroom. Last month, I watched a plaintiff’s attorney in trial conduct his direct examination, then sit down and take out his cell phone and begin “texting.” After the defense attorney asked an objectionable question without objection, I thought about stopping the trial by asking the attorney to put his phone away but decided against it. Several jurors appeared to watch the attorney texting, so I decided to wait and watch myself. The cross-examination continued for about five minutes, the defense attorney sat down, and the plaintiff’s attorney did not move. So, I excused the witness and asked if there were additional witnesses, at which point the attorney finally put his phone down. The attorney missed the opportunity for redirect examination and would have found it impossible as I am not sure he heard a word of the cross-examination.

Most of us believe we can multitask and, in many cases, we can. However, trial always requires one to be fully present. Regardless of whether you think you can text and listen, Chapter Three of the Multnomah County Supplementary Local Rules “Decorum in Proceeding” require permission from the Court to use your cell phone in the courtroom. I would encourage you to refrain from doing so without being granted permission.

The Multnomah County Supplementary Local Rules provide a plethora of other valuable information. Rule 6.051 requires the parties to submit copies of motions, briefs, and memoranda directly to the judge prior to the date for the hearing. Many of us prefer hard copies, as we can take them with us and make notes on the documents. Check the judge’s webpage or call the judge’s judicial assistant to determine which method of delivery is preferred. Recently, I received a phone call asking why we can’t just look up the motion on our computers. Please be advised, I have no idea when a motion or anything else for that matter is filed in Odyssey. Once the matter is scheduled, it appears on my calendar and then I can look up the case number and see all items filed. Items that are specifically directed to my queue for signature are reviewed daily.

Rule 6.051 also provides that jury instructions, verdict forms, trial memoranda, motions to suppress, motions in limine, and similar material must be delivered to the judicial department by noon of the day of trial assignment at daily call. Last week, my office received another phone call asking why this was required on Friday call, as she understood there were no trials on Friday and the judges were not in on Fridays. The judges are in on Fridays, and Friday is the best day for me to read documents for the next week. So if you have a Monday trial date, get the material to the judge by noon on Friday.

The best document to read prior to a civil trial in Multnomah County is the “Recommended Civil Jury Trial Practices.” While there may not be a “Courtroom Mode” in terms of cell phones, there are certainly practices and procedures that constitute “Courtroom Mode” for the trying of a case in Multnomah County.

News From the Courthouse



by Hillary Taylor
Court Liaison Committee

Presiding Judge Update

Judge Bushong’s first two-year term as presiding is coming to an end. He has agreed to serve another term.

New Judges

Judge Steffan Alexander started on August 12. He replaced Judge Karin Immergut whose appointment to the federal bench has been confirmed. Judge Angela Lucero started on September 16, replacing the retired Judge Kenneth Walker. Morgan Wren Long will fill a vacancy created by the retirement of Judge Maureen McKnight and F.G. “Jamie” Troy II will fill the vacancy created by the retirement of Judge Katherine Tennyson. Currently, the family law dockets have been covered by Plan B and other judges as best as the court is able.

The judicial conference is scheduled for October 21-23 this year. Keep in mind there won’t be trials during that time as the judges will be gone.

New Courthouse Update

The court continues to plan for the transition to the new courthouse. The court created a taskforce, chaired by now-retired Judge John Wittmayer, to develop a plan for judges’ selection of their courtrooms and chambers in the new courthouse. Under this plan, the 10 family law judges will choose, in order of seniority, their floor; one family law judge per floor. The remaining judges will choose their floors, then their chambers and courtrooms, based on seniority. The presiding courtroom and chambers will be located on the seventh floor, while most other courtrooms and judicial chambers will be on floors eight through 17. All courtrooms and chambers are similar, but there are differences due to the shape of the building. The courthouse was designed for five judicial chambers and four courtrooms on each of the main court floors.

The court is pleased that the legislature approved the final budget needed to pay for moving expenses and equipment and furnishings, so the court will be able to move in when the building is ready. Judge Bushong offered thanks to the MBA and all who conveyed to the legislature their support for the new courthouse and the Oregon Judicial Department budget. The court is now working with the design team to finalize and order the remaining equipment and furniture for the new building.

The court is **TENTATIVELY** planning to move into the new courthouse June 11-14, 2020. Under this plan, the court would be closed June 11 and 12 (Thursday and Friday) with the move completed through the weekend and the court opening for business in the new location on Tuesday, June 16, 2020.

There are still variables which could cause the schedule to shift, however the bar should be aware of the potential move date, and the weeks before and after, when trial dates are requested. There will be criminal cases that will have to go out; however, it would be good for those with more flexible dates to keep the move in mind when setting trials.

Good progress is being made on the completion of construction, and the county is planning a tentative ribbon cutting ceremony for June 10, 2020. Judges were able to tour the courthouse in September. There will eventually be public tours of the new courthouse coordinated with the Multnomah County Sheriff’s Office. Currently, the building is still very much an active construction site and public tours are not feasible.

East County Courthouse Update

The sheriff originally planned to eliminate security from the East County Courthouse starting in July due to budget cuts. In response, the court consolidated dockets to minimize the use of the East County Courthouse to

reduce the risk to the public and court staff. By statute, certain misdemeanors and violations that occur on the Eastside must be heard at the East County Courthouse; those hearings have continued to take place two days per week, on Tuesdays and Wednesdays.

