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The Oregon State Bar Bulletin (ISSN 0030-4816) is the official publication of the Oregon State Bar. The Bulletin is published 10 times a year (monthly except bimonthly in February/March and August/September) by the Oregon State Bar, 16037 S.W. Upper Boones Ferry Road, Tigard, OR 97224. The Bulletin is mailed to all members of the Oregon State Bar, a portion of the dues for which is allocated for the purpose of a subscription. The Bulletin is also available by subscription to others for $50 per year, $90 per two years, within the United States. Individual copies are $5; back issues are $5 each, when available. Periodicals postage paid at Portland, Oregon 97208. POSTMASTER: Send address changes to Oregon State Bar, P.O. Box 231935, Tigard, OR 97281-1935.
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Celebrate Oregon Lawyers!

Each of those events filled me with the sense of pride that Costantino described. And yet, I couldn’t help feeling that individually, as formal and relatively small gatherings, they weren’t celebrating Oregon lawyers in a way that reached beyond the usual attendees to include friends, family and colleagues who really ought to be part of a “big party” to which everyone could come.

As it turns out, the Board of Governors was already looking into that very issue.

Their decision: Later this year, at a big party appropriately called Celebrate Oregon Lawyers, the bar will combine the 50-Year Member Lunch, the Celebrate Pro Bono event and the annual awards program into a less formal, more inclusive gathering that will no doubt remind attendees of why they wanted to be a lawyer in the first place.

There will be no sit-down dinner or long speeches at the event, which is scheduled from 5-7 p.m. on Thursday, Oct. 29, at the Sentinel Hotel in downtown Portland. (A pre-event reception for 50-year members will precede the main gathering.) Instead, expect cool displays, heavy hors d’oeuvres and the opportunity to spend more time chatting with friends as you come and go as you please.
In addition, a special October issue of the Bulletin will shine an even brighter spotlight on all of the evening’s honorees.

“We are excited about the Celebrate Oregon Lawyers event and the special edition of the Bulletin,” says OSB President Liani Reeves, “because it is a way to recognize all of the bar’s honorees at a large-scale celebration and through publication of the good work Oregon lawyers do for the bench, the bar and their communities.”

Reeves notified members of the Class of 1970 about the changes in a January letter. Statistics are being compiled now for the pro bono awards; attorneys are encouraged to report their 2019 pro bono hours through the OSB member portal no later than Monday, March 16. And nominations are now open for the annual OSB awards, which include judicial excellence, diversity and inclusion, technology and innovation, membership service, public service, public leadership, and sustainability; for details, visit www.osbar.org/osbevents.

Put all of that together and you have the makings of a fitting tribute to bar members whose contributions should be recognized in as big a forum as possible.

Let the standing ovation begin now.

Reach Editor Gary M. Stein at (503) 431-6391 or gstein@osbar.org.

Our Editorial Policy

All articles published in the Bulletin must be germane to the law, lawyers, the practice of law, the courts and judicial system, legal education or the Oregon State Bar. All opinions, statements and conclusions expressed in submitted articles appearing in the Bulletin are those of the author(s) and not of the editor, other editorial staff, employees of the Oregon State Bar, or members of the Board of Governors. Publication of any article is not to be deemed an endorsement of the opinions, statements and conclusions expressed by the author(s). Publication of an advertisement is not an endorsement of that product or service. Any content attributed to the Oregon State Bar or the Board of Governors is labeled with an OSB logo at the top of the page or within advertising to indicate its source or attribution.
‘Low Pay’ Restricts Impact of Legal Aid

Legal Services Corporation President James J. Sandman recently noted, “Legal aid lawyers as a group are the lowest paid lawyers in the profession.” (“Quotable,” December 2019). What “lowest paid” means might shock you.

At Oregon Law Center, the starting salary for attorneys is $47,700. At Legal Aid Services of Oregon, the most a staff attorney will ever earn — even after 30 years of commitment to the organization — is $79,250.

For perspective, the average annual wage for an Oregon lawyer in 2018 was $119,500 (“By the Numbers,” January 2020). Legal aid lawyers in Washington State earn between $10,000 and $35,000 more annually than their Oregon counterparts.

Our salaries have a punishing effect on our mission “to achieve justice for the low-income communities of Oregon.” We struggle to recruit and retain diverse, experienced attorneys. Job openings go unfilled for months. We hire and train newly licensed attorneys who quickly leave for better-paying work, their idealism buried by unmanageable law school debt and a high cost of living. Some of our support staff rely on public assistance.

Attorneys of color who attend law school to serve their communities find they must sacrifice too much in order to do that work here. As a result, there are zero African-American legal aid lawyers in Oregon. Our capacity to zealously represent domestic violence survivors and tenants facing homelessness slips through the revolving door.

Our management has a unique opportunity to end this dilemma, thanks to substantial cy pres funds from a large class-action settlement in 2019. But despite this massive windfall, the hardships that low wages create for legal aid employees and for our organizations remain.

When we can’t afford to do our jobs, Oregon’s most vulnerable community members are saddled with the cost as access to justice becomes illusory.

Veronica Digman-McNassar, chair,
Oregon Law Center Employees Union

Rebecca Morgan, chair,
Legal Aid Services of Oregon
Workers Union

Editor’s note: A planning group composed of stakeholders from the Oregon Law Foundation, Oregon State Bar, Oregon Judicial Department, Oregon Department of Justice, Campaign for Equal Justice, the governor’s office and legal aid’s leadership and staff has worked to determine how cy pres funds should be disbursed and invested. For more information, visit tinyurl.com/CyPresDistribution.

A Texas Option

Re: Suzanne Rowe’s Legal Writer column entitled “They/Them/Theirs” (January 2020). Since moving to Texas, I’ve learned that “y’all” is usually singular and that the Texas second-party plural is “all y’all.” In that light, perhaps “th’al” would be a more acceptable gender-neutral third party singular, at least to Texas grammar curmudgeons.

It even has a bit of a biblical ring, like th’ee.

Michael Scheinberg
Austin, Texas
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Member Benefit for the Oregon State Bar
By the Numbers

Into the Breach
Twenty-three percent of law firms responding to the ABA’s 2018 Legal Technology Survey say their computer files had been breached at some point. Forty percent say their data had been infected with viruses, malware or spyware. Of those breached:

- Reported downtime or loss of billable hours
- Reported paying consulting fees for remediation of the problems
- Reported having to replace hardware or software
- Reported loss or destruction of files
- Notified clients of the breach; 14% notified law enforcement

Note: Cybersecurity will be among the topics explored in April when the Bulletin devotes an entire issue to technology. Also on tap: Deepfakes, artificial intelligence and tips on how to start up or start over with new technology.

District of Oregon Seeks 9th Circuit Lawyer Reps
Nominations are now being accepted for those interested in becoming a 9th Circuit lawyer representative.

Representatives, who serve for staggered three-year terms, assist with planning the District of Oregon’s biennial conference, attend the 9th Circuit’s annual conference and provide support and advice about the functioning of the courts within the 9th Circuit to better the administration of justice. Those selected this year will serve from Aug. 1, 2020, through July 31, 2023.

Criteria for selection as a lawyer representative include admission to practice in the District of Oregon, regular practice in federal court and a commitment to participating in lawyer representative activities. The deadline to apply is April 30, 2020.

To nominate yourself or someone else, send a short statement of interest and resume to Magistrate Judge Youlee Yim You at youlee_yim_you@ord.uscourts.gov.

Oregon Appellate Almanac Seeks Submissions for 2020
Submissions are now being accepted for the 2020 edition of the Oregon Appellate Almanac, which is published by the OSB’s Appellate Practice section and focuses on issues of Oregon appellate law and practice.

The almanac publishes biographies/interviews/profiles of current and past figures in Oregon law; court history, statistics and trivia; legal analysis of recent, significant or overlooked Oregon appellate cases; practice tips; and miscellany — humor, poetry, wit, etc.

Works should be between 500 and 2,000 words and very lightly footnoted. Motions for over-length articles will be granted only in extraordinary or compelling circumstances. Submissions are due June 1.

Questions and submissions should be sent to the editor, Nora Coon, at oregon.appellate.almanac@gmail.com.

2020 Law Library Values Now Available Online
The 2020 schedule of suggested values for law libraries is now available online at osbar.org/resources/eresources.html#libraries.

The schedule was prepared by the Oregon Department of Revenue’s Property Tax Division. Owners of law libraries should declare the schedule values to the assessor.

Roberts & Deiz Award Dinner Set for March 13
Join Oregon Women Lawyers on Friday, March 13, for the annual Roberts & Deiz Award Dinner, which is scheduled for 5:30 p.m. at the Portland Art Museum (1219 S.W. Park Ave.)

The awards honor the legacies of Justice Betty Roberts and Judge Mercedes Deiz as advocates for those from non-dominant cultures (e.g. women, people of color, LGBTQ individuals and those with disabilities). This year’s award recipients include Gina Johnnie of Sherman Sherman Johnnie & Hoyt and Doug Park, deputy general counsel for the University of Oregon.

Tickets ($95) can be purchased online at tinyurl.com/2020RobertsDeizAwardDinner.
Quotable

“It’s not what you want. The longer a case sits, it doesn’t make it easier to prosecute. You want to move when the witnesses can have a better recall. You don’t want stuff to go stale. I don’t want people’s cases to sit.”

— Umatilla County District Attorney Dan Primus discussing how his office currently only employs six deputy attorneys, but when fully staffed, the office should have nine. He says they’ve tried to recruit but the rural location has been difficult to overcome.

Source: East Oregonian (Jan. 8, 2020)

Wintertime Advice from Mom, the Personal Injury Lawyer

“Have fun playing outside, kids, but stay away from any unnatural accumulation of snow and ice.”

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For the past 53 years, the Oregon State Bar Client Security Fund has existed to help reimburse clients who lose money or property as a result of dishonest conduct by an Oregon lawyer. Because the fund quietly operates in the background, many Oregon lawyers never fully understand its mission or work. But in 2020, its existence is as important as ever, demonstrating the OSB’s dedication to the public good and providing evidence of the high standards the bar and the public expect of Oregon lawyers.

An Historic Effort

The Client Security Fund (CSF) was created by the Oregon Legislature in 1967, at the request of Oregon lawyers, to establish a fund “to relieve or mitigate pecuniary losses to the clients of active members caused by dishonest conduct of those members in their practice of law.” The fund made its first award in 1969 and has continued its work ever since.

Each year, a group of dedicated volunteer lawyers and a public member serve on the Client Security Fund Committee. They investigate claims, issue reports and vote on whether reimbursements are appropriate under the Client Security Fund Rules. The Board of Governors then reviews all awards for more than $5,000.

Member assessments, interest on invested funds and money collected by subrogation from defalcating lawyers make up the fund. The Client Security Fund is a dedicated account, not part of the OSB general fund, and is used only to reimburse claimants and pay the expenses of operation.

In 2019, the Legislature granted the Oregon State Bar permission to seek assistance from the Oregon Department of Revenue to collect outstanding judgments held by the Client Security Fund. This authority has the potential to streamline CSF collection efforts.

A Challenging Year

The year 2019 was an extraordinarily challenging year for the Client Security Fund. A single former Oregon lawyer was responsible for claims that exceeded the entire 2019 fund revenue. That same former lawyer was responsible for the largest number of claims filed against a single lawyer in the history of the fund.

Claims paid in 2018 and 2019 all but depleted the fund’s $1 million reserve. To respond to this sharp outflow of funds, the Board of Governors voted to raise the 2020 CSF Assessment from $15 to $50 per member. This increase will enable the Client Security Fund to continue to pay claims to aggrieved clients in the coming year.

The fund weathered a similar increase in claims in 2011-2012, and with the continued commitment of Oregon lawyers, will do so again.

Awards Made, Claims Outstanding

In 2019, the CSF Committee and Board of Governors considered and approved 55 claims for payment, with awards totaling more than $1.1 million. This column describes those awards in more detail.

Under CSF rules, decisions by the CSF Committee and Board of Governors are limited in scope to the question of whether an award is appropriate in any given instance. Whether an attorney may be engaged in ethical misconduct, malpractice or is subject to criminal liability is outside the scope of the CSF Committee’s decision-making.

At the end of 2019, 37 claims remained under investigation or were in abeyance. For open claims pending as of Jan. 1, 2020, aggrieved clients sought to recover for additional losses of more than $846,000. Because CSF rules provide that claims are capped at $50,000, the total exposure to the fund from pending claims was limited to approximately $646,000.

As in years prior, this column does not discuss the specifics of pending CSF claims. Any pending claim that is later granted will be included in future reports.

Henry L. Bauer
OSB No. 530046
$4,000

The fund reimbursed one client of Henry L. Bauer. Bauer served as both attorney for a client and trustee for the client’s trust. The client’s family alleged that upon Bauer’s death, they identified $4,000 in funds that were unaccounted for and filed a claim for reimbursement. No fee agreement provided for the fees to be paid upon receipt, and there was no accounting of how they were spent. Because loss arose from Bauer’s attorney-client relationship with his client, reimbursement was appropriate.
Gary Bertoni  
OSB No. 781414  
$4,000

The fund reimbursed one client of Gary Bertoni. Claimant alleged that Bertoni accepted a $4,000 retainer to represent them in a criminal case at a time when a disciplinary trial panel opinion suspending Bertoni for 12 months was on appeal to the Oregon Supreme Court. Less than two weeks after Bertoni was retained, the state Supreme Court ordered him suspended for 18 months, beginning in 60 days. The circuit court denied Bertoni’s motion to substitute as counsel of record in the case, and he provided no significant services prior to his suspension. The client sought a refund to no avail. Bertoni is currently serving a disciplinary suspension.

Lori E. Deveny  
OSB Bar No. 893350  
$897,070.63

The fund granted the claims of 33 of Lori E. Deveny’s former clients, for a combined award of $897,070.63. Each client filed a claim seeking recovery of settlement proceeds from their personal injury cases. Many of the claims involved clients who had experienced traumatic brain injuries or very significant physical injuries, including paralysis and loss of a limb. The clients alleged that Deveny settled their claims, often without their knowledge or consent, and took the proceeds. Some clients also alleged that Deveny forged their signature on settlement releases and checks. Deveny was initially suspended from the practice of law on Feb. 22, 2018, and resigned Form B⁴, effective July 26, 2018, while disciplinary proceedings were pending. Federal and state criminal proceedings are pending against Deveny for conduct related to the loss.

Ronalee M. Fachner  
OSB No. 083204  
$15,110.27

The fund reimbursed one client of Ronalee M. Fachner. A client hired Fachner to complete her son’s probate. The claimant alleged that Fachner billed the estate $15,110.27 on the case and received payment without court approval. The court denied her entire fee and ordered that it be returned. Fachner did not finish the probate, nor did she refund the fee as required by the court’s order. Ultimately, the client was required to hire new counsel. Fachner was disbarred, effective Nov. 5, 2019, in part for conduct related to the claim.
Lemarr E. Carver  
OSB No. 103516  
$25,000  
The fund reimbursed four clients of Lemarr E. Carver who sought the return of retainers they said they paid to Carver to represent them in criminal proceedings prior to his death. Their combined loss was $25,000. In each case, Carver did not provide significant legal services for the amounts paid, and the funds were not in his trust account upon his death. His estate was insolvent.

David Winston Giles  
OSB No. 000096  
$2,500  
The fund reimbursed one client of David Winston Giles. Giles’ client filed a claim asserting that he had improperly retained $2,500 more of settlement proceeds than he was entitled to receive under the terms of the contingent fee agreement. Giles is currently serving a disciplinary suspension.

Jess M. Glaeser  
OSB No. 790497  
$66,404.48  
The fund reimbursed two clients of Jess M. Glaeser. Both clients asserted that Glaeser settled their cases — one for personal injury and another for malpractice — and retained all of the settlement proceeds. Glaeser resigned Form B while discipline was pending, effective Oct. 25, 2018.

Jeffrey D. Goodwin  
OSB No. 123269  
$22,417.39  
The fund reimbursed two clients of Jeffrey D. Goodwin. In one claim, a client said he had hired Goodwin to assist with debt relief and gave him funds in trust to use for debt repayment. At the time Goodwin ceased practice, $4,227.81 in funds were missing from trust and unaccounted for. In a second claim, clients said they hired Goodwin to pursue a warranty claim on their mobile home and paid him $18,189.58 in fees; the committee determined that Goodwin failed to pursue the client’s claim and provided no significant legal assistance. The Supreme Court issued an order transferring Goodwin’s status to involuntary inactive, effective Aug. 30, 2018. He is also administratively suspended.

Nancy Howe  
OSB No. 011422  
$10,000  
The fund reimbursed four clients of Nancy Howe. The clients said they paid...
retainers to Howe to represent them in various civil and family law matters prior to her death. The funds paid were unearned and were not in Howe's trust account at the time of her death. While all four clients filed probate claims that were allowed by the probate court, none were satisfied because the estate was insolvent.

Temojai Inhofe
OSB No. 140062
$10,000

The fund reimbursed one client of Temojai Inhofe. The claimant alleged that she had hired Inhofe to represent her son in a criminal case and paid a $10,000 retainer. The committee determined that Inhofe completed no significant work on the case before she resigned from the practice of law. The claimant did not receive any refund. Inhofe resigned Form B, effective Aug. 30, 2018, while discipline was pending.

Andrew Long
OSB No. 033808
$33,189.29

The fund reimbursed two clients of Andrew Long. One claimant hired Long to obtain money belonging to her from a property sale. Claimant alleged that Long received $31,689.29 in excess sale proceeds, which he placed in trust. Long asserted that he did not owe the claimant any funds, but the claimant asserted she never received any proceeds. Long claimed he spent $4,000 of the funds to post bail for a mutual acquaintance at the claimant’s direction, but the claimant denied authorizing the expenditure. He also asserted he paid additional funds to her in cash without receipts, which she denied. The committee found that the claimant was entitled to reimbursement for the full amount. A second claimant alleged that they paid Long $1,500 for assistance with a parenting time modification. The committee found that Long did not provide any assistance and did not provide a refund. Long is suspended pending the outcome of pending disciplinary proceedings.

Jeffrey Scott Milstein
OSB No. 084228
$16,600

The fund reimbursed two clients of Jeffrey Scott Milstein. One claimant, a disabled veteran, allegedly paid Milstein a $15,000 retainer for attorney and expert fees in a pending criminal matter. Milstein asserted he had hired experts when he had not done so and ultimately withdrew from the case without providing any legal services of value to the client. A second claimant said he paid Milstein $1,600 to represent him in a custody matter but that Milstein provided no legal services. Milstein resigned Form B, effective Nov. 3, 2016, while disciplinary proceedings were pending.

Erin C. Walters
OSB No. 082348
$20,070.64

The fund reimbursed one client of Erin C. Walters. Claimant hired Walters to represent her in an estate proceeding. The estate received payments from a mesothelioma settlement. Claimant alleged that Walters paid herself $20,070.64 of settlement proceeds without the client’s consent or court approval. Walters was suspended on May 18, 2018, during the pendency of disciplinary proceedings. She was later criminally prosecuted and sentenced for conduct related to the loss.

Looking Forward

While the demands on the Client Security Fund in the past year have been significant, the committed work of bar volunteers has kept the fund on track.

The members of the 2019 Client Security Fund Committee are Doug Stamm (chair), Daniel Steinberg (secretary), Brian Decker, Jennifer Hisey, David Hytowitz, Rod M. Jones, Ann Ledgerwood, Melissa May, David Roy, Lucille Sage, Michelle Teed, Stephanie Thompson, Richard Whitlock, Valerie Wright and Steve Bergmann (public member).

For more information about the fund, including which claims are eligible for reimbursement and to obtain a claim form, visit osbar.org/csf. Anyone interested in supporting the work of the fund should consider volunteering through the member volunteer survey, available at osbar.org/volunteer/volunteeropportunities.html.

Amber Hollister is general counsel for the Oregon State Bar. Reach her at ahollister@osbar.org.

ENDNOTES

1. This annual report to the membership regarding awards made in the past year is required by Client Security Rule 6.9.
2. Lawyers who resign Form B can never seek readmission to the practice of law in Oregon.
Parallelism Can Change Both Meaning and Tone

Avoiding Awkwardness

By Elizabeth Ruiz Frost

Parallelism, or parallel structure, is a grammatical structure in which similar elements or clauses of a sentence are expressed in similar — or parallel — terms. In short, parallelism is the difference between “I came, I saw, I conquered,” and “I went there, then I was seeing, and conquered.”

A lack of parallelism in a sentence or closely related group of sentences can make writing seem awkward. To achieve parallelism, look for uniformity of parts of speech. Adjectives go with adjectives; nouns go with nouns; gerunds go with gerunds; phrases go with phrases; sentences go with sentences.

Three grammatical red flags signal a need to consider parallelism. First, a sentence that has coordinating conjunctions requires parallelism. Second, sentences with correlative conjunctions require parallelism. Third, sentences that compare require parallelism. Even where parallelism isn’t required, writers can employ it as a rhetorical device.

Coordinating Conjunctions

Do you remember that Schoolhouse Rock song that goes, “Conjunction Junction, what’s your function?” I don’t either, so allow me to explain coordinating conjunctions first before explaining how they relate to parallelism.

