

Oregon State Bar Judicial Voters Guide 2018

1) Full name:

Robert W. Collins, Jr (Rob)

2) Web site (if applicable):

www.pendletonlaw.net

3) List college and law school attended, including dates of attendance, and degrees awarded.

**Centre College of Kentucky, Danville, Kentucky; BA Government 1973
The John Marshall Law School, Chicago Illinois; JD 1981**

4) List employment since graduation from law school, including years employed, your position and the nature of the practice or activity.

Collins and Collins, LLP, Pendleton, Oregon 1981 to present

5) List state and federal bars, courts and administrative bodies to which you are currently admitted.

Oregon State Bar

U.S. District Court for the District of Oregon

6) If desired, list any publications and/or articles you have authored.

N/A

7) If desired, list any community, teaching or civic activities.

I believe that contribution and service to one's community is an important aspect of living in this world. I have served with numerous charitable organizations in Pendleton, including as a member of the Board of Directors for the Umatilla/Morrow County Housing Authority for 11 years; the Rotary Club of Pendleton for the past 35 years, serving as President in the

year 2009-2010, and selected Rotarian of the year in 2012. I have served on the Red Cross Board of Directors, the Pendleton Swim Association (PSA) Board of Directors, and on the Boards for both the Oregon East Symphony and the Arts Council of Pendleton. I am currently in my 8th and final year of service on the Board of Directors of the Pendleton Round-Up Association and am presently Vice-President and Indians Director of that organization.

8) What is the general character of your practice? If desired, please indicate any legal areas in which you concentrate.

General Practice. Estate Planning and Probate, family law, real estate, civil litigation, advising small business, landlord and tenant.

9) Describe any litigation practice in the last five (5) years and address both the courts and types of cases.

Numerous Divorce, probate, adoption, guardianship, conservatorship, real estate disputes or proceedings, all in Oregon State Courts.

10) Describe any appellate court experience not included above.

No appellate court cases in the last 5 years. Numerous appeals in earlier years of my practice in the fields listed above.

11) Describe any experience serving as an arbitrator or mediator.

I have done numerous arbitrations through the Umatilla County Circuit Court arbitration process, primarily in the family law field. Have also served as a settlement attorney through the Umatilla County Circuit Court.

12) List any experience you have as a pro tem or municipal judge, and the names of the courts you have served.

I have served as a pro tem municipal court judge for the City of Pendleton for the past 18 years.

13) List any bar association memberships, and if desired, any offices held or committee/project assignments.

N/A

14) Have you ever been convicted of or pleaded guilty to a violation of any federal, state, county or municipal law, regulation or ordinance? If so, please give details. *Do not include or parking offenses or traffic violations for which a fine of less than \$500 was imposed.*

No

15) Have you ever been the subject of a formal disciplinary proceeding as an attorney? If so, please give the particulars and the result. ***Include only proceedings that were authorized for prosecution by the SPRB.*

No

16) Why do you want to be a judge?

I believe that well qualified judges are essential to the effective and fair functioning of the judicial system. I believe I have those qualifications. I have long been interested in serving as a circuit court judge, and feel that now is the right time for me to embark on a judicial career where I will continue to have the opportunity to serve my community.

17) Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

My philosophy of the judicial role, is that a judge should meet each attorney and litigant without bias or prejudice, and with impartiality, respect and courtesy, in an effort to apply the law to the facts of each case in a manner that implements the intent of the law and serves the requirements of justice. The qualities that are most important, are a broad knowledge of the law, a willingness to set aside personal biases or prejudices, to listen openly to the evidence presented and the presentations/arguments of counsel with an open mind, and ascertain the facts with honesty and fairness, and then make the decision required by the law. The greatest challenge, in my experience as an arbitrator and pro-tem municipal court judge, is to do just that, and to set aside personal feelings as I make that final determination.

18) Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

I had a very difficult divorce case a few years ago, with one of the premier divorce attorneys in the area on the other side. It involved a small business that had for years generated a substantial income, and by any appraiser's valuation, had a substantial market value. The problem was that the business had only one customer, the state of Oregon, and if the contract

was lost the business would be rendered valueless. The other attorney and I struggled to find a solution. After going back and forth about equalizing judgments to reflect the appraisers valuation of the business, and issues regarding spousal support, and being unable to reach a resolution, it appeared we were going to have to go to trial with two clients who had not managed money particularly well, and could ill afford the costs of litigation. I conceived the idea that we divide the assets that had values that were certain, and equalize that amount with a judgment, provide for reasonable maintenance spousal support for my clients wife, and use a compensatory spousal support award that was subject to modification if the contract with the State of Oregon were lost, to compensate wife for the value of the family business, rather than a fixed equalizing judgment or non-modifiable compensatory support award. The opposing attorney saw the logic in that, and accepted the offer such that we were able to settle a very difficult case in a manner that met the needs of both parties.

Two years later, the unhappy event occurred, and the business had to be closed. The compensatory spousal support as then terminated, and although the loss of the business was difficult for both parties, the result, in my view, was equitable and fair. I believe that settlement reflects my bent toward fairness, and my willingness to use a creative solution within the boundaries of applicable law to come to an equitable result. And it allowed by client to resolve the case in a manner that would work for him without the overwhelming expense of several days of trial, expert witness fees, and trial costs. And with the end result that both parties shared the risk of loss in value even after the divorce.

I believe the resolution of that case reflects my willingness to find creative solutions, my commitment to fairness, and my willingness to work hard for my client to find a solution that is beneficial. All qualities that I believe will make me an effective Circuit Court Judge.

19) Briefly describe an issue, related to Oregon's justice system, that concerns you, or that you have interest in working toward improving.

I have been very concerned about the termination of the drug court program in Umatilla County as a result of reduced funding last year. I believe strongly in the importance of resuming that program and understand that funding has now been restored such that our local state court administrator is resuming implementation of the drug court program in Umatilla County. I have a strong interest in working with this program as a judge, and support the efforts to restore the program.

Based on personal experience, I believe strongly in the possibility of recovery for drug addicts. My son is a recovering addict. Although the drug court program is challenging and requires rigorous enforcement and monitoring efforts with an effective rewards and sanctions process, this can be highly effective, and there are stats to prove the viability of the program. My son was not part of the criminal justice system, but his story is applicable to the possibilities of successful recovery and the benefits of supporting a recovery approach. We had to do something similar on our own, with the

result that he is now 15 years clean, has a masters degree in sports management, and is now the CEO and head coach of one of the top swim programs in the country. This did not happen by me rescuing him, it happened by forcing him to be responsible for his choices, and making him live with the consequences of those choices, but with a way out that he was willing to embrace coupled with motivating his willingness to do the hard work, which he did. I see the drug court program similarly having success with many participants, and providing enormous benefits for society that far outweigh the costs and failures.

20) Briefly describe a legal figure, personal, fictional or historical, whom you admire and why.

My father. He was my mentor and model for being an attorney. He believed in a legal career as an avenue for service to his community, and as an honorable profession that enabled him to help others. He was rigorously honest and had an unyielding sense of integrity, justice, and independence. He loved the law. As I am finally becoming an adult, I realize that he has had an enormous impact on my life and career.

21) State any other information that you regard as pertinent to your candidacy.

If I am elected to this position, I pledge my full commitment to the law, to the profession, and to the administration of justice, fairly and to all who come before me in my courtroom.