The county has temporarily kept security officers at the facility five days per week, so the building currently remains open for business Monday through Friday. Discussions are ongoing and there is a desire to maintain security screening and enforcement at the building. The court is committed to using the East County Courthouse to serve East County residents to the greatest extent possible if the building is adequately secured.

Judge Bushong’s Tips of the Month for Ex Parte

1. Lawyers appearing at ex parte should bring a motion and proposed order, and (in many instances) a supporting declaration. This is needed to create a record of what occurred in the case file.
2. If there is a “DR” in the case number, it is a domestic relations case and counsel must go to family law ex parte, not presiding court ex parte.
3. It is not necessary to bring extra copies to ex parte; attorneys are expected to download a signed copy of the order from OECI if needed. The court ordinarily will not provide conformed copies for attorneys.
4. Attorneys requesting a temporary restraining order ex parte are strongly encouraged to have a judge’s copy delivered to presiding court chambers before the ex parte hearing. That will give the presiding judge an opportunity to read the materials before addressing the matter at ex parte.

mba | EVENT

Bench Bar & Bagels

Wednesday, November 13
Tonkon Torp
888 SW 5th Ave., Ste. 1600, Portland
7:30-8:30 a.m.

The MBA hosts the 10th annual “Bench Bar & Bagels” on Wednesday, November 13. 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.

Special thanks to our sponsor and host:



Please RSVP to Kathy Modie,
kathy@mbabar.org.

Pro Bono Opportunities for New Lawyers

by Erin White
Legal Aid Services of Oregon



As pro bono coordinators, we are often asked if there are any volunteer opportunities available for new lawyers. The answer is yes! Those new to the legal profession might think because they are inexperienced there are limited ways they can help, but the truth is there are several ways for them to get involved. Legal Aid Services of Oregon (LASO) and the Oregon Law Center (OLC) offer numerous pro bono opportunities, and several projects are a good fit for new attorneys. LASO and OLC provide support to their volunteer attorneys on legal aid cases including PLF coverage, trainings, sample forms, meeting room space, and mentoring. Furthermore, volunteering can be extremely beneficial for a new attorney. Not only does pro bono service help support your community and fulfill the OSB professional standard of conduct, but it is also an excellent way to make connections and gain valuable experience. Here are a few pro bono opportunities for new lawyers (and lawyers of all experience levels!).

Domestic Violence Project

LASO's Domestic Violence Project (DVP) matches pro bono attorneys with survivors of domestic violence for representation in contested restraining order hearings. These cases tend to have short timelines, involve limited issues and require a court appearance. Attorneys sign up in advance to be available to take a case on a specific date. The project provides representation to clients in Clackamas, Multnomah and Washington Counties. DVP is an excellent volunteer opportunity for new lawyers, lawyers seeking litigation experience, and attorneys who cannot commit to taking long-term cases. This project covers a discrete area of law and most of the volunteers are not family law practitioners. DVP volunteers are not expected to assist clients with family law issues.

For more information, please contact Danielle Ramos at danielle.amos@lasoregon.org or 503.224.4086.

Expungement Clinics Clackamas County Expungement Clinic

The Expungement Clinic is a partnership between the Clackamas County Bar Association, Clackamas County Law Library, LASO,

and the Clackamas Service Center. The clinic is designed to help low-income clients in Clackamas County complete court expungement paperwork. Volunteer attorneys meet with clients to determine whether they qualify for an expungement. If the client is eligible, the volunteer attorney will complete all the necessary court paperwork. The clinic provides one-time, brief service to clients and is held every other month on Friday mornings at 9:30 a.m.

For more information, please contact Danielle Ramos at danielle.amos@lasoregon.org or 503.224.4086.

Project SCRUB

Project SCRUB (Scrubbing Criminal Records to Unlock Barriers) Expungement clinics are held monthly (usually the last Friday of each month) at the Hillsboro office of the Oregon Law Center for Washington County residents wishing to set aside their criminal convictions or records of arrest. Clients must meet OLC's eligibility requirements. Following a training video, volunteer attorneys provide advice to clients regarding expungement eligibility and if qualified, assist in filling out the applicable forms for set aside. While funding is available, eligible applicants receive assistance with filing and background check fees. Clients or interested volunteers can contact Maria Elena Santaella at 503.640.4115 or mesantaella@oregonlawcenter.org.

Housing Notice Clinic

Volunteer attorneys with LASO's Housing Notice Clinic will provide self-represented litigants advice on their rental termination notice. The attorney will review a client's housing termination notice and determine whether the notice is valid or defenses exist using a comprehensive check-list. Attorneys sign up in advance for a specific week to receive a direct referral. Training and materials are available.

For more information, please contact Jill Mallery at jill.mallery@lasoregon.org or 503.224.4086.

Family Law Forms Help (FLFH) Facilitation

Attorneys with little (or no) family law experience can volunteer and help clients complete their pro se court documents. Once the paperwork is completed, clients may attend the FLFH clinic to meet with an experienced family law attorney. Facilitation clinics take place on Wednesdays from 2 to 4 p.m. at Legal Aid.

For more information, please contact Danielle Ramos at danielle.amos@lasoregon.org or 503.224.4086.

New Pro Bono Oregon Website Offers Statewide Options to Volunteer

by Ed Marks, Statewide Pro Bono Manager
Legal Aid Services of Oregon



An idea that won the 2018 MBA Hackathon has led to a new user-friendly online system for pro bono attorneys in Oregon to find legal aid cases and projects that fit the types of issues they are excited about working on.