A coordinating conjunction is a word that connects two or more words or phrases of equal importance in a sentence. There are seven coordinating conjunctions: for, and, nor, but, or, yet, so. (Note, FANBOYS is a helpful acronym for remembering the seven coordinating conjunctions.)

When you see a coordinating conjunction, remember that the parts of the sentence on either side of that coordinating conjunction must be parallel: It can connect noun to noun, verb to verb, clause to clause and so forth.

Here are some examples of sentences that lack parallelism around the coordinating conjunctions and suggestions for revising them. The paired items that must be parallel are in bold; the coordinating conjunctions are in italics.

My two favorite activities are resting and naps.
My two favorite activities are resting and napping.
(Corrected by pairing two gerunds)

I’m well rested yet feeling sleepy.
I’m well rested yet sleepy.
(Corrected by pairing two adjectives)

Parallelism is implicated frequently in legal writing because of all the long, multi-part rules and provisions we read and draft. Most of these contain coordinating conjunctions. That means that each part of the rule or provision that surrounds the conjunction has to be parallel. Look at the following sentence:

To prove that a social host is liable, a plaintiff must prove four elements: (1) the host provided alcohol to her guest, (2) knew or should have known that the guest was intoxicated, (3) foresaw or should have foreseen that the guest was likely to drive while intoxicated, and (4) the guest drove and injured a third-party.

This lacks parallelism. The first and fourth parts are independent clauses; the second and third parts are phrases without subjects. The subject shifts here between the first three parts and the fourth. The easiest fixes are to turn this into multiple sentences instead of one long one, or to make each part of the list an independent clause. Here’s the latter:

To prove that a social host is liable, a plaintiff must prove four elements: (1) the host provided alcohol to her guest, (2) the host knew or should have known that the guest was intoxicated, (3) the host foresaw or should have foreseen that the guest was likely to drive while intoxicated, and (4) the guest drove and injured a third party.

The more a sentence has going on, the harder it seems to be to maintain parallelism. Here are a few more examples of incorrect sentences and ideas for improvement. Again, the terms that implicate parallelism are in bold.

Example: The defendant described his pain as sharp, throbbing, and said it ranked as a three to four on a scale of 10.

Revision: The defendant described his pain as sharp and throbbing, and said it ranked as a three to four on a scale of 10.

Example: There was no bruising, the victim did not seek medical
attention and was able to work the next day.

Revision: The victim did not bruise, did not seek medical attention and was able to work the next day.

In the next example, the writer has tried to achieve parallelism but failed.

Example: The defendant pushed her husband in the chest, causing him to fall backward in the chair and hitting his head on the windowsill.

Revision: The defendant pushed her husband in the chest, causing him to fall backward in the chair and hit his head on the windowsill.

In the original sentence, the writer created parallelism between “causing” and “hitting,” but by identifying the wrong terms to pair, she changed the meaning of the sentence. She intended to say the defendant caused two things to happen to him (he fell and hit his head), but the failed parallelism says instead that the defendant did two things (caused him to fall and hit his head on the windowsill). Identifying the correct terms to pair makes all the difference. As you write and revise, ask: Which terms surrounding the coordinating conjunction are equal parts of the sentence?

One final note about parallelism with respect to coordinating conjunctions: Be consistent with articles, prepositions and pronouns. Take a look at these sentence triplets below:

Both correct:

- She loves to read, write and research.
- She loves to read, to write and to research.

But not:

- She loves to read, write and to research.

Both correct:

- I have a cough, a sore throat and a runny nose.
- I have a cough, sore throat and runny nose.

But not:

- I have a cough, sore throat and a runny nose.
**Correlative Conjunctions**

A correlative conjunction is a pair of words that, together, shows how one part of the sentence relates to another part. *Either/or*, *neither/nor*, *both/and*, *whether/or*, *neither/nor* and *not only/but also* are all correlative conjunctions.

Just as with a coordinating conjunction, the two parts surrounding the correlative conjunction must match. A verb must be related to a verb in the same tense; an adjective must be related to an adjective, and so forth. You probably get the gist by now, so I’ll provide just a few examples.

The following two sentences are incorrect. As before, the related terms that should be parallel are bold; the correlative conjunctions are italicized.

I am *neither interested* in Civ Pro *nor understanding* the material.

*And yet, I expect not only to be* a successful civil litigator, *but also I expect* to be paid well for it.

Revisions:

I am *neither interested* in Civ Pro *nor successful* in it.

*And yet, I expect not only to be* a successful civil litigator, *but also to be* paid well for it.

Sometimes the writer tries to achieve parallelism but a problem arises because the correlative conjunction is in the wrong place. Take the following sentence, for example:

*Either Kate must plead guilty* or *stand trial.*

The lack of parallelism is evident in the previous sentence because on one side there is a noun (Kate), and on the other there is a verb (stand). The positioning of *either* changes the sentence’s meaning. The writer intended to lay out Kate’s choices. Instead, because *either* precedes the noun, it seems more like an incomplete thought awaiting another subject and verb: Either *Kate must plead guilty* or *stand trial* or *her evil twin must.*

To fix the original sentence, the *either* has to move: *Kate must either plead guilty* or *stand trial.*

**Comparisons**

When comparing items, the items must be parallel for the comparison to be logical and precise. Legal writers do
a lot of comparing, so it’s worth taking a moment while editing to double-check that the items compared are parallel. People should be compared to people, and the parts of speech on both sides of a comparison should be parallel.

In the following example, which is extraordinarily common in student writing, the writer inadvertently compares a person to a judicial opinion. The compared terms are in bold.

Example: Like Makynen, the defendant in this case purchased alcohol for her guest.

Improvement: Like the defendant in Makynen, the defendant in this case purchased alcohol for her guest.

In a somewhat loftier example, Alfred Lord Tennyson properly employed parallelism in his comparison when he wrote: “Tis better to have loved and lost than to never have loved at all.” He achieved parallelism by using a consistent verb tense on both sides of the comparison. That’s better than this earlier draft: “Tis better to have loved and lost than being lonely from the get go.”

Parallelism for Rhetorical Effect

Parallelism can do more than avoid awkwardness in writing. Parallelism can be employed for rhetorical effect to make writing more beautiful, more urgent, more dramatic. Writers use it to create rhythm and balance. Lawyers can use it to highlight differences or similarities and to persuade.

Parallelism is a common device in literature. Charles Dickens employed parallelism when he wrote: “It was the best of times, it was the worst of times.” Alexander Pope employed parallelism when he wrote: “To err is human; to forgive is divine.” In both, the writers use antithesis, which is a literary device that uses parallelism to contrast opposing ideas. The contrast is made more stark because it is juxtaposed in such similar terms.

Martin Luther King Jr. used parallelism for rhetorical effect in his “I Have a Dream” speech. The repetition of “I have a dream” in each stanza creates a moving, inspiring rhythm. Earlier in the speech, Dr. King employed the same tool:

This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises.
of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God’s children.

The rhythm of “now is the time” lends urgency to his call. Note also his use of antithesis. Through parallelism, he sets up vivid contrasts between what they could not do and what they must do; from what the present held to what the future could.

Presidents (and their speechwriters) love to use parallelism, too. John F. Kennedy used parallelism for emphasis when he said: “Ask not what your country can do for you; ask what you can do for your country.” George W. Bush, also a known rhetorician, used it in a post-9/11 speech to show bold resilience and strength: “We will not tire, we will not falter and we will not fail.” Barack Obama used it in his inauguration speech for its rhythmic beauty: “My fellow citizens: I stand here today humbled by the task before us, grateful for the trust you have bestowed, mindful of the sacrifices borne by our ancestors.”

You might not be writing a literary classic or an inauguration speech (or maybe you are!), but parallelism can be used in everyday writing for persuasive effect. A comparison that employs parallelism might be more convincing than one without it because the similarity appears so obvious.

Consider the following two examples:

With parallelism: The host in Pollard placed the keg out on her patio, a common area, for her guests to serve themselves. Here, the host placed the alcohol on her counter, also a common area, for her guests to serve themselves.

Without parallelism: In Pollard, the host made alcohol available for self-service by guests when she placed it on her patio. In the current case, guests served themselves from a bottle of alcohol that the host had left on her counter.

The writer tells the reader virtually the same thing in the two examples above, but in the first, the parallel structure of the sentences makes the two cases seem more obviously similar. The same would be true when distinguishing two cases. If two sentences seem to flow in the same way and then suddenly one diverges, that dissonance highlights the distinction for the reader.

Parallelism can also create dramatic effect. Consider the following two ways one might describe an uneven division of labor in a marital dispute.

She did the laundry. She mowed the lawn. She did the grocery shopping. She kept the house clean. She made the cookies for the school’s annual bake sale. She cooked dinner. She bathed the children. And she put them to bed every night.

She did the laundry and was also responsible for taking care of the lawn and cooking meals. When the annual bake sale would roll around, she’d bake the cookies. Housekeeping was also her responsibility, as were bathing the kids and putting them to bed.

Parallelism changes the tone, doesn’t it? In the first example, it creates a monotony that makes the first list seem long and oppressive, with the focus remaining on this woman and all she’s doing. When the subject shifts to the bake sale and housekeeping in the second version, some of that is lost.

Conclusion

Parallelism can change what your writing means, as well as how it sounds. I suspect we unwittingly create parallelism issues when we hastily cobble together our thoughts by copying and pasting within drafts — a little from here and a little from there can yield sentences like the weak examples above.

The kind of parallelism issues that lead to ungrammatical sentences can likely be rooted out just by listening to one’s writing. Writers who read their writing aloud when editing are more likely to catch it.

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ENDNOTE
1. Not true (as far as I know).
Ready for the Next Century

Supreme Court Building Renovation Will Improve Safety, Access, Efficiency

By Melody Finnemore
verything from books that date back to before Oregon’s territorial status to portraits of past Supreme Court chief justices has been relocated for a two-year renovation of the Oregon Supreme Court building, the oldest state building on the Capitol Mall in Salem.

At an estimated cost of $51 million, the project will involve seismic upgrades for earthquake reinforcement to improve safety, as well as upgrades to heating, cooling, electrical, technology and plumbing systems to improve access and efficiency and meet modern standards.

In addition to the Oregon Supreme Court and the State of Oregon Law Library, the building houses the Appellate Court Services Division (which includes Appellate Court Records and the Oregon Judicial Department’s publications office). During the renovation, the majority of those functions are being housed in a temporary location at 2850 Broadway St. NE in Salem. Most Supreme Court oral arguments are being held in the Broadway location, while most Oregon Court of Appeals arguments are being held in the Justice Building at 1162 Court St. NE.

Justice Thomas A. Balmer is among the nearly 60 employees who have been displaced by the renovation, which started in November and is expected to be completed in late 2021. The justices and their staff must work in a smaller courtroom for the time being; they also had to leave the court’s iconic bench behind, including a center drawer signed by nearly every justice who has served since the court first heard arguments on Feb. 14, 1914. But Justice Balmer says they did bring furniture that dates back to 1914 and hung historic paintings on the walls.

It makes it feel “sort of homey,” he says, adding that he and his fellow justices and their staffs prepared for the move by going through paperwork and getting rid of much of it. “That was good,” he says, “because we have a lot less storage space and it was a good excuse to go through and see what needed to be saved for historical purposes and what we could get rid of.”

The seismic upgrade is the most critical component of the renovation, Justice Balmer says, but smart lighting and upgraded heating and air conditioning systems will make the building more energy efficient. Other updates will also make it healthier. For instance, people who work in the building have long avoided using its drinking fountains because of lead in the pipes, Justice Balmer says; new plumbing will fix that.

“It is a wonderfully constructed building with a beautiful courtroom and very dignified offices and a great setting to do our work,” he says. “We want to keep it that way for several generations to come, and make the courthouse a building that will serve the public for another century.”

Below: Oregon’s iconic Supreme Court building is the oldest structure on the Capitol Mall in Salem. It features a unique façade of white, glazed terracotta tiles and an iconic stained-glass ceiling over the courtroom that was created by Povey Brothers Art Glass Works as a replica of the state seal. Photo courtesy of the Oregon Judicial Department.
Preserving the Past, Planning for the Future

Designed by architect William C. Knighton, the Supreme Court building’s unique façade of white, glazed terracotta tiles and its ornate marble staircase are among the elements that give the historic structure its character. Built at a cost of $320,000, it also boasts an iconic stained-glass ceiling over the Supreme Court courtroom, created by Povey Brothers Art Glass Works, that includes a replica of the state seal.

Historic preservation was a key goal of a major renovation of the courtroom during the 1980s, which was prompted by a leak in the skylight above the room’s stained-glass ceiling. A European company reinforced the ceiling’s glass and a new skylight was installed above it to protect it from the elements and prevent future leaks.

During the 1980s renovation — which was financed through private fundraising — the stained-glass ceiling inspired the courtroom’s new color scheme of shades of gold and green. Gold fabric made mostly of silk was ordered from Italy to cover the walls and absorb sound. The carpet pattern, which was based on a hand-painted design, was selected to complement the pattern on the ceiling.

Renovation of the courtroom began a series of upgrades that have preserved Oregon’s legal heritage while modernizing facilities to keep up with growing space demands, safety and access issues, and technology advances. In 2002, the state’s law library celebrated the completion of a multiyear effort to restore and upgrade its facilities.

A repair project in 2015-16 addressed potential safety issues after inspectors found surface cracking and failing structure connections on the building’s exterior. The project replaced the building’s cornice and repaired, cleaned and sealed its exterior tile. The project also added ADA-accessible wheelchair ramps to the main entrance.

Moving an Entire Library

State Law Librarian Cathryn Bowie says preparing for the current renovation involved doing an inventory of the library’s entire collection — the first time one had ever been done. She and her staff started in the attic and created a paper trail to keep track of everything. Resources that are available online were discarded; precious books, documents and other artifacts were carefully hand-wrapped.

Moving an Entire Library

It took thousands of boxes to hold the contents of the State of Oregon Law Library, which had to be moved in advance of a two-year renovation project that is now underway. All told, workers moved 61,120 items to a temporary Supreme Court location and to the Oregon State Archives. Photo courtesy of the Oregon Judicial Department.
When it came time to start packing and moving boxes to the court’s temporary home, officials hired teenagers and young adults from the community, some of them children of Judicial Department employees.

“The goal was to have no interruption in services while we were moving, so we created a core collection for our temporary location as we continued to box up other books for storage at the state archives,” Bowie says. “The core collection was placed on rolling carts, which were labeled, shrink-wrapped and rolled onto moving trucks. The carts were rolled off at the Broadway location, creating instant library shelving.”

No downtime was required for unboxing the books and placing them on shelves, she explains. All told, the team moved 61,120 items: The library’s temporary location has 4,820 books, while another 6,998 boxes of books are stored at the Oregon State Archives. All of the boxes are inventoried and accessible as needs arise, though it might take a little longer to process requests.

“As a project manager, you have to plan for the worst, hope for the best and, in between, you try to keep morale up during long, grueling, tedious tasks,” Bowie says of the effort to relocate the library. “We employed the ‘Three Cs’ — cookies, chips and cupcakes. Sugary snacks can keep you in the game.”
Imagine placing books into a cardboard box you just taped together, writing the title of each book and any other identifying information about the books on the outside of the box, taping the box closed and then moving it to a stack of boxes. “Now imagine doing that 20 times a day, every day, for a year,” Bowie says, “and you’re getting the idea.”

“To interrupt the tedium, we would have contests to determine the fastest box maker or witness a hidden talent such as juggling,” she adds. “We scheduled our work around the court’s calendars, wore dust masks and gloves, and endured more paper cuts than any human should ever endure.”

Bowie says the project created a sense of camaraderie as team members shared suggestions, brainstormed ideas and offered a helping hand as needed.

“It was an extremely large and multifaceted project and, at the same time, happened at a very fast pace,” Bowie says. “I have moved libraries before and I have combined libraries before, so I was comfortable that I could definitely do it. But it was the smoothest project I’ve ever managed. Everybody worked together and we got a lot of benefit out of it.”

Bowie says the team is now beginning the process of reorganization for the library’s return to the Supreme Court building. The goal, working with the court’s legal staff, is to organize the collection in a manner that works best for appellate court legal research. The completed inventory also allows the library staff to review and guide collection development and new purchases.

“We track usage and determine the best path forward, either in hard copy, electronic or a combination. This will save money and time, both at the administrative and research levels,” Bowie says. “We are looking forward to our return to the Supreme Court building and the upgrades to plumbing and electrical. And most importantly, the opportunity to create a useful library collection for the 21st century.”

**Historic Structure Poses Unique Challenges**

Nicholas Larson, the construction project manager for the Oregon Judicial Department’s Business and Fiscal Services Division, says the team working on the renovation has been careful to understand the building’s existing construction in order to effectively design the improvements.

“In 1914, building materials were much more expensive than labor. This makes the seismic upgrade very challenging,” Larson says, “because the building is exceptionally stout and strong, just very brittle. For example, the second- and third-floor structures are composed of hollow clay bricks assembled into a series of arches, then topped with leveling concrete.”

In addition, many of the interior walls are hollow clay tiles with a plaster surface. While the building can carry the weight of the thousands of books it holds, the tile and mortar structures will fail in an earthquake with lateral forces.

Another interesting element, Larson says, is the ornate historic plaster work, which has led to some creative solutions for the
introduction of piping and conduit. Much of the flat work, or non-ornamental plaster, will be removed and replaced after all electrical and piping systems are retrofitted.

“Where some of the decorative plaster must be removed for seismic structure internally, we will take molds and the profiles will be replaced with a near-exact replica plaster casting. It’s very fascinating work,” Larson says.

He says the first big challenge was relocating the Oregon Supreme Court and the State of Oregon Law Library, a “herculean effort” that marked the first time in 106 years that these entities had not been operating in the building.

“We believe we pulled this off reasonably well, actually,” he says. “The biggest design challenges have been dealing with the historic components with permitting, code compliance and energy efficiency. The solutions have been unique — try hanging a boiler from a floor slab above — in order to meet the seismic intent of base isolation inside a 106-year-old structure.”

Larson was also involved in the renovation of the state’s historic Justice Building, completed in 2007. He says the biggest lesson he has learned on the Supreme Court project is not to assume construction is similar throughout the building. As an example, the first floor is a flat concrete slab while the upper floors are constructed of hollow clay tile with a leveling slab.
"Both get upgraded very differently, and if we had just assumed they were all the same, this would’ve been a huge surprise," he says. "Also, there’s a big unexcavated area in the basement that has been walled up for decades. Don’t assume it’s all just dirt in there! We made some holes in the floor above and found old insulated piping that we need to deal with already."

When the renovation is completed, energy systems will include occupancy sensors to shut down areas that may be vacant. Lights and HVAC will be occupancy-based. In addition, with the operable windows, sensors will direct the HVAC system to stop heating and cooling in areas where windows are open during the spring or fall. These measures are intended to reduce the costs of heating and cooling the 56,000-square-foot building.

"The largest gain in energy efficiency will be in the LED lighting retrofits," Larson says. "Many of the historic fixtures will be kept, but re-lamped with LED sockets to take advantage of the huge energy savings from the lighting system."

He notes that the Supreme Court renovation project has been unique for him because of the historical significance of the iconic building within state government.

"The historic elements make this project beyond unique in the conversations and problem-solving design process," Larson says. "Also, this building is beloved by many who work and have worked here, so we only get one chance to do it right and meet their expectations."

As the renovation work proceeds, the Oregon Supreme Court building is on track to achieve LEED Gold certification for its improved energy performance. Justice Balmer, working with Portland’s Hennebery Eddy Architects, also has applied for it to be listed on the National Register of Historic Places.

"Historic designation requires extra steps before people can make any changes, and that was intentional," Justice Balmer says. "We decided, on balance, that this was an important enough building to maintain the original design by William Knighton, and we want those who come after us to take that into consideration before they make any future changes."

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On the Cover: Justice Thomas A. Balmer inspects legacy piping, ductwork and other signs of previous work in the basement of the Oregon Supreme Court building, which is in the midst of a $51 million, two-year renovation project. In addition to seismic upgrades, the building’s heating, cooling, electrical, technology and plumbing systems are all being improved.

On Page 21: The lobby of the 106-year-old Oregon Supreme Court building in Salem is already showing signs of the renovation project, which is expected to last until late 2021. Photos by Jonathan House.
On a bookshelf in Billy J. Williams’ corner office in a downtown Portland tower is a coffee mug bearing images of Washington, D.C., landmarks, one of them the White House — a souvenir of his visits to the nation’s capital. Immediately above and behind it, on the wall, hangs a photograph of an unkempt clapboard house, worn to bare wood by what seems like decades of hard wind.

“I used to live there, and it looked exactly the same back then,” says Williams, the U.S. Attorney for the District of Oregon, with obvious reference to the decrepit abode situated southwest of Goldendale, Wash. “The photo reminds me of where I came from.”

Beyond his desk, at the base of a window looking out to Mount Hood, is an odd hand tool: a pickeroon, which looks like an axe handle with a nasty steel hook affixed to the end. Effective use of the pickeroon once required unseen footwork to operate a floor lever as slabs of wood cut from tree logs worked their way through a sawmill.

“It’s another reminder of where I worked twice after dropping out of college.”

That would be after Williams’ jobs in high school — at the nearby supermarket in Goldendale and, before that, on his grandparents’ Yakima Valley farm, where he’d spend summers setting irrigation lines, driving machinery, tending crops and discovering that three square meals a day could be a wonderful thing.