At the 2018 Hackathon, Team Legal Aid Services of Oregon (LASO) was given the task to identify ways to harness technology to connect attorneys to pro bono opportunities. The team developed a website to increase LASO's ability to communicate to the legal community about pro bono opportunities, simplify the referral process and track pro bono cases. Since the MBA Hackathon, LASO has been working towards implementing such a website.

"ProBonoOregon," which launched in August as part of OregonAdvocates.org, lets attorneys quickly select from a menu of available cases and projects offered by legal aid

offices from across the state. The new system can be found by clicking on the ProBonoOregon link featured on the home page of OregonAdvocates.org, or can be bookmarked directly at www.oregonadvocates.org/probonooregon.

"Oregon is only the second state in the country to use this new system on a statewide basis," said Eli Mattern, CEO of SavvySuit.com, the software company which pioneered the concept in collaboration with the Florida Bar Foundation. The Florida version of the system, known as "Florida Pro Bono Matters," was launched Fall 2017 and can be found online at thefloridabarfoundation.org/florida-pro-bono-matters.

ProBonoOregon requires no password or pre-registration from volunteer attorneys who want to help bring civil justice to low-income Oregonians. To participate, an attorney just has to click on the "Interested" link displayed at the top of each case or project description. Legal aid staff then will be in touch within two business days to check for conflicts of interest and to further discuss the case or project with the attorney before a final match is made.

Cases and projects offered on the site will be updated weekly. "Case cards displayed on the system will each be topped by an

'at-a-glance' headline that will let attorneys quickly scroll through the available opportunities to find something that aligns with their interest. Once a case is placed, it will be removed from the screen.

By making it easier to search for available pro bono cases without the need for pre-registration, ProBonoOregon expects to repeat Florida's success in encouraging new pro bono volunteers to step forward. In the first year following launch of Florida Pro Bono Matters, more than 200 clients were served by pro bono attorneys who used the site to volunteer.

If an attorney sees a case offered on the site that they are not able to handle themselves, the site also allows the attorney to easily forward the information to a friend or colleague who they believe might be interested. The site also lets attorneys filter the available cases by searching for the county name where the case originates, or by subject matter or other key factors.

Pro bono opportunities offered on the site will continue to be screened, coordinated and supported through local legal aid offices. In the Portland Regional Office for instance, volunteers will still learn about pro bono opportunities by visiting Oregon Advocates at: www.oregonadvocates.org/volunteer/item.8215-LASO_Portland_Regional_Office or contact Jill Mallery or Danielle Ramos, the attorneys who run Portland's volunteer projects. Volunteer Lawyers Project with the Portland Regional Office of LASO, including projects such as

Continued on page 17



Pictured left to right: Traci Ray, Jovita Wang, Leslie Johnson, Oregon Supreme Court Justice Adrienne Nelson, Marilyn Harbur, Mark Johnson-Roberts and Andrew Schpak attending the August 2019 ABA Annual Meeting in San Francisco.

mba | Young Lawyers Section

What is the YLS?

An inclusive section of the bar, comprised of any MBA member in practice less than six years or under the age of 36. The YLS provides leadership, networking, professional development and service opportunities. And we have fun!

Ask the Expert

*Dear Expert,
I have been dealing with an opposing counsel who does not return my phone calls, emails, or correspondence. Or, if they do, it is late in the evening, which is not much help. I need to get long outstanding documents and start scheduling depositions. Help!*

-Ignored and Annoyed

Dear Ignored,
Although clients might be shocked at how some attorneys respond to the other side, these sorts of events do happen. When I encounter these lawyers (and sometimes even pro se litigants), I try to keep a reasonable mind about what might be driving their apparent indifference to this case. Reach out to other attorneys to see if they have had similar issues with this person, or if they are currently involved in a case that is taking the opposing counsel's time away from your matter. However, I still follow a general plan of attack:

Document. Document.

Document. Keep a list of all attempted phone calls, and document in a follow-up phone call. If you do by chance or perseverance get them on the phone, try to establish the timelines of which you will expect discovery. Follow up with a confirming letter or email and keep track of all agreed deadlines.

Be mindful of court and case deadlines to make sure that this is not an attempt to delay the case or trial. Try not to let these issues go on for too long before ratcheting up. If it takes an outreach effort each day, sometimes that may have to happen. Be careful not to get in the trap of just calling, leaving a voice message, and not getting a response. Vary your methods of outreach with a few phone calls, a letter, and an email. Be mindful not to do it all at once and try not to give the appearance that you are trying to harass anyone. If you are not getting a response, then set reasonable deadlines for a response.

If final steps are in order, be stern but also courteous. If you are going to send a notice of deposition after not hearing back on scheduling, think about a cover letter that says the date is also reasonably flexible, and provide additional days you are available and would be willing to accommodate the party's schedule.

Before conferring on a motion to compel or even filing a motion, consider if it might motivate the other side if you send them a courtesy draft and noting the date you will file your motion if you cannot confer and resolve the issues.

Joshua Stadtler and Legal Aid Services of Oregon YLS Pro Bono Spotlight

by Olivia Wotman
YLS Pro Bono Committee

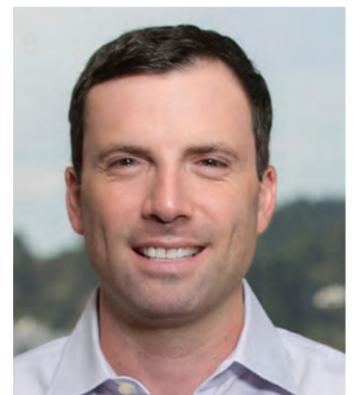
Legal Aid Services of Oregon's (LASO) Domestic Violence Project is a volunteer lawyer program where survivors of domestic violence are matched with pro bono attorneys for representation in contested restraining order hearings. LASO offers a variety of other volunteer opportunities that are OSB-certified pro bono. It also offers free PLF coverage to pro bono practitioners.

Joshua Stadtler, a Partner at Dunn Carney, LLP, has been volunteering with LASO's Domestic Violence Project for years. He is committed to serving his community and has done so through his work in the United States Peace Corps where he taught English in South Africa. Josh is a former YLS Pro Bono Committee member (2014-16). He is currently serving on the Board of Directors for Portland Homeless Family Solutions, and also co-chairing Dunn Carney's Pro Bono Committee, which manages his firm's participation in a legal clinic representing indigent clients in collaboration with LASO. He continues to maintain his own pro bono practice, including representing survivors of domestic violence.

Josh was drawn to the Domestic Violence Project due

to the meaningful impact such representation offers the clientele, the challenging subject matter, and litigation experience. Through volunteering for the Domestic Violence Project, Josh gained experience developing client relationships, and also further developed his ability to issue spot, learn the law, prepare opening and closing statements, and conduct direct and cross examination.

While it is healthy to feel a sense of trepidation when handling novel issues, the best way to learn something is by doing it. Josh stated he developed a lot professionally through his volunteer work by figuring out which questions to ask, and developing relationships with people that could help answer those questions. To this day, even as a partner at his firm, he seeks advice from attorneys whose input he values, some of which he developed relationships with volunteering. Josh shared that LASO's attorneys are always available to consult with volunteer attorneys, provide valuable input, and share its wealth of knowledge, experience, and resources. If you are looking for meaningful volunteer work, are seeking litigation experience, but cannot commit to taking long-term cases, then LASO's Domestic Violence Project is right for you.



Joshua Stadtler

Josh believes volunteering is an important part of being an attorney due to the significant access to justice gap. It may even help attorneys find meaning in their career, if they don't find it in their day jobs. He stated that anyone that has a passing interest in pro bono work should do it as much as they can.

Josh encourages new attorneys to try practicing and volunteering in different areas of law to find an area that brings meaning and enjoyment. It doesn't matter what your practice area is. Volunteering for LASO's Domestic Violence Project will help you develop client management skills, provide litigation experience, and support you while handling unfamiliar terrain.

To learn more about how to get involved with LASO, please contact Jill Mallery at 503.224.4086 or jill.mallery@lasoregon.org or Danielle Ramos at 503.224.4086 or danielle.ramos@lasoregon.org

YLS CLE Preview

by Maxine Tuan
YLS CLE Committee Chair



It is my pleasure to serve as chair of the YLS CLE Committee this year. This year, the committee is comprised of 14 volunteer YLS members who will organize more than 27 MCLE-accredited seminars. Our Fall Advanced Pre-Trial Litigation Series is already underway, but it is not too late sign up for the remainder of the series and earn an Access to Justice credit

by attending "Litigating on a Budget." On October 29, judges from the tri-county area [Judge Patricia McGuire, Multnomah County Circuit Court, Judge Theodore Sims, Washington County Circuit Court, and Presiding Judge Kathie Steele, Clark County Circuit Court] will discuss the intricacies of ex parte at the seminar "Ex Parte Matters: A Tri-County Overview on Protocols and Professionalism." The committee is also beginning to organize our Winter Series "Young Litigators Forum," a new and exciting Spring Series, as well as additional seminars.

Our committee is focused on presenting innovative programming for newer attorneys at affordable prices and convenient times. We aim to provide newer attorneys with the nuts and bolts of a variety of law practice areas, allow seasoned

attorneys a venue to share their knowledge, and create a forum where attorneys can meet one another and build professional relationships in the Portland metro area. Most of our seminars are audio recorded and occur on Thursdays over the lunch hour at The Standard Insurance building.

Over the past few years, the YLS CLE Committee has made efforts to expand and diversify our pool of speakers. This year, our committee will continue these efforts and emphasize securing quality experienced speakers with attention to diversity and inclusion. The committee listens to feedback from the YLS Board, our speakers, and CLE attendees when selecting speakers and topics for future CLEs. If you have suggestions for topics that you want more information on or wish you had access to in your first years of practice, topics you think every young lawyer should learn, or an interest in becoming a speaker, please contact me at mt@wysekadish.com.

mba yls | EVENT

October Drop-In Social

Wednesday, October 9

5:30-7:30 p.m.

Lovely Rita, The Hoxton Hotel
15 NW 4th Ave., Portland

Please join the YLS and the Oregon New Lawyers Division for a drop-in social at Lovely Rita in the Hoxton Hotel for an evening of networking.

This is a free event, no RSVP necessary. Arrive early to enjoy complimentary appetizers and drinks.

Details at www.mbar.org.

Christine Sargent YLS Member Spotlight

by Holly Hayman
YLS President

Christine Sargent did not establish her burgeoning legal career in Portland by accident. When she arrived in Portland, after moving all over the country during her childhood, Christine knew it was the place she wanted to call home. Although Christine describes herself as an introvert, she is not daunted by a challenge and reached out to others to build a community in Portland. As a recent law school graduate, Christine exercised her networking skills and began participating with the YLS.