Along the way, Williams also worked on a fishing trawler in Alaska. And somewhere lost in the mix is a less-than-a-month stint as a security guard at a Los Angeles hotel — “a mistake,” he says, that sent him home to the Pacific Northwest for good.

Even at the end of his teenage years, though, Williams still never imagined that he was destined to earn a college degree from Washington State University and a law degree from Willamette University College of Law, not to mention an appointment as Multnomah County senior deputy district attorney. In 2000, he was hired by the U.S. Attorney’s Office in Portland, where he worked during his tenure with Northwest tribes and headed the agency’s criminal and violent crimes units.

In May 2015, Williams succeeded Amanda Marshall as the nation’s top law enforcement official in Oregon, thanks to an appointment by then-Attorney General Eric Holder. He was subsequently reappointed by then-Attorney General Loretta Lynch and, finally, by Chief U.S. District Judge Michael W. Mosman. He was nominated by President Donald J. Trump in November 2017 to serve a four-year term, a role that was confirmed by the U.S. Senate in March 2018.

Through it all, Williams developed a signature style: understated and straightforward; clear in purpose; and all in, no matter what it takes, to achieve the right outcomes.

In backing Williams for his reappointment, U.S. Sens. Jeff Merkley and Ron Wyden cited his integrity as a prosecutor and the fact he’d earned bipartisan support. At the time, Wyden told The Oregonian: “Billy Williams has earned well-deserved renown for his honesty, integrity and effectiveness.”

Those attributes have set him up for difficult conversations, then and now. As a sanctuary state, Oregon has pushed back on federal immigration policies. And its embrace of legal marijuana has fostered such an overproduction of the crop that shipments of the federally listed substance have illegally found their way into more than 30 other states, according to Williams. Complicating matters further, many of those states have no laws legalizing recreational or medicinal marijuana.

“But I love going into meetings where I know people are not going to agree,” Williams says, a philosophy no doubt forged in his early years. “That’s how you try to address issues that ‘can’t be fixed.’”

He pauses briefly, leans forward and asks rhetorically: “Why would you sit down with that person? Why wouldn’t you? There’s always a solution.”
Marijuana is just such an issue. Oregon and 10 other states (plus the District of Columbia) have legalized the recreational use of the drug — but the federal government has not. That creates the potential for conflict, both legal and cultural.

However, Williams’ concerns go beyond enforcement and the breakup by his office of criminal cartels that thrive in a time in which, he says, “the black market far exceeds the licensed market.” Plainly, he’s worried about Oregon’s youth.

Williams cites clinical findings on the brain development of adolescents who use pot regularly and are possibly compromised by it, and several reports issued by doctors and psychologists who cite behavioral and health concerns.

“There’s collateral damage” created by large pot-growing operations that can undercut the quality of life in Oregon’s rural communities, he says, and by pot’s wide availability to young folks, many of whom are underage and in some cases damaged by overindulgence.

“Two weeks ago, I read an op-ed by a mom ... about her son’s addiction to marijuana. It was very compelling,” he says. “And there was a study out (recently) about vaping and THC, which I find kind of stunning.”

Noting that “41 percent of high school seniors have tried vaping,” Williams pauses before asking: “Is anybody paying attention to this?”

He cites the historic promotion by Big Tobacco and Big Pharma of substances that proved damaging to public health, then pivots to Oregon’s political and economic embrace of pot. “It’s the pot manufacturing industry that’s driving the narrative,” he says, “and that’s a mistake. That’s the part that drives me crazy.

“We need to stay informed about what people are experiencing. There’s a duty for all of us to be paying attention to what the consequences are of what we do — to consider the decisions of lawmakers. My ask is this: Slow down.”

In another conversation, he adds: “We’re still in the midst of an opioid crisis because people didn’t ask questions.”

Williams’ office, with 65 assistant U.S. attorneys statewide, continues to do bread-and-butter enforcement against drug distribution and the organized crime elements controlling it. In October of last year, for example, his office announced a sweeping multi-agency bust: the indictment of 41 defendants accused of conspiring to distribute heroin, cocaine and methamphetamine from Mexico throughout the Portland metro area.

But he remains persistent in his concerns about marijuana, including the use in some instances of federal water for irrigation in what has become a significant agricultural sector for Oregon. He has been downright passionate, too, in a memo codifying the federal government’s priorities in enforcing marijuana laws in Oregon, stating plainly that the protection of children — in limiting their access to pot, mainly — is a top priority of his office.

The subject of drug impairment with unexplored consequences — whether from pot or opioids — cuts close to home for Williams.

His late father’s addiction to painkillers sent a chill through those around him. The drugs were legally prescribed to the elder Williams following a farm accident in which he broke his back and withstood multiple surgeries. But it made him “zone out,” in Williams’ words, creating a difficult family dynamic — one that estranged a young Williams from his father.

“By the time I was in junior high, I’d challenged him,” he recalls of his dad. “He was a good man, religious. But we didn’t see eye to eye.”

The experience drove Williams, through the many jobs of his elementary, high school and college years, to find and believe in toughness and independence as a path to better days.

“Sadly, by the time of his death, my father had been addicted to pain medication for over 50 years,” he tells the Bulletin. “He never acknowledged his addiction. It adversely affected our family in ways we still struggle with to this day.

“I grew distant from him at an early age. I had him figured out by the age of 12. I was embarrassed and was determined to have a different reputation than he had among our
Billy J. Williams and Teena Fife take a break during a recent hike around Deep Lake near Mount Adams in Washington. The couple, who live in Hood River, say they love to hike in the Pacific Northwest and venture out regularly. Photo courtesy of Billy J. Williams

For the PEOPLE

extended family and community. I grew up obsessed with the goal of being different than he had been. Simply stated, I didn’t want to be a failure at anything.”

Williams says that his physical and mental separation from his father gave him independence, internal strength and a determination to move beyond his circumstances.

“On the morning after my father’s death, in 2012,” he says, “my mother lamented, ‘I’ll miss him, but he was a difficult man.’ I smiled and responded, ‘Mom, that’s an understatement.’ We shared a brief moment of reserved laughter. We had similar views on him, but never shared them with each other. It was a painful reality we found ways to endure.”

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Endure. It’s a word that could be used to describe Williams’ approach to work, perhaps, but it doesn’t completely explain it.

“I’ve lived with a motivation to be fearless and take on anything,” he says. “I’ve had to prove to myself that adversity would only challenge me, not defeat me. In reality, it is the fear of failure that genuinely and intensely motivates me each day.”

Failure doesn’t quite characterize Williams’ reaction to the acquittal of antigovernment ranchers from Nevada, who in 2016 illegally seized and occupied the Malheur Wildlife Refuge in grazing-heavy Harney County. After all, several involved in the armed occupation ultimately saw jail time. But the broader experience did frustrate Williams, who spent a lot of time in Burns during the siege and consulted with local authorities as a very nervous Oregon looked on.

His takeaway?

“Do not let a problem fester,” he says. Rancher frustrations over grazing rights had simmered for years across the West, but they were only piqued in Oregon when a father and son were convicted of setting fire to federal lands.

“With Malheur, (government officials) waited too long,” Williams says. “(Next time), let me know there’s a beef over there. My message to federal land managers and agencies has been to be proactive with us in engaging with rural Oregonians on land use issues.”

That stay-ahead-of-a-problem approach is underscored in how Williams spends most of his time: 75 percent of it, he estimates, involves traveling throughout Oregon to talk to local officials and citizens, along with county and state representatives, about issues of sustained public concern. That means he’s no longer in a courtroom, where he cut his chops as a highly successful prosecutor in cases involving aggravated murder, adult and child sex offenses, domestic violence, narcotics trafficking, vehicular homicide and officer-involved shootings.

“A lot of people have no idea what we do … and folks are astounded (we’re there),” he says of his peripatetic ways. “But the harder the problem, the bigger the challenge. That’s where I want to be.”

Immigration issues in Oregon would appear to pose just such a challenge. The state’s sanctuary status and related decisions could be hard to square with federal directives. But Williams says it’s not his job to wade into a philosophical debate.

“We’re part of a judicial system,” he says flatly. “Sanctuary policies jeopardize public safety. Law enforcement is focused on criminal aliens who commit crimes. We are focused on public safety and enforcing the law. Obstructing enforcement of federal law is not helpful.”
Separately, he continues: “I’ve served as U.S. attorney under two administrations. I’ve had the opportunity to personally engage with the last four attorneys general and deputy attorneys general of the United States. I hold each in the highest esteem for their leadership and service to our country. Each were dedicated public servants committed in policy and approach to the mission of the Department of Justice. All have been gracious, approachable and supportive of me during their respective tenures.”

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Williams configures his time to stay ahead of complications: to get ahead of the next Malheur-like challenge, to signal concerns to Oregon about marijuana’s potential threats, to build deep relationships with the state’s Muslim community, to navigate Portland’s conflicts over participation in the Joint Terrorism Task Force or to discuss the city’s civil protection strategies for the next political protest — events he has described in the past as “melees.”

“I’m not interested in the political fight behind the protest,” he notes. “I’m interested in people exercising their First Amendment rights in a safe and civil manner.”

He’s especially focused, though, on building his team.

He’s hired 31 lawyers in the past five years — a staff overhaul that sets and will continue to set the tone of federal law enforcement and defense in Oregon for years. While bolstering staff diversity is a top priority, Williams reports, his model of the ideal candidate hews closely to, well, Williams himself.

“Several folks are involved in screening and then interviewing,” he says. “We’re working hard on diversity in our hiring. And it’s not about the top 10 law schools — but instead about personal substance and excellent reputations as trial lawyers.”

He leans forward, as if discovering something as he speaks.

“Because that would be me,” he says. Pushing back in his chair, he adds: “Your legacy is who you hire.”

So, too, is Williams’ near-evangelical sense of mission.

“As a lawyer, I’ve had the privilege of working to do the right thing for the right reasons every day,” he says. “As a prosecutor, serving victims of crime is a deep and abiding passion. Working with honesty, integrity and purpose as I engage with professional colleagues who passionately represent their clients facing monumental decisions is humbling.

“This is a profession dedicated to helping others,” he adds. “We are problem solvers, counselors and representatives determined to serve clients and the public.”
Williams speaks calmly of brokering amid discord, of helping to identify the path forward in what seem to be intractable situations. “Aren’t you just trying to convince strangers of the right thing? It should motivate folks to be fair minded and do the right thing,” he says.

And then, as if to catch himself for being so serious and noting that he is “very adept at making fun of myself,” he asks with a faint smile: “What better way to live your life?”

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Williams and his wife of 12 years, Delta Airlines flight attendant Teena Fife, nurture that personal and professional philosophy by hiking through the Columbia River Gorge. It’s something they live to do, and the couple hikes regularly.

Williams says he was too busy working his jobs growing up to notice that the gorge was a spectacular place to explore, but he’s made up for lost time since. Dog Mountain, on the Washington side of the Columbia River near Stevenson, is his favorite hike, perhaps tellingly: It’s a viewless, challenging slog on the way up that breaks open to breathtaking, wraparound vistas of the gorge and, in season, wildflowers.

To love Dog Mountain — at one point, Williams made the two-hour ascent in little more than an hour — is to be the nimble, sleeves-up prosecutor who once said that preparing for trial was a great weight-loss program because of the sleeplessness and dogged preparation that creates readiness for unexpected moments in court. Where, he says, “you think on your feet.”

Those are the moments Williams says he finds most happily experienced in life: being prepared for the unexpected.

An affinity for being on the edge does not, however, exempt Williams and his wife, who live in Hood River, from a few hedonistic pleasures. Williams admits to being a foodie who enjoys cooking and dining with an intrepid group that vacations together, sometimes by barge and bicycle. “Thanks to Teena’s work and sense of adventure,” he says, “we love to travel.”

Occasionally, he notes, “there’s some wine involved.” But the gustatory pleasures needn’t be social, least of all for a man who discovered food satisfactions as a teenage farmhand.

Driving home to Hood River recently, Williams pulled off I-84 in Cascade Locks to stop at his preferred market for a filet of fresh Chinook salmon. At home in his kitchen — Fife was in a faraway city — he seared it in an iron skillet and then sautéed it along with fresh Brussels sprouts.

Everything came out done at the same time, he recalls, prompting him to note: “Cooking’s all about timing, right?”

Like so many things, evidently. Like using a pickeroon while operating a foot pedal in a Northwest sawmill, sending heavy slabs of wood to their rightful destinations.

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Putting the Emphasis on Conduct

Oregon State Bar Shifts Its Admissions Process Away from Mental Health and Substance Abuse Labels

By Jillian Daley
Despite being a first-year law student at Willamette University and holding a prestigious placement as a law clerk for Public Defenders of Marion County, Sunny Maxwell had serious concerns about the admissions process to the Oregon State Bar.

Maxwell says they found great internal strength in living through experiences much more taxing than any class or courtroom, but feared they would be judged as a less-acceptable candidate for the bar because of a mental health disability.

“I knew that I would be asked about it in the application, and I had plenty of experience with the stigma of mental illness to build a frightening interview or evaluation process in my imagination,” Maxwell says. “I think that being out as a disabled person often brings assumptions about my weakness and worry about my aptitude in law school and beyond. But in fact, I’ve already lived through many things much harder than law school, and so have most disabled people, people with mental illness and people who have addressed substance use disorders.”

Now, Maxwell no longer needs to worry. In fact, any bar applicants with mental health or substance use issues that do not affect their conduct or ability to practice law do not need to fear that they could be one of the handful of applicants who are denied admission to the Oregon State Bar each year for failing to meet character and fitness standards.

That’s because the Oregon Supreme Court has approved new rules that focus on conduct and not on conditions, heeding the recommendations of a Fitness Task Force convened by the Oregon State Board of Bar Examiners (BBX).

The BBX Fitness Task Force recommended eliminating questions on the bar application about mental health diagnoses and previous substance abuse in favor of questions about conduct and current ability to practice law, effectively shifting the focus away from conditions and labels. The task force also recommended following the examples of nine other states by adding Essential Eligibility Requirements (EERs) to the application process. EERs assess not only a candidate’s knowledge of and ability to practice law, but look at other characteristics, such as judgment and financial responsibility.

The Oregon Supreme Court approved the new EERs (added to the Oregon Rules for Admission of Attorneys) at an Oct. 16, 2019 public meeting, and Chief Justice Martha Walters signed an order making the new rules effective on Nov. 1, 2019.

The basics remain the same. A student must graduate from an American Bar Association (ABA)-accredited school and pass the bar exam. Applicants must be at least 18 years old, of good moral character and be fit to practice law. But now, Rules for Admissions codify the BBX’s practice of not requiring disclosure of either a treated mental health issue or a history of substance abuse (that has since been treated and overcome) as part of the character and fitness process.

In addition, the OSB’s exam application questions have been updated to reflect the BBX’s focus on conduct rather than treated conditions.

“Public protection remains our highest priority,” says Troy Wood, the Oregon State Bar’s admissions manager, “and this emphasis on both conduct and on encouraging transparency will only enhance the admissions objectives.”

Promoting Well-Being

Chief Justice Walters says BBX Fitness Task Force members reasoned the change well in an argument supported with highly regarded reports and studies. “It was not a difficult decision,” she says, “because of the thorough process that had been followed after the ABA report.”

That American Bar Association report — the Survey of Law Student Well-Being1 released in 2015 — found that 42 percent of respondents had struggled with emotional or mental health issues within the past year, but only half had sought help. About one-quarter of respondents appeared to fall within a category suggesting further evaluation for potential alcoholism, and 14 percent had used a prescription drug without a prescription. Yet, just 4 percent of those two groups had even considered seeking help.

Why didn’t the respondents ask for help? The most commonly cited reason was a potential threat to bar admission (63 percent), followed by a potential threat to job status (62 percent), a fear of social stigma and infringement on privacy (both at 43 percent), financial reasons (41 percent), a belief that they could handle their issues on their own (39 percent) and not having the time to ask for support (36 percent).

The ABA report encouraged groups, including state boards of bar examiners, to take action to change a culture in which law students are afraid to reach out for the support that so many of them appear to need.

In 2016, a National Task Force on Lawyer Well-Being2 was convened by the ABA, the Commission on Lawyer Assistance Programs, the National Organization of Bar Counsel and the Association of Professional Responsibility Lawyers. A year later, the group argued in a report that efforts must be undertaken to prevent law students from eschewing the mental health and alcohol/drug treatment they need so that they qualify for any state’s bar exam. Among the task force’s recommendations: a state-by-state re-evaluation of application processes, including the incorporation of Essential Eligibility Requirements.

The Changes

The BBX Fitness Task Force was formed in November 2018, composed of BBX representatives, members of the medical community, disability rights advocates, lawyers, judges and retired legal professionals. They reached a conclusion similar to the findings of the national task force and recommended revamping Oregon’s bar admissions process, making it clearer and more transparent and adding EERs.

“The task force was essential to getting the right people at the table. They were diligent in their research and took the extra effort
to make this a better profession,” says Multnomah County Deputy District Attorney Caroline Wong, who chaired the Oregon Board of Bar Examiners while the task force researched the issue. “Kudos to them.”

The task force, chaired by retired Oregon Supreme Court Justice Rives Kistler, was broken into two subcommittees: one on EERs, led by Joanna Perini-Abbott, an attorney with Angeli Law Group; and one on changes to bar admissions questions, led by David Elkanich, a partner with Holland & Knight.

“Both changes were part of an effort to provide more guidance to students about what really matters in seeking admission,” Kistler says, “and also to remove perceived obstacles to seeking appropriate treatment while in law school.”

The EERs outline the standards of conduct for an attorney, what traits an attorney should have, what disqualifying conduct includes, what factors are considered during a review process, and a description of rehabilitation measures. The standards of conduct include a level of judgment and diligence, according to Perini-Abbott, that will lead to the best possible representation of clients and will justify clients’ trust and that of their adversaries, the courts and the public.

“Both changes were part of an effort to provide more guidance to students about what really matters in seeking admission,” Kistler says, “and also to remove perceived obstacles to seeking appropriate treatment while in law school.”

According to the newly adopted EERs, the traits an attorney should have include a knowledge of the law and the ability to competently demonstrate legal skills, including reasoning and analysis. Other positive traits include an ability to communicate honestly and openly, comply with deadlines, conduct financial dealings responsibly and obey the requirements of all applicable laws.

Potential disqualifying conduct includes unlawful conduct, academic misconduct, misconduct in employment, acts involving deceit, and neglect of financial responsibility. Factors that will be considered during the review process include age at the time of conduct, recency of conduct, seriousness of the behavior and rehabilitation. (Applicants can show that rehabilitation has been satisfied through ways that include having admitted wrongdoing and having taken responsibility for the misconduct.)

As of Nov. 1, however, the bar application no longer includes any questions about “mental health history, diagnoses or treatment.” Instead, it uses questions “that focus solely on conduct or behavior that impairs an applicant’s current ability to practice law in a competent, ethical and professional manner.” Specifically, one of the biggest changes to the application was made to Question 22b.

That question on the old application stated: “Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse or a mental, emotional or nervous disorder or condition) that affects your ability to practice law in a competent, ethical and professional manner?” In its place on the new application is this question: “Have you been subject to any discipline or remediation for unprofessional or disruptive behavior?”

A question about whether someone has abused alcohol or drugs within the past five years now has the caveat that the question does not have to be answered in the affirmative by anyone who has had substance abuse issues within the past five years but is in treatment or has received treatment and no longer has such issues.

Elkanich, who represents bar applicants and law students, says the focus is now where it should be — on conduct, not mental health or a previous struggle with addiction that has not led to an arrest or affected how an attorney behaved in a legal setting.

“There are numerous lawyers who have some type of mental health issue and they’re great lawyers, and none of that should affect their right to practice law,” he says.

The BBX Fitness Task Force issued its findings in an August 2019 letter that was addressed to Wong and signed by Kistler, Elkanich and Perini-Abbott.

“The task force feels confident that inquiring about an applicant’s behavior and conduct, rather than health conditions, would improve the integrity of the bar application process, remove the stigmatization that can attach to such conditions, mitigate the chilling effect such questions can have for law students, encourage applicants to seek treatment when necessary, and would in no way diminish the scrutiny necessary for a thorough character and fitness evaluation,” the letter said.

According to the OSB’s Wood, very few applicants are denied admission based on character and fitness issues each year; they always had the option to appeal, he says, and they still do. But there are now clear, specific rules codifying the bar admissions requirements, he says, which is good in and of itself and will also make it easier for the rules to change if need be.

“If we feel the need to change an admissions standard, we can now do this through a rule change rather than a contested admissions case,” Wood says. “This will make for a more consistent and efficient admissions process over time.”

Reactions to New Rules

Reaction to the new admissions rules has been overwhelmingly positive. Disability Rights Oregon Legal Director Emily Cooper says the changes will be encouraging not only for lawyers, but for all of the one-quarter of adults who have a mental health diagnosis.

Cooper says she has sought mental health treatment since age 13 and, after 15 years of successful legal practice in another state, decided to move to Oregon about two years ago to take on her current role. Even though she had won most of her cases, had no bar complaints and was now a legal director, she says, the admissions experience was an ordeal for her.