Christine's family moved frequently during her childhood due to her father's service in the US Marines. As a result, she developed skills for creating meaningful connections with others and community building. Reaching out to new people can be intimidating, but Christine consciously put herself in uncomfortable circumstances in order to establish relationships. She exercised these skills while attending Portland State University as an undergraduate, and was impressed by the result. She took advantage of a PSU program called Explore the Law, which connected her to female attorney mentors Lissa Kaufman and Andrea Thompson. Lissa and Andrea provided examples of successful women attorneys, and helped convince Christine that she could use her community building skills to establish a successful legal career for herself in Portland. After earning a degree from PSU in 2014, she enrolled in Lewis & Clark Law School and graduated in 2017. While in law school, she externed for Judge Stacie Beckerman, which cemented her desire to practice law in Portland. Christine continued building a strong professional community



Christine Sargent

by relying on her ability to forge new relationships with powerful mentors who, in her words, ultimately played (and continue to play) a critical role in helping her achieve her career goals.

As a new lawyer, Christine knew that she would need to exercise her networking skills once again. She attended a few MBA YLS events and recognized that YLS involvement was a great way to continue building a robust professional community. The YLS provided opportunities to network at social events and even greater involvement as a committee member. Christine began attending YLS events regularly. While she admits she was out of her comfort zone at the first couple of events, she knew that continued participation would generate positive results. Indeed, before the end of her first year, she was familiar with YLS members and was encouraged to get more involved. She joined the YLS CLE Committee during her first year of practice, and after that two-year term ended, decided to serve another term on the YLS Membership Committee. For Christine, the benefits of YLS involvement became evident so quickly they almost surprised her. Christine explained, "before I realized it, I had a network of friends and professionals that I trusted and relied upon."

Her YLS community provided resources for navigating career growth and developing professionalism.

Given Christine's fearless approach to networking, it should be no surprise that she also loves to travel. While in high school she traveled to Oman and was imbued with respect and appreciation for diverse cultures. She and her husband travel often to Greece to visit his family. They also recently traveled to Islay, Scotland, to celebrate their shared love of scotch. Although she loves to travel, her return to Portland at the end of every trip is the sweetest moment. "The first breath of air and the first drink of Portland water always make me so grateful to call this place home."

Christine is an associate with Littler Mendelson, where she practices employment law. When she is not working, being a rock star YLS member, or traveling, you can find Christine attending comedy shows - one of her favorites is the CEJ Laf-Off - or watching the Blazers. She also is an avid tennis player and dedicated NYT crossword puzzler.

Dress for Success YLS Community Service Opportunity

by Margaret Davis
YLS Service to the Public Committee

Dress for Success is looking for volunteers to assist them with their triannual closet sale. Three weekends every year, the organization opens its doors to the public and sells unneeded inventory. All of the proceeds go to fund the organization and its job training programs. Featured designers include Ralph Lauren, Ann Taylor, Patagonia, Banana Republic, Eileen Fisher and more.

Volunteers will run the cash register, assist with stocking, and returning items to shelves after customers have tried them on. Lunch and snacks are provided, and volunteers can look

forward to a presentation on the organization and learn how to get more involved.

When: Sunday, October 20 from 10:30 a.m.-1:30 p.m.

Where: Dress for Success Hollywood Store, 1532 NE 37th Avenue, Portland, OR 97232 (Dedicated parking available at the Banfield Motel parking lot; please carpool if possible).

Contact: RSVP to Ryan Mosier at ryan@mbabar.org or contact Margaret Davis at mdavis@victimrights.org with specific questions about the event.

YLS CLE Ex Parte Matters A Tri-County Overview on Protocols and Professionalism

Tuesday, October 29
4-6 p.m.

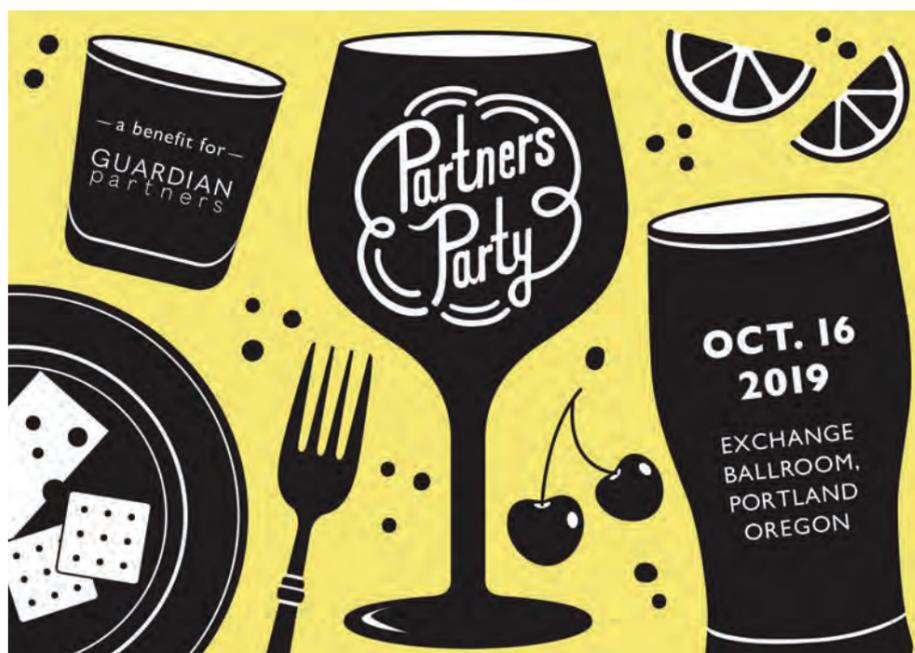
Standard Insurance Center, Atrium
900 SW 5th Ave., Portland

MBA Members: \$30; Non-Members \$50

Judge Patricia McGuire, Multnomah County Circuit Court, Judge Theodore Sims, Washington County Circuit Court, and Presiding Judge Kathie Steele, Clackamas County Circuit Court, will discuss the varying rules governing ex parte matters in the tri-county area. The judges will present a broad overview of the rules governing proper motion practice, ex parte protocols and appearances, and professionalism issues.

To register see the insert or visit mbabar.org/cle

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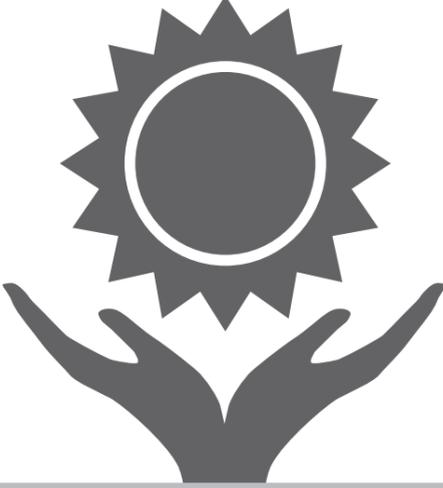
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Pro Bono Volunteers

Thank you to the following lawyers who recently donated their pro bono services via the Volunteer Lawyers Project at Legal Aid Services of Oregon.

Visit www.mbabar.org/probono to discover pro bono opportunities in Multnomah County.

- Brittany Berkey
- Brett Carson
- Dallas DeLuca
- Jeannine Ferguson
- Jon Fritzier
- Anne Furniss
- Stacy Hankin
- John Haub
- Dona Hippert

- Theresa Hollis
- Sam Justice
- John Koch
- William Kwitman
- Elizabeth Lemoine
- Tamara Maher
- Riley Makin
- Jamison McCune
- Gene Mechanic
- Tom Noble
- Erin O'Riley
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- Ian Simpson
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Lewis & Clark Law School

Continued from page 8

Incoming 1L Mara Bauermeister was surprised to see how many volunteer opportunities are available in Portland and felt it was a positive experience to learn a little about, and volunteer for, an organization in the area. "It was nice to hear that St. Andrew Legal Clinic in Hillsboro already had such positive experiences with previous Lewis & Clark law students and was enthusiastic about having new law students there to help out. I had never really considered family law before, but seeing how St. Andrew's Legal Clinic works and how passionate the attorneys are about their jobs was really inspiring."

Organizations had nothing but good things to say about the new law student volunteers. Tess DeBartolo from JOIN, commented that the students were, "absolutely amazing." Lewis & Clark thanks the following organizations for hosting our students and providing them with a wonderful introduction to volunteering in the Portland metro area: Dress for Success, Friends of Tryon Creek, Habitat Restore, JOIN, Oregon Food Bank, Project Lemonade, Red Cross, Ronald McDonald House, Sexual and Gender Minority Youth Center, and the St. Andrew Legal Clinic.

A special thank you The Media Foundation, which accommodated our part-time students by bringing a community service project to campus in the evening.

Classifieds

Positions

Commission on Judicial Fitness and Disability - Executive Director

The Commission on Judicial Fitness and Disability is seeking its next Executive Director. For more information and to apply, please visit: bit.ly/2k8ny9Y

Associate for Plaintiffs' Personal Injury Law Office

Law Office of Charles Robinowitz seeks associate to be team member in small Portland plaintiffs' personal injury firm. Martindale-Hubbell rated "Pre-eminent Qualified." Cases involve complex personal injuries, wrongful death and maritime personal injuries.

Candidate must have excellent writing, analytical and research skills, and a strong passion for justice and excellence in representing clients. Ideal candidate will have several years of litigation experience or clerkship. Salary DOE and skills. Please send cover letter, resume and writing sample to jessica@crlawoffice.com.

Tax and M&A Attorney

Parsons Farnell & Grein, LLP is seeking an attorney with a minimum of five years of experience practicing tax and mergers and acquisitions (M&A) law to join our business and transactions practice group. An advanced degree in taxation is preferred. Candidates should have significant experience with a wide variety of tax and M&A transactions, including advising on and drafting term sheets, letters of intent, purchase and sale agreements, operating agreements, shareholder agreements, as well as with corporate and partnership taxation issues and business succession matters. Some experience with estate/gift taxation would be a plus. Excellent academic credentials and professional references as well as solid legal research, writing, and communication skills are essential. The position is full-time, although we are willing to consider a candidate seeking less than full-time employment. PFG provides a team-oriented working environment with competitive salary and benefits. Applicants must be admitted to practice law in the State of Oregon. Qualified applicants should send a cover letter, resume, writing sample, and law school transcript to jobs@pfglaw.com.

Business and Transactional Attorney

Parsons Farnell & Grein, LLP is seeking an attorney to join our business and transactions practice group. The preferred candidate will have two to four years of business and transactions experience. The attorney in this

position will assist our business clients on a wide range of matters, including selection of the appropriate business form and business formation, mergers and acquisitions, real estate transactions, estate planning, business succession matters, probate and trust administration, and other business transactions. Excellent academic credentials and professional references as well as solid legal research, writing, and communication skills are essential. The position is full-time, although we are willing to consider a candidate seeking less than full-time employment. PFG provides a team-oriented working environment with competitive salary and benefits. Applicants must be admitted to practice law in the State of Oregon. Qualified applicants should send a cover letter, resume, writing sample, and law school transcript to jobs@pfglaw.com.