“The previous application questions raised stigma concerns — that having a mental health issue in and of itself might be a reason not to practice law,” says Cooper, who created the Oregon Attorneys with Disabilities Association in October 2019. “We need to dismantle these outdated stereotypes wherever we find them.”

Elizabeth Davis, associate dean of student affairs at Lewis & Clark Law School, agrees with Cooper and says she’s pleased with the revisions.
“I think the OSB has long intended applicants to seek appropriate care, and now the questions align with that intention,” Davis says. “Removing the stigma of seeking care, as well as the fear of the impact of doing so, will undoubtedly lead to a healthier bar.”

Nicole Commissiong, the University of Oregon School of Law’s assistant dean for student affairs, says her school has long invested time in reminding students of the resources the school offers and encouraged students to seek counseling if they need it.

“Yet, some students still said that they feared seeking the help they needed,” Commissiong says. “Some resented the need to disclose a medical condition at all (on bar applications). All of those reactions are very understandable. Law students put so much into law school. There was a fear that getting mental health or substance abuse support would make all of their hard work and sacrifice moot.”

Camille Krier, who is slated to graduate from the University of Oregon School of Law in 2020, says fears about mental health affecting bar admission have shuddered through the student body for a long time, but the Oregon Supreme Court’s recent decision offers students some relief.

“The change in language on the bar application, as well as the added inclusivity of the essential eligibility requirements, are crucial steps in shaping the culture of the legal profession to be more accepting and understanding of mental health issues,” says Krier, who is also president of the university’s student bar association.

Krier says the rule changes will encourage future bar applicants to seek the help they need. “I am excited to see these changes and look forward to the continued progress surrounding mental health awareness,” she says.

Melodye Mac Alpine, associate dean for student affairs and administration at Willamette University College of Law, says she finds the changes heartening. “I’m really encouraged by this decision,” she says, “and I hope it continues across other states as well.”

As for Maxwell, who recently finished moot court trials at Willamette, the rule change is an exciting one.

“The change in the Oregon bar application,” Maxwell says, “feels like a positive start.”

Jillian Daley is a Portland-area freelance writer. Reach her at jillianbdaley@gmail.com.

ENDNOTES
3. To read Supreme Court Orders 19-085 and 19-086, visit osbar.org/admissions.
4. To see the revised application to sit for the Oregon Bar Exam, visit osbar.org/docs/admissions/ExamApplication.pdf.
After a 10-year hiatus, the Oregon Chapter of the National Bar Association (OC-NBA) held its 21st annual Ebony and Ivory Dinner Dance in downtown Portland in December.

Ebony and Ivory is one of several events hosted by OC-NBA to help bring the black legal community and its allies together for a time of reflection and fun, and this year was no different. More than 180 people attended, and many danced the night away.

In addition, OC-NBA awarded scholarships to Michael Tyner (Willamette University College of Law), Bruce Myers (Lewis & Clark Law School), Ravyn Goss (University of Oregon School of Law) and Rebeka Dawit (Lewis & Clark Law School). It also presented four awards and honors:

- Oregon Supreme Court Justice Adrienne Nelson received OC-NBA's Trailblazer, Visionary and Champion Award;
- Hon. Kenneth Walker was honored for his 11 years of service on the Multnomah County Circuit Court bench;
- Michael Levelle was recognized for his service as the Oregon State Bar's first African American president; and
- Jonathan Puente was honored for his service and support of OC-NBA while serving as the Oregon State Bar's diversity and inclusion director.

“Thank you to all of the sponsors and especially Miller Nash,” says OC-NBA President Sherisa Davis-Larry, who also acknowledged her fellow planning committee members: Hon. Adrienne Nelson (chair), Hon. Ulanda Watkins and Naomi Levelle Haslitt.
More than 180 people attended the 21st annual Ebony and Ivory Dinner Dance, including:

1. Naomi Levelle Haslitt (from left), Michael Levelle and Katie Levelle
2. Ravyn Goss (from left) Shiwanni Johnson, Katherine Moreland and Carol Johnson.
3. Aser Heye (from left), Dexter Pearce and Berley White.
4. Jacqueline Alarcon (from left), Kimberly Stuart and Jonathan Patterson.
5. Scholarship winners Michael Tyner (from left), Bruce Myers, Ravyn Goss and Rebeka Dawit, with Hon. Ulanda Watkins at the podium.
6. Hon. Ulanda Watkins (left) and Hon. Adrienne Nelson.
7. Angela Addae (left) and Kiosha Ford.
8. Valerie Colas (from left), Hon. Ulanda Watkins and Robbie Davis.
9. Hiroko Peraza (left) and Edel Peraza.
10. Jonathan Puente (left), Derily Bechthold and Carlotta Alverson.

Photos by Naim Hasan Photography
George “Jerry” Oliver may be one of the few people who ever said “no” to Shiau Yen Chin-Dennis.

Beginning in the year 2000, Oliver — a labor and employment lawyer in Raleigh, N.C. — served as a mentor to Chin-Dennis, who as a teenager had immigrated with her family to the American South from Malaysia and was struggling to find her life’s path.

Now the managing partner at the Portland office of K&L Gates, a global law firm with 44 offices on five continents, Chin-Dennis was working at the World Trade Center in Raleigh when she met Oliver. She was toying with the idea of law school, and Oliver offered encouragement, advice and a recommendation letter to his alma mater, Campbell University School of Law.

Additionally, he showed an unwillingness to lower his expectations for his young mentee whenever she veered toward underestimating her own potential. Whenever she suggested an easier or more convenient route, she heard “no” from Oliver.

“Today, Oliver is proud not only of Chin-Dennis’ achievements, but of his refusal two decades ago to hire her as an intern or later as an associate with his firm, Fox Rothschild. Going to work at a labor and employment firm just didn’t jibe with the brilliant future as an international lawyer that he envisioned for her.

“The ‘no’s were the ‘no’s that I thought were right for her,” says Oliver. “I felt she needed to go where she would be given the opportunity to do great things in all of the ways that I thought she could.”

His refusal to budge paid off. Chin-Dennis did indeed end up at a place where her fluency in five languages, familiarity with world trade, business acumen and management skills became valued assets. Four years after being hired in 2011 by K&L Gates as an associate, Chin-Dennis was named equity partner. Shortly after that, she became the Portland office’s recruiting partner. Last March, she was elevated to managing partner.

If there are other managing partners of U.S. law firms who are immigrant, Asian and female, Chin-Dennis says she has not learned of them. Indeed, only 1.2 percent of equity partners at the country’s large firms are Asian women, according to the American Bar Association’s 2019 “Profile of the Legal Profession.”

As she said in a recent interview with the Portland Business Journal, “I’ve broken many ceilings, glass and bamboo, in getting to this point of my career.”

Paying It Forward

Chin-Dennis’ path has made her a role model, even though it took her a while to accept the fact that a Chinese woman from Malaysia could use her ascent to the loftiest ranks of academia, business and law to become an inspiration to others.

“I realized that I have to pay it forward. I have to help others,” she told the Journal. “I feel a responsibility to lead, to inspire others, to push forth changes for the betterment of our community, and to leave a place better for our sons and daughters.”

But it wasn’t always so.

In May 2015, three months after being promoted to partner, Chin-Dennis delivered a talk with the title “Living the American Dream” at a diversity event at Portland State University. An attendee approached her afterwards and Chin-Dennis recalls that the woman said, “Do you know your story is very inspirational? And do you know you need to find your voice so other people can hear it?”
"I was like, ‘Me? I’m your role model?’ Growing up in an Asian culture, you don’t talk about yourself and you don’t showcase all your achievements,” Chin-Dennis says. “As a child, I couldn’t speak unless spoken to. As a woman, I was not allowed to have a voice.”

Despite these limitations, she still was expected to be a high achiever — and she has certainly accomplished that, although not in the way her parents had hoped.

“If I’d done as my mom and dad wanted,” she says, “I would have gone straight to medical school,” just like her younger brother and sister, who are now physicians in Texas.

Instead, Chin-Dennis was somewhat of a dabbler, earning a bachelor’s degree in international business, finance and German; a master’s in education, covering organizational behavior and psychometrics; a certification in human resources; and finally, a law degree and an MBA. She also did one year of coursework toward a Ph.D. in curriculum and instruction, but she dropped out after being accepted to law school.

“As it turned out,” she says, “everything helped.”

Brendan Gutierrez McDonnell, a partner at K&L Gates whom Chin-Dennis succeeded as managing partner, agrees. “She took all these different areas and then instead of just being a lawyer,” he says, “she’s a modern lawyer.”

In concert with McDonnell, Chin-Dennis has transformed the culture in K&L Gates’s Portland office, putting an emphasis on respect, inclusive collaboration and gratitude for each person’s contributions. She used her former employer as a model, replicating the more collegial and less hierarchal structure of the legal department at SAS Institute, a global analytics software developer near Raleigh.

“I brought a little of the SAS culture here because SAS is like a family,” she says. “We didn’t just talk about diversity and inclusion. We did it.”

Chin-Dennis serves on K&L Gates’ Firmwide Diversity Committee, is a co-founder of the Women’s Leadership Alliance and works closely with the firm’s Women in the Profession committee on initiatives for recruitment, retention and promotion. At K&L Gates, she says, “everyone matters, and no one is invisible.”

Among the results of that policy: In 2017, the Portland Business Journal named K&L Gates the most diverse law firm in Portland — the first large Portland firm to be so recognized. And now, says Melissa Speidel, the Pittsburgh-based director of innovation for K&L Gates, the practice implemented by Chin-Dennis and McDonnell of including staff (now called by the more respectful term “allied professionals”) in decision making, client meetings and pitches has been adopted firm-wide to great effect.

“It’s amazing how busy we have become,” Speidel says.

In McDonnell’s view, Chin-Dennis can rightly consider herself a role model for...
anyone now entering the legal profession. “I would say that what we’re seeing is the profession moving toward her,” he says. “Companies are expecting us to be more well-rounded, they’re expecting us to be diverse, they’re expecting us to understand their business problems.”

Building Relationships

While working at SAS in North Carolina, Chin-Dennis put her many skills — including project management and fluency in four Asian languages — to work. She managed SAS’s corporate affairs in Asia and established the company’s R&D Center in Beijing, which now employs 400 people.

“She is the best networker I’ve ever met,” says David Keim, general counsel at SAS for global corporate legal affairs and at that time Chin-Dennis’s supervising manager. “When she needs something to happen in, say, Singapore, she knows exactly the person to call, exactly how to approach the situation, and to get the information or the result she needs to achieve.”

At K&L Gates, Chin-Dennis has been able to continue her relationship with SAS because the company is now one of her clients. And because maintaining and nurturing relationships is one of her life-long personal values (something she says she learned from her father), she is able to draw from her vast global network on behalf of the firm and others she represents.

Tom Cunningham, president and CEO of Climax Portable Machining and Welding Systems in Newberg, is one of the beneficiaries of that network. As Chin-Dennis’ client for the past two years, he says he is still amazed by her global reach.

“She’s just sort of one-stop shopping for us,” he says. “She works as the conduit for what we need in the U.K., Dubai, Saudi Arabia and China, throughout the United States and other places. She’s kind of our contact point, our relationship manager. We go to her for whatever we need.”

That’s not a surprise to McDonnell. “We are definitely known as the global law firm in Portland and most of that came from her efforts,” he says of his colleague. “We won an award (2015 Global Leader Award) within a couple of years of her being here.”

Chin-Dennis has won many awards and honors of her own since coming to Portland. In 2014, she was selected as a fellow of the Leadership Council on Legal Diversity, a national organization of more than 240 law firms and corporate legal departments. In 2016, she was a recipient of both the Portland Business Journal “Women of Influence” award and the Daily Journal of Commerce “Women of Vision” award.

She currently serves as the chair of the District Export Council of Oregon, to which she was appointed in 2014 by the U.S. Secretary of Commerce.

Making Friends

It’s hard to believe that Chin-Dennis, who seems to have the world by a string, began her life in America in Sylacauga (pop. 13,000), a small and insular town in rural Alabama. Her aunt, who had already moved there, welcomed the family’s help in her Chinese restaurant.

Chin-Dennis became the first Asian ever to attend Sylacauga High School. Although segregation was by then illegal, students self-segregated, gathering before classes in either the “white gym” or the “black gym.”

“I went to whichever one was convenient,” she recalls. “When I went to one
gym, my classmates would promptly say, ‘Hey, you need to go to the other one.’”

She was a top student but, as Chin-Dennis wryly observes, “That did not really help you make friends.”

She had the same problem at Auburn University, from which she graduated magna cum laude. Classmates avoided sitting next to her because she looked different, she says, “so I learned to make my own friends. I started the German Club and I started the International Business Club.”

In spite of the obstacles she faced, Chin-Dennis remains proud of her Southern upbringing. “I married a Southerner and I’m probably one of very few Asian women who can talk trash about football,” she says with a laugh. “I know my sweet tea and I know my grits.”

She and Wayne Dennis, a high school teacher who grew up in Sylacauga, divorced after raising two children: Daniel, a senior at the University of Oregon; and Allyson, a sophomore at the University of North Carolina at Chapel Hill.

Finding Success

Chin-Dennis’s first dive into international business came in 1997 when she went to work at Raleigh’s World Trade Center, serving first as the business director but soon becoming executive director. “Her ability to manage all those details plus see the broad picture was rare,” observes Pamela Davison Smith, who hired Chin-Dennis. “We could entertain an ambassador or a president of a country and she was perfectly comfortable.”

Her secret: Emily Post. Chin-Dennis’ 12th-grade English teacher recommended the etiquette expert so she could learn the differences between various forks and spoons. But the book offered much more, she says, including how to plan seating arrangements for diplomatic dinners.

Chin-Dennis won kudos for her savoir-faire, and her ability to build bridges between people resulted in business successes for the center.

By that time, Jerry Oliver was seeing results from his urging of Chin-Dennis to set her sights higher. She had gathered recommendations for law school from both him and North Carolina Secretary of State Elaine Marshall, who had gone on trade missions arranged by Chin-Dennis. Marshall, also a Campbell Law alum, says, “I thought Shiau Yen had that scrappiness that Campbell was looking for.”

Chin-Dennis drove each day to Bules Creek, N.C., where Campbell was then located (the law school moved to Raleigh in 2009), after first dropping off her children with a sitter. “My daughter was 2 and my son was 5 when I went to law school,” she says. “I drove 120 miles every day. How did I do that for three years?”

When it came time to find an internship as a first-year law student, Chin-Dennis gazed in the direction Oliver had been pointing and applied at SAS.

“We got lucky,” recalls Patricia Brown, now chief legal officer and the person who hired Chin-Dennis. “We were all just blown
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away by her. She’d already done work in HR and management, and she was so mature and thoughtful and business-minded. As a first-year law student ... good grief!”

The summer internship was extended to a year-round internship. It was extended again, this time to last through law school. And then SAS hired her.

“We were so impressed with her, and she fit into the team so well,” says Brown. “She was always willing to help. Even if it was an area she’d never done before, she never blinked. She’d just jump right in.”

On a particularly fateful day, Chin-Dennis met McDonnell, who was then managing partner at K&L Gates in Portland. He had been representing SAS in some Portland-based transactions, but as more Oregon companies came to him with global concerns, he says he realized he could use some help. By then, Chin-Dennis was ready for a new challenge, ready to become an international corporate lawyer at a global law firm.

From afar, Jerry Oliver watched as his mentee blossomed. He says he can’t help but be pleased by his prescience. “I even told her, ‘One day, you might end up as the managing partner!’”

“It’s one of my favorite mentor success stories,” he says. “But I just helped her along, that’s all.”

Susan G. Hauser is a Portland-area freelance writer. Reach her at susan.hauser@gmail.com.
Clients Want to Pay Electronically

By Rachel M. Edwards

There Are Plenty of Options, But Which System is Right For You?

Payment of legal fees by cash and paper checks is becoming a thing of the past. Providing clients with the ability to pay electronically is now standard business practice.

According to the 2019 Clio legal trends report, 57 percent of electronic payments get paid the same day they are billed, and 85 percent get paid within a week. Many clients now assume that a law firm will offer these types of payment options, and setting up an electronic payment system can provide for faster payments and simplify your billing process.

But which system is right for you?

One thing to keep in mind: Software built for law firms ensures that any processing fees will be taken from your operating account rather than your trust account. General software programs not built for lawyers instead deduct processing fees from the account where the funds are initially deposited.

Built for Law Firms

Payment processing software programs built for lawyers allow your firm to accept credit or debit cards and eChecks from clients or third parties. (See OSB Formal Ethics Opinion 2005-172 for information regarding your ethical duties as they apply to accepting credit card payments.) Keep in mind the list below is not exhaustive, and pricing and other terms of service may change.

Card processing/eChecks

1. Standalone. These types of payment processing options are standalone programs; that is, they do not integrate with other software programs, such as billing or practice management software.

   a. Lex/Actum

      This program offers a tiered pricing structure based on the amount of money processed per month, starting at $29 per month for up to $10,000 in transactions per month and increasing to $99 per month for $60,000 or more in transactions per month. You are also charged processing fees per transaction, which decrease as you move up the tiers. At the lowest tier, you are charged 25 cents for each card payment and $2 for each eCheck payment. At the highest tier, you are charged 10 cents for each card payment and $1.50 for each eCheck payment.

   b. LexCharge

   i. Pricing. You are charged processing fees per transaction (from 1.5-2.5 percent plus transaction fees of between 20 and 30 cents, depending on whether a card or eCheck is used, the type of card and the amount processed).

   ii. Integrations. LexCharge integrates with RocketMatter, a practice management software program.

   c. Headnote

      i. Pricing. You are charged...
processing fees per transaction (2.9 percent for each card payment; 1.9 percent for each eCheck payment). They also provide custom pricing with potential discounts for larger firms and those that process high volumes of payments.

ii. **Integrations.** Headnote integrates with Tabs3, Clio, Quickbooks, Gmail and Outlook cloud.

d. **ClientPay**

i. **Pricing.** You are charged processing fees per transaction. Contact the company for more information.

ii. **Integrations.** ClientPay integrates with practice management software including Thomson Reuters, Rippe & Kingston’s Legal Management System, Develops’ Soluno, Select* Associates and Aderant’s Expert.

3. **Practice management software with built-in payment processing.** Some practice management software programs have built-in payment processing software.

a. **MyCase.** You are charged processing fees per transaction (3 percent for each card payment; no charge for eCheck payments).

b. **Abacus Payment Exchange.** Abacus offers the Abacus Payment Exchange, which integrates with various Abacus practice management software programs, such as AbacusLaw and Amicus Attorney. You are charged processing fees per transaction (3 percent for each card payment; no charge for eCheck payments.)

**Not Built for Law Firms**

As I mentioned above, electronic payment processing software programs not built for lawyers will deduct the processing fees from the same account in which the funds are initially deposited. Again, this list is not exhaustive, and pricing and other terms of service may change.

**Card processing/eChecks**

Some options include Stripe, Square, PayPal and QuickBooks Payments. Processing fees range from 2.6-3.5 percent per transaction plus transaction fees. All

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- Board Certified Civil Trial and Truck Accident Attorney, National Board of Trial Advocacy
- AV® Preeminent Peer Review Rated™, Martindale-Hubbell
- Super Lawyers, Top 50 in Oregon
applications except Square also allow for processing eChecks, which have a lower processing fee.

Digital wallets

Not yet built for law firms specifically, a type of electronic payment application that has quickly grown in popularity among consumers is the “digital wallet.” A digital wallet is a software application that stores financial information, allowing for transfers of money electronically. Depending on the application, different types of payments can be made, including payments using stored credit or debit card information, payments linked directly to a bank account or payments from an existing balance within the application. Some popular digital wallets include Square Cash, Apple Pay, Samsung Pay, Google Pay, Facebook Pay, Venmo and Zelle.

Below are various factors to consider if accepting payments through an application not built for law firms:

1. Business option. Be sure to use the business option if available. Some applications — certain digital wallets in particular — don’t allow or strongly discourage commercial use, or require the use of a business account if accepting payments for goods or services. For example, Facebook Pay is available primarily for peer-to-peer payments and offers only limited options for retail purchases.

2. Device or operating-system specific. Some applications require the use of a particular device or operating system. For example, Apple Pay requires both the payer and payee to use an Apple device or operating system to complete transactions. You also often need the same application as the payer in order to accept payments, but it may not be available; for example, Zelle is a digital wallet owned and operated by several major U.S. banks, but not all banks offer the application. Also, to use Zelle with a business account rather than a personal account, your bank must offer Zelle for your business account type.

3. Options for accepting payments. Some applications are limited in how payments can be accepted. For example, Apple Pay, Samsung Pay and Google Pay only allow payments to be accepted through a website or a contactless card terminal. A contactless card terminal is a card reader...
Meet Our Next Generation of Leaders

PERKINS COIE is pleased to announce Chris Rich’s promotion to Office Managing Partner and the promotions of Joe Bailey to partner and Ann McQuesten, Ed Choi, and Matt Mertens to counsel. These exceptional attorneys work hard to earn their standing as trusted counsel to great companies, and we look forward to their leadership and contributions to our firm. Congratulations!

PerkinsCoie.com

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equipped with radio-wave technology, allowing the reader and a mobile device to communicate by holding the device close to the reader. But due to the growing popularity of digital wallets, some card processing applications have expanded to accept digital wallet payments. For example, Stripe accepts payments from Apple Pay and Google Pay, and PayPal accepts payments from Apple Pay and Venmo.