Litigation Associate - Downtown Portland

Seifer Yeats Zwierzynski & Gragg is seeking an Associate Attorney with at least three to five years of experience in construction law or litigation. The ideal candidate has experience that demonstrates: (a) excellent research, writing and analytical skills; (b) attention to detail; (c) confidence in taking depositions and/or in presenting oral argument in the courtroom; and, importantly (d) a strong desire to accelerate the learning process by becoming actively involved in the handling of complex cases. Applicants must be admitted to practice law in Oregon. Admission in Washington is a plus, but not required. We provide a team-oriented working environment with competitive salary. Qualified applicants should send a cover letter, and resume to Dan Gragg at gragg@seifer-yeats.com.

Business/Transactional Attorney

Sussman Shank, LLP, a mid-sized, full-service commercial law firm in Portland, Oregon has an immediate opening in its business practice group for a highly-skilled transactional lawyer with a minimum of seven plus years' experience as lead counsel on significant M&A transactions, creation and negotiation of commercial loan documentation, and outside general counsel advice. An ideal candidate has an advanced tax degree and shows dedication to business and practice development.

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Bankruptcy / Restructuring Attorney

Sussman Shank, LLP, a mid-sized, full-service commercial law firm in Portland, Oregon has an immediate opening in its Chapter 11 Bankruptcy and Restructuring Group. We are seeking an attorney with 3-7+ years' experience in chapter 11 cases and business litigation. Candidate should also have meaningful, hands-on courtroom and office experience in handling significant UCC matters, business restructuring, commercial loan workouts, and receiverships.

Please address cover letters and resumes to our Chief Operating Officer, Steven T. Seguin. Visit Sussman Shank's website for information on the firm and its attorneys at www.sussmanshank.com. Competitive Benefits and Compensation. Ranked one of the 100 Best Companies to Work for in Oregon. Equal Opportunity Employer.

Discipline Legal Secretary

The Oregon State Bar is looking for someone to provide administrative and legal secretarial support for the Disciplinary Counsel's office and related regulatory programs.

Please visit www.osbar.org/osbcenter/openings.html for job details. Equal Opportunity Employer.

Associate Attorney - Family Law

Small, busy Portland family law firm seeks enthusiastic associate. Friendly, supportive work environment. Two to five years relevant experience preferred. Email letter/resume to mark@kramer-associates.com or fax letter/resume, attention Jamie, 503.274.4774.

PLF Chief Executive Officer Position

The Professional Liability Fund is seeking a new CEO with a desired start date of December 1. As an independently managed subdivision of the Oregon State Bar, the PLF has a staff of 50 and annual budget of \$28 million. Reporting to the PLF's board, the CEO provides strategic leadership and management for the PLF. Primary responsibilities include policy development, personnel management, claims management, overseeing the budget and investments, and cultivating relationships with the PLF's stakeholders. Preference will be given to Oregon lawyers with management and litigation experience. The successful candidate must possess excellent communication skills and be able to lead the organization in a collaborative but decisive way, instilling confidence in all stakeholders.

In addition to the uniquely rewarding nature of the job, we offer excellent benefits, including participation in Oregon PERS. The deadline to apply is October 16. For a complete position profile and instructions on applying, visit the PLF website at www.osbplf.org, and click on Job Opportunities under About PLF. Equal Opportunity Employer.

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Free Conference Room Space in Portland

The Professional Liability Fund is offering Oregon lawyers free use of a conference room located at 520 SW Yamhill Street, Suite 1025, Portland, Oregon. To reserve this space and learn more details about this free conference room space, go to the PLF website, www.osbplf.org, and click on Practice Management, then Oregon Lawyers' Conference Room.



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Pro Bono Website

Continued from page 11

the Senior Law Project, Domestic Violence Project, Family Law Forms Help, Expungement Clinic, and Bankruptcy Clinic, will continue to operate as usual. No action is required for attorneys who currently volunteer with the Portland Regional Office.

But many of the opportunities offered on the ProBonoOregon

site also will be “location independent,” meaning that attorneys will be free to accept cases that reflect their interests from among clients in need statewide in addition to situations that may be available locally. Many pro bono cases and projects statewide can be handled by phone or videoconferencing from wherever the attorney happens to be - no travel required.

Future plans for the new ProBonoOregon site also include

offering pro bono opportunities for law students and paralegals who are interested in assisting volunteer attorneys with legal research, fact investigation, document review, drafting of pleadings or other case activities.

OregonAdvocates.org, a joint website sponsored by LASO, Oregon Law Center and the Center for NonProfit Legal Services, also will continue to offer pro bono opportunities through the Pro Bono Oregon Listserv

for attorneys who prefer to learn about available cases that way. The Pro Bono Oregon Listserv, however, requires pre-registration and a password. Specialty listservs also are available for cases involving farmworkers and for cases involving low-income taxpayer disputes with the IRS or with the Oregon Department of Revenue. For more information, please click on the “Listsers” link at the top of the OregonAdvocates.org website.

To contact Jill Mallery or Danielle Ramos for Portland area pro bono opportunities, please call 503.224.4086 or email jill.mallery@lasoregon.org or danielle.ramos@lasoregon.org.