4. Fees. Processing fees vary significantly depending on various factors, including whether it is used for personal or business purposes, or the type of payment made, such as processing a credit card or using an existing balance within the application. For example, PayPal charges no fee for transferring funds from a PayPal balance or a direct bank account transfer, but charges up to 3.5 percent per credit card transaction. Similarly, Square Cash is free for personal payments among family and friends, but requires businesses to pay 2.75 percent to receive payments.

5. Maximum transfer limits. Certain digital wallets set maximum transfer limits. For example, Square Cash only allows for transfers of $1,000 every 30 days unless you apply to receive a higher limit.

6. Know where the money is stored. While card processing applications usually link directly to a bank account upon setup, many digital wallets store money in the application until you actively move it out of the application and into a bank account.

7. Privacy concerns. For digital wallets especially, the default level of privacy is often minimal, so always opt into stronger privacy settings and encourage your clients to do the same. Some digital wallets, such as Venmo, are also built as a social forum. Whenever a transaction is processed, Venmo’s public feed specifies the amount and to whom a payment is made, with a descriptive comment accompanying payment, to all connected friends in the application unless the payer opts out beforehand.

General Tips

Before choosing any electronic payment processing application, consider these general tips:

1. Vet the vendor. Read the terms and conditions carefully, understand all fees and review privacy policies. For more information, see OSB Formal Ethics Opinion 2011-188, which specifies that a lawyer may store client information with a third party, but must take reasonable steps to ensure that the company will reliably secure client data and keep information confidential.

2. Trust accounting. Understand your duties with regard to trust accounting and accepting electronic payments. Also, be very careful before linking your trust account to any application, keeping in mind security and privacy concerns.

3. Confidentiality. Understand the level of privacy provided by the application to be sure you are in compliance with ORPC 1.6. See also OSB Formal Ethics Opinion 2005-157 for more information as it applies to third parties and access to information relating to the representation of a client.

4. Recordkeeping. Be diligent about maintaining accurate accounting records. Any application that does not integrate with your practice management or accounting software means you must then actively record those transactions yourself.

5. Chargebacks. If a client disputes a charge, the credit card company may charge back the payment against the account to which it was originally credited. This could put other clients’ money at risk if it is charged back against a trust account and the money has already been withdrawn. Some applications can be set up to deduct chargebacks from the business account instead.

6. Document payment details in the fee agreement. Be clear in your fee agreement how payment processing occurs. For example, if you charge a replenishable retainer, specify whether or not the firm can save financial information and charge immediately when due, or will you ask for consent each time? If a balance is due on a client account, can you use their information and charge immediately for the balance, or do you need prior consent?

Rachel M. Edwards is a practice management attorney for the Professional Liability Fund. Reach her at RachelE@osbplf.org.
CLE Seminars

Controversial Issues in Mediation
Cosponsored by the Alternative Dispute Resolution Section
Friday, Mar. 13, 8:30 a.m.–12:30 p.m. at the OSB Center in Tigard
CLE credits: 2.25 general, .5 ethics, and 1 access to Justice | ADR20

33rd Annual NW Bankruptcy Institute
Cosponsored by the WSBA Creditor Debtor Rights Section and the OSB Debtor-Creditor Section
Friday, Apr. 3, 8:30 a.m.–5:20 p.m.
and Saturday, April 4, 9 a.m.–12:15 p.m.
at the Hyatt Regency Seattle
Oregon CLE credits: 8.75 general, 1 ethics
Washington CLE credits: pending
NWB20

Legal Publications

Oregon Probate and Uniform Trust Codebook, 2019 Edition
This small paperback codebook puts the essential probate and uniform trust code statutes at your fingertips. Serves as a companion to Administering Trusts in Oregon, but is also a useful stand-alone resource. This publication is not available on BarBooks™. Covers significant 2019 legislation including:
ORS Chapter 111 — General Provisions
ORS Chapter 112 — Intestate Succession and Wills
ORS Chapter 113 — Initiation of Estate Proceedings
ORS Chapter 114 — Administration of Estates Generally
ORS Chapter 115 — Claims; Actions and Suits
ORS Chapter 116 — Accounting, Distribution and Closing
ORS Chapter 117 — Estates of Absentees
ORS Chapter 118 — Estate Tax
ORS Chapter 128 — Trusts; Charitable Activities
ORS Chapter 129 — Uniform Principal and Income Act
ORS Chapter 130 — Uniform Trust Code

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BAR NEWS

HOD Candidate Statements Must be Filed by March 20

Candidate statements are now being accepted by the Oregon State Bar and American Bar Association for open House of Delegates seats.

There are currently 56 vacancies across all regions for three-year terms on the OSB House of Delegates, which typically considers disciplinary rule changes, bar positions on major legislative and policy issues, member resolutions on a variety of topics, and fee increases.

The bar also has two open seats on the ABA House of Delegates, including one Young Lawyer seat for a bar member who is 35 years of age or younger at the beginning of the term. Candidates must be active members in good standing with the OSB and the ABA and have their main office in Oregon; ABA delegates serve two-year terms.

To run for one of the open elected seats in either House of Delegates, candidates must file their statement forms by 5 p.m. on Friday, March 20. Ballots and candidate statements will be sent to members on April 6 via an email link to an online ballot. Ballots must be completed by 5 p.m. on April 20. Elected OSB delegates will begin their terms on April 21, when election results are announced; ABA delegates will take their seats after the ABA Annual Meeting in August.

For details, visit osbar.org/leadership/HOD or contact Danielle Edwards at dedwards@osbar.org or (503) 431-6426.

Four Positions Open On Board of Governors

The Oregon State Bar is seeking candidates for four open seats on the 2021 Board of Governors — one each in Region 1 (Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco and Wheeler counties), Region 3 (Coos, Curry, Douglas, Jackson, Josephine and Klamath counties), Region 4 (Clatsop, Columbia, Lincoln, Tillamook, Washington and Yamhill counties) and Region 5 (Multnomah County).
The Board of Governors determines the general policies of the bar and approves its budget each year. It consists of 15 lawyers elected from eight regions, four public members appointed by the board and the non-voting position of immediate past president.

The board has five regular meetings a year; nearly half are in the Portland area and the remainder at locations around the state. Committee meetings are held at the bar center in Tigard, three to four weeks prior to regular board meetings. Board members also serve as liaisons to the Professional Liability Fund, bar sections and committees, and numerous other groups.

Candidates for the four open seats have until 5 p.m. on Tuesday, May 12, to file statements with the bar. Ballots and candidate statements will be sent to members on Oct. 5 via an email link to an online ballot, which must be completed by 5 p.m. on Oct. 19. Elected board members will begin their four-year terms on Jan. 1, 2021.

For details, visit osbar.org/leadership/BOG, or contact Danielle Edwards at dedwards@osbar.org or (503) 431-6426.

Technology CLEs Offered Across Oregon by the PLF

Starting in March 2020 and continuing through June, the Professional Liability Fund’s practice management attorneys will present “Harnessing Technology to Improve Your Practice” in locations around the state.

Presentations currently are scheduled from 9-10:30 a.m. in Astoria (March 10), Ontario (March 17) and Pendleton (March 18); each is approved for 1.5 CLE credits. Pre-scheduled appointments with the PMAs are also available the morning of the presentation. For more information or to register, go to osbplf.org/cle/upcoming.html.

Future presentations are planned in Hillsboro, Oregon City, Gold Beach, Coos Bay, Lincoln City, Tigard, Klamath Falls, Medford, The Dalles, Gresham and St. Helens. Watch your email, the PLF website and communications from the Oregon State Bar for dates and times.

Editor’s Note

The OSB Criminal Law Section was inadvertently left off a list of Patron-level sponsors in a December 2019 thank-you advertisement for OMLA’s 20th Annual Summer Social and Fundraising Auction. In total, the event raised more than $22,500.
Discipline

Note: More than 15,000 people are eligible to practice law in Oregon. Some of them share the same name or similar names. All discipline reports should be read carefully for names, addresses and bar numbers.

KELLY GRANT
OSB #064220
Houston, Texas
Public reprimand

By order dated Nov. 18, 2019, the disciplinary board approved a no-contest plea resulting in the public reprimand of Kelly Grant for violation of RPC 5.5(a) (unauthorized practice of law).

Grant was administratively suspended in Oregon in May 2018, but she did not discover that she was suspended until February 2019. In her reinstatement materials, Grant disclosed that she had practiced law in Texas as in-house legal counsel for her corporate employer during her suspension.

Grant is not a member of the State Bar of Texas. The Texas Board of Law Examiners allows out-of-state lawyers to provide legal services to a corporate employer as long as the lawyer is licensed and in good standing in another state. During her administrative suspension, Grant was not licensed to practice in any state, but continued to serve as legal counsel.

Grant pled no contest to a violation of RPC 5.5(a), which prohibits attorneys from practicing law in violation of the regulation of the profession in the applicable jurisdiction.

ROGER F. ANDERSON
OSB #730130
Tigard
Public reprimand

Effective Dec. 23, 2019, the disciplinary board approved a stipulation for discipline publicly reprimanding Roger F. Anderson for violations of RPC 1.1 (duty to provide competent representation), RPC 3.3(d) (duty to inform a tribunal of all relevant facts in an ex parte proceeding) and RPC 8.4(a)(4) (conduct prejudicial to the administration of justice).

Anderson prepared a will and codicil for a client (“Father”), providing that Father’s bank accounts were part of his estate to be controlled by his will. The will made specific bequests and left the residue of the estate to two of Father’s children (“Son” and “Daughter”). Anderson also prepared a power of attorney, naming Son as Father’s attorney-in-fact with the authority to write checks on Father’s bank accounts.

Shortly after Father’s death, Son disclosed to Anderson that Father’s bank accounts held more than $100,000. Anderson explained that using a small-estate affidavit could save attorney fees and costs if the value of the decedent’s personal property at the time of filing was $75,000 or less. Anderson honestly, but erroneously, believed that the estate value as of filing, rather than at death, was the applicable figure.

Anderson further explained that the claiming successor could not file the affidavit until 30 days after the death, and that, as long as Son did not notify the banks of Father’s death, Son could continue to use the power of attorney with respect to Father’s accounts.

Relying on Anderson’s advice, Son wrote a check to himself from Father’s bank account for $30,000. Anderson then filed a small-estate affidavit that did not disclose the payment to Son, and represented that the estate’s total value was less than $75,000.

Shortly thereafter, Daughter petitioned to probate Father’s will, listing estate assets of $112,104 and accusing Son of self-dealing and hiding assets to qualify for the small-estate statute. The court granted the petition, appointed Daughter personal representative and probated the estate.

The stipulation noted that Anderson’s conduct was aggravated by substantial experience in the practice of law, but mitigated by his absence of prior discipline, absence of a dishonest or selfish motive, and cooperation in the investigation and disciplinary proceeding.

KEITH Y. BOYD
OSB #760701
Medford
6-month suspension, all stayed; 3-year probation

Effective Dec. 24, 2019, the disciplinary board approved a stipulation for discipline and suspended Medford attorney Keith Y. Boyd for six months, all stayed subject to a three-year term of probation, for violations of RPC 1.15-1(a), RPC 1.15-1(c) and RPC 5.3(a).

In February 2019, Boyd reported to the bar that he had overdrawn his trust account because of a failure to reconcile his client accounts with his bank statements. He then hired an accounting firm to conduct an audit, which revealed that between 2011 and 2019, he had prematurely transferred a total of $10,280 in client funds out of trust because of his failure to supervise his staff’s bookkeeping and accounting activities.

Boyd admitted to failing to safeguard client property, in violation of RPC 1.15-1(a), and removing client funds from trust before they were earned, in violation of RPC 1.15-1(c). Boyd also admitted that he failed to make reasonable efforts to ensure that his bookkeeper’s and staff’s conduct was compatible with his professional obligations, in violation of RPC 5.3(a).

The parties agreed that Boyd’s conduct was aggravated by his substantial experience in the practice of law, but was mitigated by his absence of a prior disciplinary record, timely good-faith effort to rectify the consequences of his misconduct, and full and free disclosure during the disciplinary proceeding.

SHANNON M. KMETIC
OSB #963302
Oregon City
Public reprimand

Effective Dec. 23, 2019, the disciplinary board approved a stipulation for discipline publicly reprimanding Shannon M. Kmetic for violations of RPC 1.5(a) (excessive fee) and RPC 1.16(d) (failure to take reasonable steps upon termination to protect a
A client hired Kmetic to represent him in a criminal matter pursuant to a written flat-fee agreement, but then terminated Kmetic and retained new counsel shortly before the scheduled trial. The client requested an accounting of the flat fee and demanded the return of three-quarters of the total fee. Kmetic provided an accounting, but disputed that the client was due any portion of the fee at that time.

A few months later, Kmetic retained counsel to represent her in connection with the client’s civil claims against her, as well as his bar complaint. Thereafter, counsel for both the client and Kmetic engaged in negotiations over an appropriate amount Kmetic would refund to the client. Approximately a year later, notwithstanding that no agreement had been reached on the amount, Kmetic unilaterally refunded 25 percent of the total fee.

Kmetic acknowledged that, by failing to promptly refund any portion of the client’s fee after she was terminated before completing the representation for which she was paid the flat fee, she collected an excessive fee in violation of RPC 1.5(a). Similarly, she failed to reasonably protect her client’s interests upon termination by refunding unearned fees, in violation of RPC 1.16(d).

Kmetic’s conduct was aggravated by a prior disciplinary history and substantial experience in the practice of law, but mitigated by an absence of a dishonest or selfish motive and cooperation in the disciplinary proceedings.

THEODORE C. CORAN
OSB # 822260
McMinnville
30-day suspension

Effective Jan. 3, 2020, the disciplinary board approved a stipulation for discipline suspending Theodore C. Coran for 30 days for violations of RPC 1.4(b) (duty to explain a matter to the extent reasonably necessary to permit the client to make an informed decision about the representation); RPC 1.5(a) (excessive fee); RPC 1.7(a)(2) (a personal-interest conflict of interest); and RPC 1.8(a) (business transaction with a client without appropriate disclosures).

While employed by a public defender association, Coran was appointed by the court to represent a criminal defendant.
He met with the client, who expressed a desire to retain a private attorney. The client asked Coran what his time would be worth, and Coran told him he would likely charge $10,000. Thereafter, Coran received several checks on behalf of the client, totaling $10,000. Although Coran had already agreed to court appointment, he accepted the $10,000 and prepared a flat fee agreement, which the client signed.

Coran did not notify the court or the public defender association that he was now the client’s privately retained counsel. Upon learning of the arrangement, the prosecutor confronted Coran about it. Thereafter, Coran and his investigator visited the client and confirmed the client’s consent to the fee arrangement. Coran then prepared and presented the client with a memorandum, which Coran had the client sign.

Both prior to the client signing the fee agreement and prior to the client signing the memorandum, Coran failed to provide adequate information or explanation to the client, and did not advise the client to seek the advice of independent legal counsel.

The stipulation for discipline noted that Coran’s conduct was aggravated by a prior history of discipline, a selfish motive and substantial experience in the practice of law, but mitigated by the absence of a dishonest motive, cooperation and the imposition of other penalties and sanctions.

DANIEL F. KELLINGTON
OSB #650605
Medford
Public reprimand

Effective Jan. 13, 2020, the disciplinary board approved a stipulation for discipline and publicly reprimanded Medford attorney Daniel F. Kellington for violating RPC 1.15-1(a), RPC 1.15-1(b) and RPC 1.15-1(c).

In December 2018 and January 2019, Kellington paid himself with funds held in his trust account before they were earned as attorney fees or incurred as costs. In February 2019, Kellington wrote a $1,000 check from his trust account at a time when his account held insufficient funds. The bank honored the check, overdrawing his trust account. In curing the overdraft, Kellington deposited more money than required to restore client funds to the trust account.
Kellington admitted that he failed to safeguard client funds in his possession and failed to keep complete records of client funds held in trust, in violation of RPC 1.15-1(a). Kellington also deposited funds into his trust account for reasons other than bank service charges or to meet minimum balance requirements, in violation of RPC 1.15-1(b), and withdrew client funds from his trust account before fees were earned or expenses incurred, in violation of RPC 1.15-1(c).

Kellington’s conduct was aggravated by a selfish motive and substantial experience in the practice of law. In mitigation, the stipulation noted the absence of a prior disciplinary record, a timely good faith effort to rectify the consequences of his misconduct, and full and free disclosure during the disciplinary proceeding.

Note: Current disciplinary opinions and orders not yet published in the Disciplinary Board Reporter may be found at www.osbar.org/publications/dbreporter/2019.html.
Among Ourselves

Jonathan M. Hoffman of MB Law Group has received the 2019 John P. Raleigh Lifetime Achievement Award from PLAC (formerly the Product Liability Advisory Council). PLAC is a national specialty bar association consisting of product manufacturers and select legal professionals. Hoffman has been a major contributor to PLAC throughout his career, authoring or assisting the group with more than 25 amicus curiae briefs in federal courts of appeal across the country and in the U.S. Supreme Court. The award is the group’s highest honor and only has been bestowed nine times since PLAC’s founding in 1982.

Samuels Yoelin Kantor has announced that litigator Darlene Pasieczny recently was elected to the office of treasurer for the Public Investors Bar Association. Pasieczny’s practice includes investment loss recovery, trust and estate disputes, financial elder abuse and FINRA securities arbitration.

Julia Markley, a partner at Perkins Coie, has received the 2019 Daniel K. Inouye Trailblazer Award from the National Asian Pacific American Bar Association. NAPABA’s highest honor recognizes the outstanding achievements, commitment and leadership of lawyers “who have paved the way for the advancement of other Asian Pacific American attorneys” in the legal industry. Markley is a civil litigator and a member of Perkins Coie’s firm-wide executive committee. She also is the founding president of two affinity bars, the Oregon Filipino American Lawyers Association (2017) and the Oregon Asian Pacific American Bar Association (2009).

The Oregon Senate has approved Gov. Kate Brown’s appointment of Tonkon Torp partner Anna Sortun to serve as a commissioner on the Oregon Government Ethics Commission. The nine-member OGEC, established in 1974, meets every six weeks and is charged with enforcing government ethics laws. Those laws prohibit public officials from using their office for financial gain and require the public disclosure of economic conflicts of interest. The OGEC also enforces state laws which require lobbyists and entities they represent to register and periodically report their expenditures.

Bob Maloney, a shareholder at Lane Powell, has been appointed to the National Center for State Courts. The NCSC consists of the chief justice of the Supreme Court in each state, general counsel from leading companies throughout the United States and prominent lawyers from major plaintiff and defense law firms throughout the country. The organization has become a national voice for state courts in a range of areas, including civil jury reform, independence for election of state court judges, electronic discovery, management of complex civil cases and advice on dealing with legal systems in other countries.

Brent N. Wilkins of Bryant, Lovlien & Jarvis recently was elected vice president of the board of directors for NeighborImpact. The organization provides services across central Oregon, helping families and individuals achieve stable and secure futures.

Leonard DuBoff, founder of The DuBoff Law Group, has announced that The Law (in Plain English) for Photographers, Fourth Edition, is now available from Allworth Press, an imprint for Skyhorse Publishing. Co-authored by DuBoff and Sarah J. Tugman, the latest edition updates a book originally written by DuBoff in 1995 and joins nearly a dozen other books in DuBoff’s The Law (in Plain English) series.

Tonkon Torp partner Ron Greenman has received the 2019 James B. Castles Leadership Award from the Oregon State Bar Business Law Section. The award was established in 1998 to recognize outstanding business lawyers who have made significant contributions to the public. Greenman was one of Tonkon Torp’s first attorneys when he joined the firm in 1978. His practice emphasizes securities, finance, corporate acquisitions and leveraged buyouts, as well as counseling companies through the stages of growth. In 1991, he helped found the Lawyer’s Campaign for Equal Justice and remains an active board member for the organization. He has also served on the board of directors for the Oregon Law Foundation, the board of trustees for Pacific University and the board of directors for the Tri-County Youth Services Consortium.

Tonkon Torp partner Kimberlee Stafford has been elected chair of the board of directors for The Street Trust, a nonprofit organization that promotes community partnerships to improve public transit, walking and bicycling conditions in Oregon. Throughout her career, Stafford has advocated for the integration of sustainable ideas and practices into the practice of law. She is a member of the Oregon State
Bar Sustainable Future Section executive committee; in 2015, she was presented with the Oregon State Bar President’s Sustainability Award.

Stoel Rives has received a score of 100 percent on the Human Rights Campaign Foundation’s 2020 Corporate Equality Index (CEI), the nation’s premier benchmarking survey and report measuring corporate policies and practices related to LGBTQ workplace equality. The CEI rates companies and top law firms on detailed criteria under five broad categories: non-discrimination policies; employment benefits; demonstrated organizational competency and accountability around LGBTQ diversity and inclusion; public commitment to LGBTQ equality; and responsible citizenship.

**Moves**

Lee Gilgan has joined Black Helterline as an associate attorney. Gilgan, who focuses his practice on advising closely held businesses and their owners, has advised and served businesses across a wide variety of industries.

The founding partners of Wildwood Law Group have announced the opening of the firm, which assists individuals and small- and medium-size companies with their business and litigation needs. Ali Bell helps clients understand, manage and protect their intellectual property. She also regularly reviews, negotiates and prepares contracts for clients with a focus on businesses with significant intellectual property assets. Nick Kampars is a litigator who represents individuals and businesses in complex business disputes;
he frequently handles cases involving contract and breach of fiduciary duty claims in closely held businesses. Jeanne Sinnott is a litigator with significant experience representing large and small companies, individuals, financial institutions and investors in matters involving real estate disputes, tort claims, breach of contract claims and debtor-creditor issues. Sinnott also represents clients in adversary proceedings in bankruptcy court. Brian Sniffen focuses his practice on intellectual property, privacy and business transactions. He helps clients obtain and enforce intellectual property rights, comply with privacy laws, respond to data-security incidents, form and maintain corporate entities, and negotiate a wide variety of contracts. Meghan Williams is a business lawyer who advises clients in all aspects of running a business, including strategic planning, commercial transactions and corporate governance; she also regularly assists clients with real estate transactions.

Tonkon Torp has elected Claire Brown, Melina LaMorticella and Melany Savitt to partnership, effective Jan. 1, 2020. Brown joined the firm’s business department in 2012. She works with startups and established companies to solve a broad range of legal issues in securities law, corporate finance, corporate governance, contract negotia-
LaMorticella joined the business immigration practice group in 2014. She manages immigration matters for regional and international companies, ranging from labor certifications and naturalizations to extraordinary ability petitions. LaMorticella is also active in the business immigration community; she was chair for the Oregon chapter of the American Immigration Lawyers Association from 2016-17, AILA liaison to the Oregon Department of Motor Vehicles for five years and served two years at Portland State University’s immigration clinic. Savitt joined the business immigration practice group in 2012 with nearly 10 years of experience in business immigration. Savitt guides employers and foreign nationals through the maze of immigration law, handling the full range of nonimmigrant work visas. She also has extensive experience with PERM labor certifications and immigrant visa petitions for multinational executives and managers, as well as individuals meeting the extraordinary-ability threshold.

Chris Rich has been appointed office managing partner at Perkins Coie in Portland. Rich joined the firm in 2006 as of counsel and became a partner in 2009. He’s a member of the environment, energy and resources practice and has been serving as chair of the Portland hiring committee for the past five years. Rich focuses his practice on complex environmental regulatory work (permitting, compliance, enforcement, cleanup, transactions and project development). His 20 years of experience working with state and federal regulatory agencies includes serving as a former state DEQ enforcement officer, litigating environmental cases in private practice and serving on state advisory committees, business organizations and boards.

Tyler Hall is the newest trademark attorney at McCoy Russell. He represents clients in all aspects of trademark matters,
including licensing and managing trademark portfolios, conducting due diligence on trademark portfolios and preparing and prosecuting trademark applications.

Josh B. Ewing has become a named partner with Boise Matthews Ewing, which he joined as an associate in 2017. His practice focuses on state and federal criminal trials and appeals, and professional licensure matters.

Fisher Phillips has announced the election of 17 attorneys to partnership across the country, including Lisa Vickery in the Portland office. Vickery represents public- and private-sector employers in labor negotiations, labor arbitrations and administrative hearings, and she has successfully litigated unfair labor practice charges before the National Labor Relations Board and state labor boards. She’s also a member of the Oregon Public Employer Labor Relations Association.

Kristin Asai and Brent Berselli have been elevated to partner at Holland & Knight’s Portland office. They previously were associates. Asai is a member of the firm’s litigation section. She is a trial attorney who is well versed in all stages of commercial litigation and has successfully represented clients in numerous state and federal courts at the trial and appellate levels. Berselli is a member of the firm’s business section. He focuses his practice on tax planning for individuals and businesses, including corporate and estate planning for closely held and family-owned businesses.

Five Lane Powell attorneys have been elected shareholders of the firm effective Jan. 1, 2020, including three in the Portland office. Justin J. Cabrera represents clients in commercial real estate transactions,
including purchase and sale transactions, commercial leases and subleases, construction and engineering, and portfolio analysis for a national retailer with more than 1,600 locations. He also works closely with company leadership to implement process and strategy for existing fleet and new developments.

Katie Gallagher counsels clients on business matters, including corporate governance and restructuring, mergers and acquisitions, commercial contracts and corporate financings. She also advises clients about regulatory matters, risk management, government contracting and other business operations.

Matthew D. Viers represents entrepreneurs, start-ups and investors in connection with corporate venture capital financing, intellectual property licensing and other emerging company transactional matters. He also advises clients on mergers and acquisitions, and other strategic corporate transactions.

Portland litigation firm Markowitz Herbold has appointed Anna Joyce to serve as managing shareholder. Joyce, who joined the firm in 2015, is the former solicitor general for Oregon and now leads the firm’s appellate practice. She is the third woman and second LGBTQ attorney to take the helm since the law firm’s founding in 1983. Joyce replaces Kerry Shepherd, who held the position for four years and will continue to focus on his complex commercial litigation and government practice.

Hrishi Shah has joined Davis Wright Tremaine as an associate in the Portland

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The Oregon State Bar is looking for someone to provide counsel to the bar in the evaluation, investigation, and litigation through trial and appeal of ethics complaints made against Oregon lawyers.

Please visit [www.osbar.org/osbcenter/openings.html](http://www.osbar.org/osbcenter/openings.html) for job details.

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**McDOWELL RACKNER GIBSON PC**

**IS PLEASED TO WELCOME**

**LISA HARDIE**

as a shareholder in the firm. Lisa has an extensive background in utility regulation, having served for two years as Chair of the Public Utility Commission of Oregon and, prior to that role, five years as an administrative law judge for the Commission. Lisa has many years of experience advising clients in the areas of electric industry regulation and litigation, restructuring and deregulation, regulated ratemaking and economic policies, and general business litigation.
office. He advises clients on the full range of employee benefits issues, including compliance with ERISA, ACA and the IRS, and other federal laws. He counsels plan sponsors and trustees on matters such as tax qualification and correction actions. At the same time, the firm has promoted Laura Warf to counsel. Her practice focuses on providing transactional advice and strategy to food and beverage brands, restaurants and other consumer companies, particularly through periods of transformational growth and change.

Erica N. Menze has become a shareholder at Alterman Law Group. Her practice focuses on business and real estate transactions, including land use matters. Menze also represents clients in real estate and business litigation, where her experience as a transactional attorney benefits clients in tense disputes. Menze is active in the Commercial Real Estate Women Portland division and is a fellow of the Real Property, Trust and Estates section of the American Bar Association.

Chelle Haynes has joined Thorp Purdy Jewett Urness & Wilkinson as an associate attorney. Haynes has a general practice with a focus on litigation. In addition, Maura Roberts has been named a shareholder with the firm, where she has worked since 2015. Her practice areas include probate and trust administration, estate planning, elder law and guardianships/conservatorships.

Hathaway Larson

We are pleased to announce our new partner

Jeni Meyer

Jeni specializes in real estate transactions and finance, with an emphasis on borrower-side commercial finance matters.

Hathaway Larson Koback Connors Heth LLP
hathawaylarson.com
Marcus Vejar has joined Diment & Walker as an associate attorney. Vejar’s practice focuses on family law, including divorce, custody and parenting time, support, and restraining and stalking orders. He currently coaches moot court for South Eugene High School and is the assistant moot court coach for the University of Oregon School of Law.

Assayag Mauss is merging with Snell & Wilmer. The move, which brings Assayag Mauss’ eight lawyers to Snell & Wilmer, enhances the firm’s commercial and litigation footprint in Orange County, Calif., and expands its geographic reach into the Pacific Northwest. Founders Michele Assayag and Byron Mauss now are partners in Snell & Wilmer’s Orange County office.

Shane P. Davis has joined the litigation team at Johnson Johnson Lucas & Middleton. His practice focuses on personal injury, medical malpractice and products liability cases.

Romain Group partners Danelle Romain and Mike Freese have formed Romain Freese, a bipartisan firm with the institutional expertise necessary to help clients ranging from Fortune 500 corporations and trade organizations to local municipalities achieve their goals. With extensive legal, lobbying and policymaking backgrounds, the firm provides counsel and strategic guidance to help clients navigate complex policy issues in an evolving political climate. Note that the firm’s website has changed to RFlawlobby.com.

Molly Honoré and Stanton Gallegos have become shareholders with the Portland litigation firm Markowitz Herbold. Honoré represents business clients in complex disputes. She routinely advises and represents clients.

Have an Item for the Bulletin?

The Bulletin welcomes short items about Oregon lawyers and law firms for the Bar People pages of the magazine. Notices are published at no cost.

Email notices to: editor@osbar.org

Submissions are subject to editing and published in the order received.

The Bulletin publishes photographs (single headshots only) in “Moves” and “Among Ourselves” and “In Memoriam.” The fee is $20 for each photograph. The notice itself is free. Paid professional announcements are also available.

Inquire at advertising@osbar.org.

Questions? Call the Bulletin (503) 431-6356 or (800) 452-8260, ext. 356.

Welcome, Renée Rothauge

PERKINS COIE is pleased to announce that Renée Rothauge has joined the litigation practice group in our Portland office. Renée brings 30 years of trial experience and dedication to the legal profession. We are proud to add her skills, talents, and professionalism to our trial team. Welcome, Renée.

PerkinsCoie.com

CHRIS RICH | PORTLAND MANAGING PARTNER
CRich@perkinscoie.com | +1 503.727.2000
Perkins Coie LLP  Attorney Advertising
in shareholder and contract matters, business tort claims, products liability, professional negligence and real estate litigation. Gallegos represents businesses and nonprofits in complex litigation, including cases involving securities, shareholder disputes, breach of contract, products liability, class actions, employment discrimination claims and other torts. He also represents clients on appeals in state and federal courts, both as parties and as amicus curiae.

Robert Bonaparte and Nell Hoffman Bonaparte have opened Bonaparte & Bonaparte. Robert continues to handle insurance coverage disputes, and Nell continues her practice in trusts and estates. The offices of Bonaparte & Bonaparte are located in the Gus J. Solomon U.S. Courthouse in downtown Portland.

Stoel Rives has announced that Timothy Hatfield and Melissa Healy have become partners of the firm. Hatfield helps his clients deliver innovative health care products and services in a complex and ever-changing regulatory environment. He has particular experience in health fraud and abuse, insurance regulation and Medicare/Medicaid reimbursement. Healy represents employers in all areas of labor and employment law. She has significant litigation experience and has
first- or second-chaired more than 15 jury trials and arbitrations. She has also regularly represented employers in discharge and contract interpretation arbitrations and before the National Labor Relations Board.

Lauren Barnhart has joined Posey Legal as a senior associate. Barnhart has been practicing in the greater Portland area since 2013 and will continue her practice in family law, probate and estate planning.

CLEAResult, an energy efficiency consulting firm in Portland, has welcomed Elisa Dozono as senior counsel. Last year, Dozono received the Oregon Women Lawyers Roberts & Deiz Award for her work to empower women and marginalized communities in the legal profession. She continues to serve as a judge pro tem in Washington County and on the boards of Oregon Public Broadcasting and ACLU of Oregon.

In Memoriam

Robert “Bob” Carney, a retired name partner at the Portland law firm Dunn Carney Allen Higgins and Tongue, passed away Oct. 1, 2019, at the age of 97.

Carney’s career as a lawyer spanned 52 years and included service as assistant attorney general, assistant district attorney and assistant U.S. attorney, followed by private practice at what is now known as Dunn Carney.

He was born with a twin brother in Northwest Portland to Irish immigrants Michael and Bridget Carney in 1922. He earned a business degree from the University of Portland, then served in the U.S. Navy during World War II. He was awarded the Purple Heart for his service aboard the USS
Jennifer Morrissey is a member of Black Helterline’s Immigration Practice Group. Jennifer advises individuals and employers in matters involving employment-based work visas, labor certifications, and petitions for multinational executives and managers. She also represents individuals in matters involving family-based immigration, naturalization, deportation, and asylum. Jennifer speaks Spanish fluently, and spent two years as a Peace Corps Volunteer in Central America before pursuing her law degree. Jennifer is a past chair of the Oregon Chapter of the American Immigration Lawyers Association, and was a member of AILA National’s Board of Governors. She is licensed in Oregon, and has practiced immigration law in Portland since graduating from Lewis & Clark Law School in 2003.

We are very pleased to announce that Jennifer Morrissey has been admitted as a partner in the firm.

Jennifer Morrissey

Bush (DD529), a ship that earned seven battle stars and was hit and sunk on April 6, 1945, by three kamikaze planes.

After the war, Carney and his brother attended University of Oregon School of Law and practiced law in Portland.

Carney enjoyed visiting the firm long after he retired, occasionally stopping by for happy hour to share old stories with senior partners he originally had known as associates. When the firm shortened its name to Dunn Carney in 2016, he came to inspect the new logo and toast the new name.

Carney’s wife of nearly 65 years, Kathleen Elizabeth Carney, passed away in 2016. He is survived by his children Mike, Dan, Jim, Liz and Tom; five grandchildren; and two great-granddaughters.

Don H. Marmaduke, one of Tonkon Torp’s founding partners, passed away at home on Oct. 17, 2019, at the age of 93. His family was at his side.

A Portland native, Marmaduke attended Woodlawn Grade School and Jefferson High School. He graduated from Yale University with a degree in engineering in 1946, served in the U.S. Navy and worked at an engineering firm for a few years before deciding law would be a more interesting career path. He graduated from Harvard Law School in 1951 and returned to Portland to begin building his litigation practice.

In 1965, Marmaduke traveled to Mississippi to represent civil rights activists under hostile and difficult conditions. His most prominent case during the civil rights era resulted in the desegregation of the Neshoba County Courthouse in Philadelphia, Miss., giving African Americans the ability to register to vote at the courthouse for the first time.

In 1974, Marmaduke joined Ken Stephens, Brian Booth, Moe Tonkon, Fred Torp, Morris Galen and Terry Baker to form Tonkon Torp Galen Marmaduke and Booth.

Marmaduke was a preeminent trial attorney who specialized in civil cases before state and federal courts. As Tonkon Torp’s senior trial partner, he ultimately tried more than 250 cases, many of which resulted in landmark rulings. Among them: the
medical antitrust case of *Patrick v. Burget*, in which the U.S. Supreme Court unanimously upheld his jury verdict.

Marmaduke dedicated hundreds of hours to civil rights cases through the Oregon chapter of the ACLU. In recognition of his unwavering service to justice, Tonkon Torp created and presented its inaugural Don H. Marmaduke Pro Bono Service Award at the firm’s annual retreat in May 2019.

Among the many roles he served in support of the legal profession, Marmaduke was president of the Multnomah Bar Association, a delegate to the American Bar Association and a fellow of the American College of Trial Lawyers and the International Society of Barristers. He also worked with the Oregon ACLU, Metropolitan Public Defender, Oregon Association of Defense Counsel and the State Public Defender Committee.

As an active contributor to Oregon’s legal knowledge base, Marmaduke was co-editor-in-chief of Oregon’s first three-volume work on civil pleading and practice, and taught remedies as an adjunct instructor at Northwestern School of Law at Lewis & Clark College. Equally active in his community, he supported many organizations, including the YMCA, Tri-County Community Council, United Way of Columbia-Wilamette, Portland Center for the Visual Arts and the Lake Oswego School Board.

In 2002, Marmaduke reflected on his choice to drop engineering for law by saying, “I have enthusiastically embraced the practice of law. I love it, and that’s the only reason I’m still doing it. I’ve enjoyed going to work every day, enjoyed learning what I learn out of every new case. I enjoy the people I work with, orchestrating the claims or the defenses, the presentation to the juries or the judges, and the whole thing is very exciting and satisfying to me.”

Marmaduke also enjoyed skiing, fly fishing on the Deschutes River and visits to his house on the Oregon coast, where he took pleasure in the area’s natural beauty and its wildlife, particularly Gearhart’s elk herd. He is survived by his wife Carol and his daughters Susan, Maggie, Polly and Jaybird. In lieu of flowers, donations to the Oregon Humane Society or Southern Poverty Law Center are suggested.

Joseph Phillip French, 90, passed away from natural causes on Dec. 9, 2019, in Vancouver, Wash. He was born July 9, 1929, in Pendleton and grew up in Heppner.
MEET OUR NEWEST ASSOCIATE, ANDREA MEYER.

We are pleased to welcome Andrea to our litigation department. Her experience includes general commercial litigation, business disputes, and real estate litigation.

ameyer@sussmanshank.com
503.972.4254

SUSSMAN SHANK LLP
ATTORNEYS
PORTLAND | sussmanshank.com | 503.227.1111

French attended the University of Oregon, where he earned his bachelor’s degree in 1951, and then attended law school at Willamette University with admittance into the Oregon State Bar in 1954.

Upon completion of law school, French entered the U.S. Army and served one year in Seoul, South Korea. He returned to Pendleton and formed the law firm of Currin & French, where he practiced law from 1955-71. He then moved to Salem and set up his own law practice, devoting significant time to real estate development. He developed and owned several motels throughout the Pacific Northwest.

French was a passionate Oregon Duck football fan and season ticket holder for more than 45 years. He told many great stories of his experience as the student team manager of the 1948 football team that participated in the Cotton Bowl.

French is survived by his wife Lois; sons Craig and Brad; daughter-in-law Tania; and four grandchildren (Holly, Sally, Everett and Pierson).

Additional Notices

Richard M. Mollison
74, Dunn Loring, Va., June 26, 2019

Timothy N. Brittle
69, Portland, July 5, 2019

Norman A. Rickles
68, Portland, Aug. 14, 2019

Stephen S. Ford
59, Portland, Oct. 26, 2019

Gene A. Noland
85, La Grande, Nov. 9, 2019

William B. Crow
88, West Linn, Nov. 10, 2019

David M. Logan
78, Springfield, Nov. 15, 2019

John M. Keller
64, Portland, Dec. 9, 2019

Duane W. Schultz
74, Grants Pass, Dec. 14, 2019

Michael E. Swaim
76, Salem, Dec. 17, 2019

Nicholas Fish
61, Portland, Jan. 2, 2020

Randy L. Gori
47, Edwardsville, Ill., Jan. 4, 2020
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FOR SALE — Complete set of Oregon Reports and Court of Appeals Reports. PRICE: $5,000 Shelves available. Will deliver in Oregon. CALL: (541) 426-4912.

LAW LIBRARY, COMPLETE SET ORGON REPORTS and Oregon Appellate Reports, $5,000, (503) 650-8010.

OFFICE SPACE

1400 SW MONTGOMERY STREET, PORTLAND Offices available in Goose Hollow neighborhood, just outside downtown core. Share space with small firm, solo lawyers, other professionals. $750/month includes parking, reception services, conference room, other amenities. Support staff space also available. Contact Gaylord Eyr- man Bradley PC at (503) 222-3526 or email receptionist@gaylorderyman.com.

5200 MEADOWS EXECUTIVE OFFICE SUITES — Offering Executive Suites, mail service, phone reception, meeting rooms, business support and more. Call (503) 726-5999 or visit 5200meadows.com.

APPROXIMATELY 10 X 16 FURNISHED, $1000/ MO — Family Law practice in Umpqua Bank Building will share two conference rooms, receptionist services and kitchen. Building access includes gym, bike locker, tenant lobby, restaurants and more. Call Kristen at (503) 224-7077 for details.

BUILDING FOR SALE — $285,000. Ideal for law office. Gateway area Bob at Butler Brokers (503) 222-4949 Cell.

DOWNTOWN EUGENE, 975 OAK STREET — Spacious, view office in upper level of Class A Citizens Building. Ample staff space, copier and conference/library provided. Congenial atmosphere. Some work overflow probable. Would consider shared reception. $975/mo. Contact Terri at (541) 345-3333.

DOWNTOWN PORTLAND, 1000 BROADWAY, CLASS A SPACE, 23rd floor, receptionist, voice mail, conference rooms, copiers, scanners, phone, gym, showers, bike rack, starting at $750/mo, (503) 274-1680.

DOWNTOWN SALEM, NEWLY RENOVATED — Oregon Building, 494 State St, 3rd floor. Large corner office and two adjacent offices. Shared lobby, conference rooms and kitchen. Rent negotiable depending on space needed. William Brandt (503) 485-4168.

EXECUTIVE OFFICE FOR LEASE — 11th floor office in Lincoln Tower of Southwest Portland with impressive views, in a suite with three individual offices. Approximately 15x11 feet. Suite includes large conference room, open secretarial station, phone system, WiFi, reception area and kitchen. Basic reception services provided. Please contact neda@sooflaw.com or (503) 972-0404.

HILLSBORO — 1 elegant office suite 1 block from courthouse. $800.00/mo all utilities included w/first month & other amenities. For pics/info contact John Elliott: (971) 404-6061, or JMEDrum@Earthlink.Net.

HILLSBORO DOWNTOWN OFFICE SPACE one block to courthouse, free reserved parking. Single private offices on month to month or longer. $25 per month. Larger suites also available. New Comcast high speed internet available! Call Jay Weil (503) 924-5772, or email jayweil@aol.com.