To contact Ed Marks for pro bono opportunities outside of the Portland area, please call 503.471.1124, or email Ed.Marks@laoregon.org.

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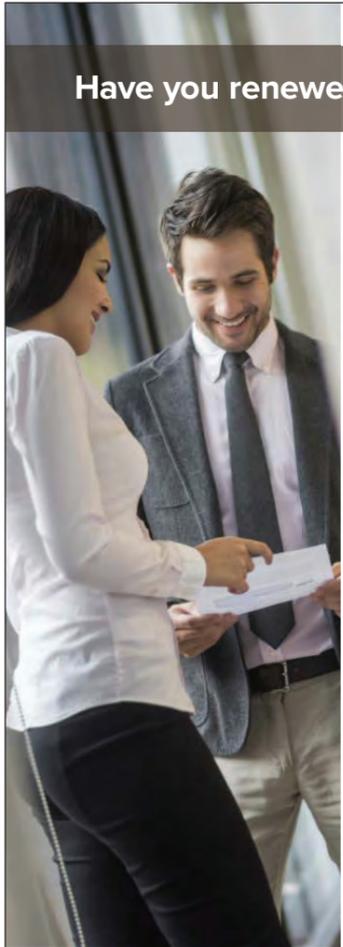
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Virtual Technology: Bringing the Power of Pro Bono to Wherever the Client Happens to Be

by Ed Marks, Statewide Pro Bono Manager
Legal Aid Services of Oregon

When it comes to meeting the civil justice needs of low-income Oregonians, Oregon is blessed with an abundance of pro bono spirit. But when a client lives in a far-flung corner of the state, it isn't always practical for an otherwise available pro bono attorney to spend five hours of road time to handle a one-hour legal case.

Although technology can't overcome the geographical barriers in every instance, Oregon pro bono attorneys are expanding access to civil legal services through videoconferencing and other virtual law practice strategies, regardless of where the client may be.

Since 2018, attorneys at one of Portland's most prominent law firms - Miller Nash Graham & Dunn LLP - have regularly offered virtual law clinic assistance to dozens of clients who live in the Bend and Coos Bay areas. And they have done it without need

for travel by either the attorney or the client.

Local Legal Aid Services of Oregon (LASO) and Oregon Law Center offices in the communities served by the virtual clinic sessions screen the clients in advance for eligibility. Legal aid staff then provide a secure computer connection for a videoconference link between the client and the Miller Nash attorneys who have signed up to participate from their offices in Portland. From there, the attorney-client conversation proceeds just as if both were sitting across the table from each other in person.

Recent cases handled by the Miller Nash clinics have involved such issues as overdue spousal support, home ownership disputes and expungement of minor criminal offenses that otherwise would make it hard for the client to find employment. Due to lack of resources, legal aid alone would

have been unable to handle many of these cases if not for the pro bono help made available through the Portland-based volunteers.

"It felt very comfortable" said a woman in Bend after receiving advice from a Miller Nash attorney in Portland via videoconference. The conversation helped the woman resolve a dispute with a landlord. Legal Aid staff also were on hand to email the attorney copies of the lease documents the woman had brought with her. In a similar case, the attorney was also able to log into the Oregon eCourt Case Information system to review the pleadings that had been e-filed against the client.

This type of technology-supported capacity to serve low-income clients' needs in distant locations is becoming increasingly important to addressing legal issues that often accompany rural poverty. Many counties in rural regions of Oregon have been slower to economically recover from the 2008-09 recession compared to communities in the more urban regions of the state. The eight highest Oregon county poverty rates statewide are all in counties located well outside the Portland area.

Videoconferencing can sometimes have its own impractical disadvantages, especially when serving clients who lack even local

transportation resources or who are unable to participate on the date set for video clinics. For these reasons, pro bono volunteers at Tonkon Torp LLP in Portland have decided to provide similar remote services to clients of the legal aid offices in Roseburg and Grants Pass by phone appointments. This allows each participating attorney to schedule the client appointments more flexibly within their normal work day, with great benefit to the clients.

Tonkon Torp attorneys have done more than respond to individual cases. They also have helped train legal aid attorneys in Roseburg to use updated litigation management software. They have assisted with a research project as well.

"The help and support our office and clients get from pro bono attorneys at Tonkon Torp has been great." Said Joan Marie Michelsen, Regional Director of LASO's office in Douglas County. "It has really helped us to expand our ability to solve clients' problems and the distance between Tonkon Torp's office in Portland and our clients' homes has not been a barrier. The Tonkon Torp attorneys have been very successful in getting excellent results and the clients they have helped really appreciated it."

For attorneys and clients who decide to communicate

by videoconferencing, a new generation of user-friendly video software systems such as Zoom or GoToMeeting is adding an affordable and powerful dimension to remotely delivering legal services. The video images generally are of surprisingly high quality, even on a basic laptop or tablet computer. This helps build trust between a lawyer and client, who otherwise would not have the benefit of seeing facial expressions or body language if the only contact is by phone.

Most modern versions of video software also allow the attorney and client to jointly review documents, photographs, video evidence and other items relevant to the case simultaneously with the video conversation. In other words, it's as close as it can get to a traditional in-office meeting.

In the year ahead, legal aid programs will seek to further expand access to legal help for low-income clients statewide by building partnerships with local libraries and even local attorneys who are able to provide potential clients with a private space to support video or conversations with any available legal aid staff or pro bono attorneys located anywhere else in the state. These efforts will be especially prioritized in communities where the nearest existing legal aid office is more than a one-hour drive away.

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