JOHN’S LANDING OFFICE SPACE — Spacious Partner office with beautiful Willamette River view on the top floor in the Panorama Building at 4504 SW Corbett Avenue, Suite 200, Portland, Oregon on the corner of SW Corbett and SW Hamilton Avenues. Support staff space also available. Quiet, congenial, client friendly space with covered client parking and elevator to top floor from parking garage, access to common areas (reception, conference room, kitchen, shower). Rent includes receptionist service, phone system, copier/fax/scan (at cost). Office currently available. Contact Craig Nichols (503) 224-3018 or craig@nicholslawgroup.com.

ONE BEAUTIFUL OFFICE AVAILABLE IN MODERN, CLASS A BUILDING IN DOWNTOWN PORTLAND — Two secretarial spaces are available as well. Located in proximity to Multnomah County and Federal courthouses. The office is within a suite shared by two established law firms. The office and the available conference rooms present your clients with knockout views of the West Hills. The location is on the top floor of the 1000 Broadway Building. Two conference rooms, kitchen and file room available to share and receptionist services provided as part of lease. Copier, fax and postage services available. Parking (not included), private gym, and bank in building. Call Scott Brown at (503) 228-5027.

PORTLAND DOWNTOWN — Remodeled & modern Class A office space on 9th Floor of 1000 SW Broadway Building. Currently available for sublet is 1 office and 1 smaller work space/office. Offered together or separate. Price and terms are negotiable and depend on term and amenities. Usual amenities offered (conference room, kitchen, receptionist, copier, workout room, etc.) Contact Tim Landis @ (503) 220-1331 / tim@tlandislaw.com or Mark Olmsted @ (503) 445-4453 / mark@olmstedlaw.com.

STUNNING DOWNTOWN OFFICE SPACE FOR RENT in historic building with historic firm. Blocks from Multnomah County and Federal Courthouses. Please contact Larry Sokol (503) 228-6469, larry@sokolfoster.com if interested.

SUBLEASE ONE OFFICE SPACE or make Virtual /Executive office arrangement in Beaverton. Newly remodeled building in Griffith Park (off HWY 217, near Beaverton downtown). Free parking, internet & assistant work station. Rent is $200-600 depending on your needs. Contact Bao (503) 737-5621 or contact@askwong.com.

SUBLetting PROFESSIONAL OFFICE SPACE IN BEND OREGON — 2 office suite available with its own reception area (prefer longer lease). Individual offices also available month to month (or longer) with shared reception and copier access. Call (541) 948-8830 or email emmanuel@mill erandhopp.com.

SW PORTLAND (TIGARD TRIANGLE) OFFICE SPACE — 11501 SW PA-CIFIC HWY) First floor office available, either 1200 sq. ft. – 5 office suites w/ kitchen; or 5 individual executive offices (with reception). Suite: $2500, Executive offices starting at $400, with utilities. Lease terms available. Many amenities, including kitchen, access to conference room and private parking lot. Contact Darcy at darcy@ hg-wt.com.

TWO LAW OFFICES AVAILABLE DOWNTOWN at the Honeyman House, 1318 SW 12th Avenue, Portland. Professionally remodeled Victorian House. Easy street parking for clients, 10 minute walk to the courthouse, and easy freeway access. Amenities include law library, large conference room, access to copier and fax. One office is $600 per month and a smaller office is $425 per month. Both offices come with a free tenant parking place ($205/month value) with a minimum 30 month lease. Contact Al- lan at (503) 781-7887 or Eric at (503) 224-1212.
Wilson Stayer, Stayer Legal Search LLC cwstayer@stayerlegalsearch.com (503) 968-0901.

ASSISTANT DISCIPLINARY COUNSEL – LITIGATION – The Oregon State Bar is looking for someone to provide counsel to the Bar in the evaluation, investigation, and litigation through trial and appeal of ethics complaints made against Oregon lawyers. Essential Duties include: Responsible for reviewing and evaluating disciplinary investigations, seeking authority for and pursuing proceedings, pursuing negotiated resolutions where appropriate, and recommending appropriate outcomes to the State Professional Responsibility Board (SPRB). Gathers documents, interviews witnesses, conducts legal research, and analyzes facts and law. Represents the bar in formal disciplinary proceedings authorized by rule and/or the SPRB through trial or settlement and, when required, on appeal before the Supreme Court. Visit http://www.osbar.org/osbcenter/openings.html for job details. Equal Opportunity Employer.

ASSOCIATE ATTORNEY – Established Central Oregon law firm looking for a family law associate attorney to join our team. Ideal qualifications include at least 2-3 years of experience in family law, a competitive spirit, strong work ethic, and superior oral and written skills. Competitive salary and benefits will be based on experience and qualifications. Please submit a cover letter, resume, references and writing sample to resume@redmondlawyers.com.

ASSOCIATE ATTORNEY – Tomasi Salyer Martin PC is a 9-lawyer, dynamic law firm in downtown Portland, with a strong commitment to providing excellent services to our financial institution, business, and land use clients, while enjoying a balanced life in the Pacific Northwest. We seek an associate attorney with at least three (3) years of experience to complement our multiple practice areas including transactional, litigation, debtor/creditor, real estate, and general business. An attorney with litigation experience and familiarity with loan documents for lenders is a plus. We strongly value congeniality and teamwork among all our employees, and strive to think “outside the box” in our business model. We have been a majority women-owned firm since we opened our doors in June, 2012, and support diversity in our hiring decisions. Interested applicants should send their resume and cover letter to charles@tomasilawlegal.com.

ASSOCIATE ATTORNEY – FAMILY LAW – Small, busy Portland family law firm seeks enthusiastic associate. Friendly, supportive work environment. 2-5 years relevant experience preferred. Submit resume to mark@kramerassociates.com or fax letter/resume, attn: Jamie. (503) 274-4774.

ASSOCIATE ATTORNEY, NEWPORT, OR – Well established law firm representing a variety of local governments, entities, business organizations and individuals primarily in civil matters seeking a proactive attorney with excellent oral and written communication skills who can produce the high-quality work the firm is known for. We offer the opportunity to gain experience in a variety of areas of civil law while taking on significant responsibility under the guidance and mentoring of senior attorneys. Please submit resume, writing sample and professional references to davis@mggdlaw.com.

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.

BEND FIRM SEEKING SENIOR LITIGATION ATTORNEY – The thriving Bend and Portland law firm of Lynch Conger LLP is seeking an experienced senior litigation attorney to add to our growing Bend team. This position will work with many of our existing clients to send down the path in addition to attracting new business from across Oregon. The position is flexible in that we will consider Senior Associate, Of Counsel, and Partner-level litigators. The ideal candidate should be licensed in Oregon, have at least 10 years civil litigation experience, bring their own partial book of business, demonstrate excellent client relations skills, and enjoy working in a family-oriented environment. We value enjoyable personalities and team players. Headquartered in Bend with suburban Portland/Lake Oswego office. Competitive base salary, and bonus structure. Submit resume and short cover letter to Office Manager Kaci Price at kprice@lynchconger.com.

BEND OREGON LAW FIRM SEEKING AN ASSOCIATE – Miller & Hopp, Attorneys at Law, is a Bend, Oregon based law firm with a focus on Estate Planning, Business, Real Estate and Personal Injury. We have amazing clients and a great professional reputation. We are seeking an attorney who will mesh well with our team and who will help us to continue to provide excellent care and legal representation to our clients. Must be detail oriented, responsive, a critical thinker, top notch written and verbal communication skills and a good work ethic. Wills and Trusts, Land use, Real Estate, Business Trusts must possess an exceptional experience and be a self starter. We offer a competitive compensation package, health insurance, PTO and 401k. Please send cover letter, resume, and writing sample via email to emmanuelle@milnerandhopp.com. All inquiries will be confidential. www.milnerandhopp.com.

BROWNSTEIN RASK LLP, A MIDSIZED PORTLAND LAW FIRM IN DOWNTOWN PORTLAND AND SOUTH SALEM – The firm is seeking attorneys with 3-5 years’ experience in business and business litigation. The ideal candidate must possess excellent oral and written communication skills, strong legal research and analytical skills, with a strong commitment to providing high quality client service. We offer the opportunity to gain experience in a variety of areas of law. Competitive compensation and benefits. Interested candidates should send their resume and a cover letter to jobs@brownsteinrask.com.

BUSINESS ATTORNEY – Dufy Kekel LLP, a 13-attorney boutique law firm focusing on estate planning and administration, business, tax and real estate advice in Portland, Oregon, seeks a qualified candidate to fill an associate position. The ideal candidate will have the following qualifications: Minimum 7 years of experience working with business entities, including business start-ups, mergers and acquisitions, and general business matters; Exceptional academic credentials; Strong written and interpersonal communication skills; Oregon and Washington bar admission. The ideal candidate will also have a desire to actively market the firm, in addition to providing litigation services and supporting the firm’s existing client base. We offer an exceptional work environment, outstanding community and professional reputation. We value our firm culture, which is collaborative, friendly and respectful. Qualified candidates should submit cover letter and resume to Desinee Shestakofsky, dshestakofsky@dufyykekel.com.

BUSINESS/ESTATE PLANNING/REAL ESTATE ASSOCIATE – Bend’s oldest law firm is seeking an associate attorney with 1-5 years of experience to work in its thriving and sophisticated business, real estate, and estate planning practice. Qualified candidates must possess an attention to detail, be top one-third (1/3) of his or her law school class, have an interest in business, real estate, and estate planning demonstrated through law school coursework or relevant experience. We offer a competitive salary and benefits, and the opportunity to work on challenging projects in a collegial work environment. To apply, please submit cover letter, resume, and transcript with class rank to Laura Toftdahl, Bryant, Lovlien & Jarvis, 591 SW Millview Way, Bend, OR 97702 or laura@btlawyers.com.

Two offices available in downtown Portland – Partially furnished, upstairs corner double office (22 x 14) with large windows and sliding door to divide into two spaces. $1275. Nice upstairs office (11 x 14.5) with large window, newer carpet and paint, and separate secretarial area with desk and chair outside door. $695. Building located on the corner of SW 6th and Clay near the transit mall. Full reception and custom telephone answering from 8:00 am to 5:00 pm, library w/fireplace, conference room, shower, all usual equipment. 7 experienced attorneys, 4 blocks to courthouse, coffee shop and restaurant next door, fitness center one block. Parking available $200/month. 521 SW Clay. George: (503) 226-3607.

Two offices available in South Salem office building – $1,600 a month for each office space. (Office on the main floor and upstairs) Includes full-time receptionist, waiting room, kitchen, 8 hours a week clerical/paralegal assistance, phones, internet, placement on outside sign and copier (503) 549-page (week). Office building is a renovated 110-year-old home located on Commercial St SE in an established neighborhood of professional offices. Friendly, casual yet professional atmosphere. Please contact us at (503) 399-7001 or via email at info@bmv attorneys.com. 1415 Commercial St SE, Salem, OR 97302.

Two office shares in downtown Portland 1 month free with a 12 mo lease – One is 14x12 for $1,200 per month and the other is 15x10 for $1,025 per month. 10th floor office in Cascade Building. 2 blocks from Pioneer Square and MAX Transit. Alder Street Parking Garage across street. Rent includes reception, telephone/internet, office conference room, shred, copier & postage machine use. Building amenities: Gym, w/showers, tenant lounge. Contact Jamie @ (503) 243-2733 or jamie@kramer-associates.com.

West Linn – One office available February 1, 2020, approximately 13 x 14, in wonderful location next to West Linn Central Village. Large reception area shared with three attorneys. Utilities (excluding phone and internet) included in rent. Terms: month to month. Rent is $600.00 a month. Call if interested. (503) 656-5915.

Positions available

It is the policy of the Bulletin to only list opportunities for employment that are consistent with OSB Bylaw 10.

A LATERAL MOVE IS A DIFFICULT DECISION, so let us find you the perfect fit. Since 2000, Stayer Legal Search has been connecting lawyers with great opportunities in all sizes of law firms and companies. Our current searches cover nearly all practice areas. Let’s talk in confidence. Candice

72 OREGON STATE BAR BULLETIN • FEBRUARY/MARCH 2020
BUSINESS/MUNICIPAL LAW ASSOCIATE – Bend’s oldest law firm is seeking an associate attorney with 3-5 years’ experience to join its municipal law practice. Qualified candidates must have strong organizational skills, as well as the ability to work independently and as a team member. The ideal candidate will be a self-starter, have strong academic credentials, and outstanding writing and interpersonal skills. We offer competitive salary and benefits, and the opportunity to work on challenging projects in a collegial work environment. To apply, please submit cover letter, resume, and transcript with class rank to Laura Tofdtah, Bryant, Lovljen & Jarvis, 591 31st Street, Bend, OR 97702 or laura@bljlawyers.com.

CENTRAL OREGON NONPROFIT CONSERVATION GROUP SEEKING EXECUTIVE DIRECTOR – Central Oregon LandWatch is looking for someone with experience in organizational leadership, development and management. With a current staff of eight, including three attorneys, COLW has a 35-year track record as an advocate in Central Oregon, including state land use and federal environmental work. Protection of wildlife, farms and forests, and rivers and springs, along with promotion of urban planning and livable communities, are our principal program areas. A passion for protection of the environment and land use planning is a must and a law degree and experience in environmental work would be a plus. Competitive salary and benefits for a nonprofit organization commensurate with qualifications and experience. Interested candidates should send a cover letter, résumé and references to Paul@COLW.org. See the full job description at COLW.org. Inquiries will be maintained confidential upon request.

CITY OF SCAPPOOSE, OREGON IS ACCEPTING PROPOSALS FOR MUNICIPAL COURT JUDGE – Proposal Submission Deadline: 4:00 pm on March 31, 2020. No proposal will be considered unless fully completed in a manner provided in the RFP packet. Facsimile and electronic (email) proposals will not be accepted nor will any proposal be accepted after the stated due date and time. Any proposal received after the closing time will be returned to the submitter. All proposals unopened after a contract has been awarded for the required services. Proposers are required to certify non-dis- crimination in employment practices, and identify resident status as defined in ORS 279A.120(b). Pre-qualification of proposers is not required. All proposers are required to comply with the provisions of Oregon Revised Statutes and Local Contract Review Board (LCRB) Policy. Questions regarding the RFP may be directed to City Recorder Susan Reeves at 503-543-7146. For more information/view RFP please visit https://www.ci.scappoose.or.us/rips. The City of Scappoose is an Equal Employment Opportunity/Affirmative Action Employer. Owner Registrations. Submit a resume, our right to reject any and all RFP’s or to waive any irregularities or informalities in any bid.

CREDITOR’S RIGHTS & BANKRUPTCY ATTORNEY – EUGENE LAW FIRM – Herscher Hunter, LLP is interested in a creditor’s rights and bankruptcy attorney to fill an associate position. Herscher Hunter, LLP, a mid-sized, AV-rated regional law firm in Eugene for over 75 years. The associate position is a partner-track, working on a variety of matters including POCs, MFRs, objections, reaffirmations and stipulated orders. Candidates should have two or more years’ of experience in creditor bankruptcy matters with experience representing financial institutions client service and a desire to practice materials to Nicholas Frost, at nfrost@hershnerhunter.com. Herscher Hunter, LLP is an equal opportunity employer.


ESTATE PLANNING AND BUSINESS ATTORNEY – CORVALLIS, OREGON LAW FIRM – Smith, Davison & Brasier, PC is an established Corvallis law firm with decades of combined experience among our attorneys in the areas of estate planning, business, probate and trust administration, tax and real estate. As a firm, we take pride in being a collegial and supportive law firm, which enables us to provide the highest quality of service to our clients. We are seeking an attorney with a minimum of three years of private law firm experience, who will be capable of immediately taking on responsibility for representing clients in our areas of practice, while also being able to work as part of a team with the other attorneys in the firm. A successful candidate must have excellent communication and writing skills, a strong commitment to providing high-quality client service and a desire to practice law in Corvallis, Oregon. Interested candidates should reply to this post by submitting a cover letter, resume and a writing sample in confidence to: mgarnola@smithlaworegon.com.

EXPERIENCED LITIGATION ATTORNEY – CHENOWETH LAW GROUP – We are looking to add a litigation attorney to our team. This full-time position involves working within our litigation practice group to provide litigation services related to business, real estate, and trust and estate disputes. Candidates should be licensed to practice in Oregon (Washington a plus); have at least five years of litigation experience, including business, real estate, and trust/estate disputes; excellent skills in client relations, advocacy, research, writing, and legal analysis; ability to work independently and within a team environment; and demonstrate a strong personal commitment to the highest standards of excellence. This is a unique opportunity for the right candidate to join a growing, mid-size downtown law firm with a fun, team-oriented culture that offers competitive salary and benefits. For consideration, please send a resume and letter stating why this position is for you to careers@chenowethlaw.com.

LINCOLN DEFENDERS & JUVENILE ADVOCATES, The indigent defense program for Lincoln County is currently accepting applications from attorneys interested in providing contract indirect defense services for Lincoln County. We are seeking an attorney for a full time misdemeanor and felony case load. Applicants should have at least three years of criminal law experience. Please submit resume and cover letter to Lincoln Defenders and Juvenile Advocates, PO Box 1070, Newport, Oregon or you can email the same to greco@pioneer.net.

OREGON PACIFIC BANK seeks an attorney for position of Director of Trust Services to establish the direction, budget, policies and business development goals for a medium-sized Trust Department with offices in Eugene, Florence, Coos Bay, Roseburg and Medford. This position would be responsible for the operation of the Bank’s Trust offices focusing on developing and maintaining client relationships and in achieving overall departmental profitability. A Bachelor’s degree in a relevant discipline, J.D. preferred. Ten or more years of experience in trust administration or legal practice emphasizing trust, estate, and tax work. Salary commensurate with experience. Interested applicants should apply online at www.opbc.com.

STAFF ATTORNEY wanted for nine-lawyer public defender’s office. Full-time position to fill an associate position in the Oregon State Bar by start date. We handle misdemeanor and felony criminal cases, as well as juvenile delinquency and juvenile dependency cases. We prefer an attorney with felony experience, but all candidates will be considered. Salary depends on experience, plus benefits. For information contact: Southwest Oregon Public Defender Services, Inc. Attention: Laynie Wilson, Office Manager 465 Eloyd Avenue Coos Bay, OR 97420. (541) 267-2472. laynie@swpds.org.

SUSSMAN SHANK, LLP, A MID-SIZED, FULL-SERVICE COMMERCIAL LAW FIRM in Portland, Oregon has an outstanding opportunity for an associate to join its business transactions group on a variety of matters, including business acquisitions and sales, real estate, entity formation and corporate governance. The ideal candidate will have three to six years of experience, with experience representing business transactions preferred. Candidates should send materials to Nicholas Frost, at nfrost@hershnerhunter.com. Herscher Hunter, LLP is an equal opportunity employer.

TRANSACTIONAL ATTORNEY – EU- GENE LAW FIRM – Herscher Hunter, LLP is interested in a business transactions attorney to fill an associate position. Herscher Hunter, LLP, a mid-sized, AV-rated regional law firm in Eugene for over 75 years. The associate position is a partner-track, working within the business transactions group on a variety of matters, including business acquisitions and sales, real estate, entity formation and corporate governance. The ideal candidate will have three to six years of experience, with experience representing business transactions preferred. Candidates should send materials to Nicholas Frost, at nfrost@hershnerhunter.com. Herscher Hunter, LLP is an equal opportunity employer.

TRANSACTIONAL ATTORNEY – Tomasi Salyer Martin PC is a 9-lawyer, dy- namic law firm in downtown Portland, with a strong commitment to providing excellent services to our financial institu- tion, business, and land use clients. We seek a business-minded attorney who dedicates to business and practice development. Please address cover letters and resumes to Chief Operating Officer, Steven T. Seguin. Visit Susan Smussman Shank’s website for information on the firm and its attorneys at www. sussmanshank.com. Competitive Bene- fits and Compensation. Ranked one of the 100 Best Companies to Work for in Oregon. Equal Opportunity Employer.

THE WORKERS’ COMPENSATION BOARD INTENDS TO FILL AN ADMINISTRATIVE LAW JUDGE position in the Sutton Division. The position involves conducting workers’ compensation and OSHA contested case hearings, making evidentiary and other procedural rulings, conducting mediations, analyzing complex medical, legal, and factual issues, and issuing written decisions which include findings of fact and conclusions of law. Applicants must be good standing of the Oregon State Bar or the Bar of the highest court of record in any other state or currently admitted to practice before the federal courts in the District of Columbia. The position requires periodic travel, including but not limited to Eugene, Roseburg, and Coos Bay, and working irregular hours. The successful candidate will have a valid driver’s license and a satisfactory driv- ing record. Employment will be contin- gent upon undergoing a fingerprint- based criminal background check. The announcement can be found on the Department of Consumer and Business Services (DCBS) website at https://www. oregon.gov/dCBS/jobs/Pages/jobs.aspx and contains additional information about compensation and benefits of the position and how to apply. Questions regarding the position should be directed to Ms. Kerry Gar- rett at (503) 934-0104. The close date for receipt of application materials is March 30, 2020. DCBS is an Equal Op- portunity Employer/Disability/Equal Employer Committed to Workforce Diversity.
with at least two (2) years of experience drafting corporate and business documents primarily to support our commercial litigation practice. An attorney with experience drafting loan documents for lenders is a plus, but we are willing to mentor someone with transactional experience. The ideal candidate for this position is a self-starter with excellent multi-tasking and project management skills who appreciates the importance of using a process-oriented approach to meet client expectations through the on-time delivery of flawless work product. We have been a majority women-owned firm since we opened our doors in June, 2012, and support diversity in our hiring decisions. Interested applicants should send their resume and cover letter to jcharles@tomalislegal.com.

TRIBAL COURT SEeks INDIGENT DEFENSE ATTORNEYS – The Confederated Tribes of Grand Ronde Tribal Court is seeking applications for our Indigent Defense Program. These attorneys will represent children and parents for child and juvenile cases in our Tribal Court. Call (503) 879-4623, email CourtPrograms@grandronde.org or visit our website: https://www.grandronde.org/government/tribal-court/tribal-court.html.

PRACTICES FOR SALE

CENTRAL WASHINGTON ELDER LAW & ESTATE PLANNING PRACTICE with a practice/case breakdown by revenue of approximately 34% Probate, 30% Estate Planning, 19% Guardianship, 13% Medicaid Planning, and 4% Vulnerable Adult. The Practice has average gross revenues of over $266,000 the last three years (2017-2019), with 2019 gross revenues over $300,000. The Owner of the Practice is open to selling the office building to the person who purchases the Practice, if desired. Contact info@privatepracticetransitions.com or call (253) 509-9224.

ESTABLISHED PIERCE COUNTY INSURANCE DEFENSE PRACTICE that was established in 1998 and has approximately 150 active clients as of December 2019. The average gross revenue the last three years was over $1,017,000. The practice/case breakdown by revenue is 50% Bodily Injury, 10% Property Damage, 10% Product Liability, 10% Professional Liability, 10% Plaintiff Work, and 10% Other. Contact info@privatepracticetransitions.com or call (253) 509-9224.

ESTABLISHED SEATTLE ESTATE PLANNING PRACTICE that has a practice/case breakdown by revenue of approximately 15% Real Estate, 20% Trust Administration, 40% Estate Planning, and 15% Other (Collateral Matters, Estate Tax Preparation, Real Property Issues, etc.). The Practice is located in the heart of downtown Seattle, has averaged gross revenues of over $286,000 the last three years (2016-2018), and is poised for growth under new ownership. Contact info@privatepracticetransitions.com or call (253) 509-9224.

ESTABLISHED TUMWATER FAMILY LAW & ESTATE PLANNING PRACTICE that has a practice/case breakdown by revenue of approximately 70% Family Law, 15% Estate Planning, 10% 5% Real Estate, 5% Business, and 5% Other. The Practice is located in a 2,650SF building that is also available for sale, if desired. With 2018 gross revenue right around $200,000 and 165 active clients, this Practice is poised for growth under new ownership. Contact info@privatepracticetransitions.com or call (253) 509-9224.

EXTREMELY PROFITABLE SEATTLE IMMIGRATION LAW PRACTICE – Private Practice Transitions is assisting a client, located in downtown Seattle, with the sale of an extremely profitable private practice specializing in Immigration Law. The Practice is able to be acquired, with gross revenues of over $1,600,000 the last three (3) years (2017-2019). Even more, in 2019 the gross revenues were over $1,800,000! This successful firm has substantial advance fees in trust. The Practice employs two (2) attorneys in addition to the partners, seven (7) paralegals, three (3) full-time administrative staff, and one (1) part-time support staff. If you are interested in exploring this opportunity, would like the freedom to be your own boss and/or increase your current book of business substantially, then this is perfect for you. Call or email us to set up a viewing or to learn more about this Practice. Email “Profitable Seattle Immigration Law Practice” to info@privatepracticetransitions.com or call (253) 509-9224.

GROWING PIERCE COUNTY PERSONAL INJURY PRACTICE that was established in 1975, has a great reputation in the community, and has approximately 80 active clients as of December 2019. The gross revenues in 2018 totaled over $415,000. The owner would like to sell the Practice as a turn-key operation. The practice/case breakdown by revenue is 99% Personal Injury and 1% Other. Contact info@privatepracticetransitions.com or call (253) 509-9224.

LAW FIRM WANTED – Current practice includes 50% Bodily Injury, 10% Property Damage, 10% Product Liability, 10% Professional Liability, 10% Plaintiff Work, and 10% Other. Contact info@privatepracticetransitions.com or call (253) 509-9224.

ESTABLISHED PIERCE COUNTY FAMILY LAW & ESTATE PLANNING PRACTICE that has a practice/case breakdown by revenue of approximately 70% Family Law, 15% Estate Planning, 10% Real Estate, 5% Business, and 5% Other. The Practice is located in a 2,650SF building that is also available for sale, if desired. With 2018 gross revenue right around $200,000 and 165 active clients, this Practice is poised for growth under new ownership. Contact info@privatepracticetransitions.com or call (253) 509-9224.

SUCCESSFUL KIND COUNTY INSURANCE DEFENSE PRACTICE that is located in the heart of Seattle and had 2018 gross revenues over $1,800,000. The Practice was established in 2006, has a great reputation in the legal community, and has five (5) total employees, including the owner. Contact info@privatepracticetransitions.com or call (253) 509-9224.

THINKING ABOUT BUYING OR SELLING A PRACTICE? If you are, we can help you! Guaranteed. Private Practice Transitions, Inc. is the preeminent provider of specialized brokerage services in the Northwest, catering specifically to the owners of professional services businesses - like you! We have countless buyers and sellers waiting for the right opportunity. Take control of your tomorrow by calling us today at (253) 509-9224 or checkout our website at www.privatepracticetransitions.com.

THRIVING GRANTS PASS OREGON FAMILY LAW PRACTICE with cases in Josephine and Jackson Counties. The owner has built a firm with a stellar reputation and desires to sell the business as a turnkey operation in order to retire. The average gross revenue for the past two (2) years is over $530,000, and the 2019 Seller’s dose of adjusted earnings (SDE) was over $350,000! The practice/case breakdown is 100% Family Law. The Practice was established in 1975 and is located in a desirable, fully-furnished office. The Practice employs three (3) staff, including the owner. Email info@privatepracticetransitions.com or call (253) 509-9224.

THRIVING & WELL-ROUNDED PIERCE COUNTY LAW PRACTICE that has been a staple in Pierce County for over 20 years. The Practice is absolutely thriving with average gross revenues over $1.6 Million the last three years. The practice/case breakdown is 30% Trusts, Estates & Probate, 15% Business Formation, 15% Plaintiff Personal Injury, 15% Commercial & Corporate Litigation, 8% Real Estate, 7% Municipal, and 10% Other. Contact info@privatepracticetransitions.com or call (253) 509-9224.

RECREATIONAL RENTALS

KIHEI, MAUI, HAWAII – Large ocean-view 1BR-2BA condo. Large MBR, vaulted ceilings, great view. Tennis, oceanside pool and spa, walk to town (503) 780-3139. For photos, email: nanevin@aol.com.

OCEANSIDE – Beach house on cliff side overlooking ocean and Netarts Bay. 3 bedrooms and 3 baths, 4 decks, fireplace, spa tub, washer/dryer, and fully equipped kitchen. $175 per night, $1000 weekly rate plus $125.00 cleaning fee. ASK ABOUT WINTER RATES. Contact Mary at mckmary@comcast.net or (503) 478-1295.

PARIS APARTMENT. At Notre Dame. Elegant 2 bedroom, 1 ½ bath, with lift. In the heart of Paris. PROVENCE. 4 bedroom, 3 ½ bath house with stunning pool and tennis. Owned by WAC member (2025) 227-3722.

SCOTTSDALE – North Scottsdale home near Troon and TPC golf courses. Newly furnished. 3BR, 2BA, 52” plasma TV, pool, outdoor barbecue. No smoking, no pets. Tony at (503) 221-2271.

SUNRIVER – Cascara Vacation Rentals - Over 120 homes & condos with hot tubs, free Wi-Fi, many pet friendly & with free access to the Sharc aquatic & recreation facility. Contact us today at (800) 531-1130, visit our web site

THREE STEVENS COUNTY PERSONAL INJURY & FAMILY LAW PRACTICE that was established in 1978, has a strong client base, and brought in over $855,000 in gross revenue in 2018. The practice/case breakdown by revenue is approximately 48% Personal Injury, 43% Family Law, and 9% Other (Estate Planning, Probate, General Litigation, etc.). The Practice has two locations (Spokane and Coeur d’Alene, Idaho). This real property law firm has two locations (Spokane and Coeur d’Alene), two attorneys, three support staff, and average gross revenues over $550,000 the last three years (2016-2018). For more information on this turn-key practice, contact info@privatepracticetransitions.com or call (253) 509-9224.

TY PERSONAL INJURY PRACTICE in Idaho that has been a staple in 2017-2019, with 2019 gross revenues of over $266,000 the last three years (2017-2019), with 2019 gross revenues over $300,000. The Owner of the Practice is open to selling the office building to the person who purchases the Practice, if desired. Contact info@privatepracticetransitions.com or call (253) 509-9224.
at www.cascaravacations.com or email us at cascara@cascaravacations.com.

SUNRIVER – Warm, cozy, 2 bedroom, 1 bath Ranch Cabin, ideal for a weekend getaway. Fireplace, TV, Wi-Fi, DVD, CD, BBQ, washer/dryer, fully furnished & well-equipped Sleeper. $359/night + $75 cleaning fee (541) 944-2694.

THREE SUNRIVER HOMES – 5 bd in quiet north end; 4 bd on Deschutes River; 3 bd near SHARC; all with SHARC passes, ping pong, bikes, hot tub, dogs ok. (503) 707-4617.

SERVICES

AVIATION LAW – Jon M Friedman is, and has continuously been, a FAA Certified Flight Instructor-Airplane and Instrument since 1981. We represent injured people. Law Offices Of Jon Friedman, LLC. (503) 242-1440; jon@jonathannfriedman.com.

AVIATION LAW – Landye Bennett Blumshtein LLP is one of the leading firms in airplane and helicopter crash litigation for plaintiffs, with over 40 years of combined experience. We have successfully litigated cases against many major aircraft/component manufacturers, including Cessna, Piper, Cirrus, Beech, Rockwell, Fairchild Sikorsky, Robinson, Avindye, Honeywell, Teledyne Continental, Lycoming, Kaman, United Instruments, GE, Boeing, and Airbus Helicopters. Contact Matt Clarke or Christine Moore at (503) 224-4100, or online at LBBLawyers.com.


CONTRACT PARALEgal SERVICE - S&T SUPPORT, LLC – Seasoned Paralegals available on an as-needed basis. Backgrounds in estate planning, probate/trust administration, business law, and litigation. Will work remotely or on-site serving Salem, Portland and Eugene. Visit www.stsupportllc.com for services and staff. Call (503) 967-6023 or email tammy@stsupportllc.com to discuss your paralegal needs.

DIVORCE/Estate planning APPRAISALS - Appraisal Valet can expertly manage your next residential appraisal assignment. We order, review and deliver hundreds of appraisals monthly throughout the Pacific Northwest allowing you to benefit from the excellent rapport we have established with the most qualified/experienced appraisers. Email admin@appraisalvalet.net or call (503) 828-9441 for a free quote.


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Investigation – Diligent Investigations is a full service investigation firm specializing in Surveillance, Background Investigations, Locating, Divorce Service of Process, Interviews and more. In Portland since 2012, Diligent Investigations has earned a reputation for professionalism and integrity. Contact Robert Grady (503) 985-6659 or email: dilinves@gmail.com.

It’s about the kid’s supervised visitation – Can provide supervised parenting time in the Portland Metro area. (503) 539-8182 SupervisedVisitationOregon@gmail.com or visit my website at https://atkivisits.com.

Legal nurse consultant – Offering Board Certified Legal Nurse Consultants with the LNCC certification from the American Association of Legal Nurse Consultants—the gold standard in LNC credentialing. The ONLY certification recognized by the American Board of Nursing. Offering the following services: review files for standards of care and any deviations that may have occurred, provide chronologies/summaries, demonstrative evidence, translate and interpret medical records. Expert Witness location services. Average length of experience in nursing for our consultants is 20 years and includes experience in clinical areas such as: Corrections Healthcare, Critical Care, Telemetry, Long-Term Care. ‘Workers’ Compensation as well as many other specialty areas! Willamette Nurse Consultant Group, (971) 777-2687 info@willamettenurseconsultantgroup.com www.willamettenurseconsultantgroup.com.

Legal ethics defense: Ethics advice & opinions – Christopher R. Hardman - Providing defense services against bar discipline investigations; legal ethics advice, consultations, and opinion letters. Mr. Hardman is a former Assistant Disciplinary Counsel of the Oregon State Bar Office of Disciplinary Counsel, and a former Bar prosecutor. He is a speaker and moderator at Ethics Continuing Legal Education Seminars sponsored by the Bar, New Lawyers Division and others. He may be contacted at his office: Christopher R. Hardman, (503) 916-1787, or Fax (503) 916-1789, 25 NW 23rd Pl Ste 6, PMB 497, Portland, OR 97210.

Need help with a big case? Want to expand your practice? Want to take a vacation? Contact the OWLS Contract Lawyer Service. We can help! Fast! You contact us with project/job information. We immediately post the announcement to our contract lawyer listserve. You are promptly contacted by contract lawyers who meet your criteria. Free! No fee to post jobs or projects. You pay them only if they hire you. Effective! Contract lawyers statewide. Many levels of experience. Many types of expertise. For more information, or to post a job, contact the OWLS office at (503) 841-5720 or email cassandra@oregonwomenlawyers.org.

Research, memos, briefs, and appeals from a 25-year trial lawyer in Arizona and in Oregon. $60 hr. Roger Perry@live.com. (520) 332-0132. For more information, see www.rogerw Perry.com.

Stress, anxiety, depression psychotherapy and counseling; career counseling; confidential assistance improving strained relationships, clarifying career considerations, responding constructively to occupational, family, and individual emotional developments, transitions, etc. Standish McCleary III, J.D., Ph.D., Lic. psychologist (16 yrs. att'y; (503) 228-0688.

Support staff positions

Estate planning paralegal – Established estate planning firm would like to hire paralegal for their growing business. We are interested in candidates that are passionate about what they do. Experience in trusts and estate admin, drafting, trust funding & distributions is required. Join our amazing team and you will be working closely with our attorneys on new and existing probate matters. You will also help coordinate with clients in a timely manner to set up consultations, collect information, provide draft documents for clients’ review, and ensure a positive and compassionate relationship with them. Please apply via https://tinyurl.com/ raylawwepp. We offer great benefits.

To submit a classified

Positions available

$30 for the first 20 words, 50 cents each additional word.

Services

$40 for the first 20 words, 50 cents each additional word.

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$40 for the first 20 words, 50 cents each additional word. Oregon State Bar members receive a $10 discount on these ads.

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Color may be added to any ad for an additional $20.

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Add $15 to the cost of the ad for this service.

Blind ad replies

To protect the confidentiality of an anonymous advertiser as well as the reader, we offer the following service: If there is a firm you do not wish to respond to, list that firm (or firms) on a note along with your response to the blind ad. If the anonymous advertiser is a firm you have listed, your response will be recycled. Send both to blindad@osbar.org with the blind ad number in the subject line. Or, mail in a 9 x 12 inch envelope to Oregon State Bar, Attn: Blind Ad #[fill in the blank]. P.O. Box 231935, Tigard, OR 97281.

Submit to

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For questions, contact Spencer Glantz at advertising@osbar.org, (503) 431-6356 or (800) 452-8260 ext. 356.

Deadlines

The first business day of each month for the following month’s issue.
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Don Webb
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donwebb531@msn.com
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ACCOUNTANTS

Cogence Group, PC
Jay Sickler, CPA, CFF, ABV, ASA
935 NW Everett St, Portland, OR 97209
PH 503-467-7900 x1
jsickler@cogencegroup.com
www.cogencegroup.com

Financial forensics | Business valuation. Answers to complex financial questions. We are accurate, credible, and ethical. Our professional team is comprised of all CPAs, passionate about what we do, which translates into serving our clients with the very best we can offer. Jay Sickler has 30 years of full-time financial forensics experience. He has testified in more than 150 cases as an expert witness, more than many other experts combined. Our reputation is built on being skilled in communicating our findings persuasively and with integrity. We get the job done right, on time, and backed up by expert testimony.

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William N. Holmes, CPA, CFE
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Portland, OR 97223
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wnholmes@pdxcpas.com
www.pdxcpas.com

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Serena Morones
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Damage analysis, forensic accounting, fraud investigation, data analytics, intellectual property damages, lost wages, wrongful death and business valuation.

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Blake J. Runckel
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PH 503-235-7777 FX 503-235-3624
brunckel@corpval.com
www.corpval.com

“Corporate Valuations, Inc. is a national business valuation and financial advisory firm founded in 1983. We offer a broad range of valuation services, including corporate valuation, gift, estate, and income tax valuation, buy-sell agreement valuation, financial reporting valuation, ESOP and ERISA valuation services, and litigation and expert testimony consulting. In addition, Corporate Valuations assists with transaction-related needs, including M&A advisory, fairness opinions, and strategic alternatives assessment.

We have provided thousands of valuation opinions for corporations of all sizes in a variety of industries. To paint an accurate picture, the valuation of a business or its underlying assets calls for a combination of science and experience. The business valuation consultants at Corporate Valuations offer practical insight into the strategic, operational and financial affairs of the business—so you can understand the real value—regardless of industry. Our valuation opinions are well-reasoned and thoroughly documented, providing critical support for any potential engagement. Our work has been reviewed and accepted by the major agencies of the federal government charged with regulating business transactions, as well as the largest accounting and law firms in the nation in connection with engagements involving their clients.”

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Laura Markee
412 W 12th St, Vancouver, WA 98660
PH 971.201.7349
laura@markeevaluations.com
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www.moronesanalytics.com

“Corporate Valuations, Inc. is a national business valuation and financial advisory firm founded in 1983. We offer a broad range of valuation services, including corporate valuation, gift, estate, and income tax valuation, buy-sell agreement valuation, financial reporting valuation, ESOP and ERISA valuation services, and litigation and expert testimony consulting. In addition, Corporate Valuations assists with transaction-related needs, including M&A advisory, fairness opinions, and strategic alternatives assessment.

We have provided thousands of valuation opinions for corporations of all sizes in a variety of industries. To paint an accurate picture, the valuation of a business or its underlying assets calls for a combination of science and experience. The business valuation consultants at Corporate Valuations offer practical insight into the strategic, operational and financial affairs of the business—so you can understand the real value—regardless of industry. Our valuation opinions are well-reasoned and thoroughly documented, providing critical support for any potential engagement. Our work has been reviewed and accepted by the major agencies of the federal government charged with regulating business transactions, as well as the largest accounting and law firms in the nation in connection with engagements involving their clients.”

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1050 SW 6th Ave #1100
Portland, OR 97204
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stu@stuartweiss.com
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Clackamas, OR 97015
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Remember the Victims  

By John Foote

Childhood sexual abuse is a daunting, dark subject. For most lawyers, it is not our area of legal expertise and can be an uncomfortable, even disturbing subject that we wish to avoid discussing or looking at closely. However, there are stories that appear from time to time that reminds us of the lifelong tragic consequences of childhood sexual abuse and why it is so important that we pay close attention.

The movie “Spotlight,” which documented the scandal in Boston involving almost 250 Roman Catholic priests as abusers and more than 1,000 child parishioners as victims, is just one shocking example. The film showed the extent of the cover-up by the church, and how the public scandal shook the religious and political establishment in that city to its core. There was also the four-hour HBO documentary called “Leaving Neverland,” in which two adult male victims described in intimate detail their longstanding sexual assault by Michael Jackson that went on for many years.

There was the case of highly respected Penn State football coach Jerry Sandusky and his sexual predation of perhaps hundreds of “at risk” kids. And the case of Dr. Larry Nassar and the women’s Olympic gymnastics team; his sexual abuse of female athletes went on for years and was covered up by leaders both on the Olympic team and at Michigan State University, where Nassar was employed.

Closer to home, recent news stories have reported decades-long abuse by teachers and leaders at Catlin Gabel School in Portland and the resulting cover-up by leadership at the school. Noelle Crombie, a reporter for The Oregonian, has written about one of the co-founders of Oregon’s own Mercy Corps, who subjected his own young daughter to sexual assault for more than a decade. For her story, Crombie interviewed the now-adult victim, who described the sexual abuse by her father and the devastating effect it has had on her life.

These are all tragically familiar stories of childhood abuse, cover-up and denial that, when fully revealed, shocked our senses. Unfortunately, the victims were initially criticized, ostracized and trivialized by their powerful abusers and their friends and allies, which only further deepened their shame and despair. In the Mercy Corps case, for example, the victim described in excruciating detail the second level of trauma she experienced because of the extensive efforts by powerful members of the board of directors and leadership staff to cover up the abuse. Only now are some of those leaders—including several OSB members who remain in good standing—beginning to face at least some consequences for their actions.

In November 2017, OSB member Judith Armatta wrote a piece for the Bulletin about childhood sexual abuse, entitled “Survivors and Offenders.” Armatta represented herself as a member of two nonprofit organizations, one that consists of friends and family members of child abusers and another that advocates for victims of childhood sexual abuse. In her effort to destigmatize the offenders, she referenced a case that was in the news at the time, using a pitcher for the Oregon State Beavers baseball team, Luke Heimlich, as an example of someone who should not be ostracized as an adult for his conviction of the “molestation” of a young girl when he was 15 years old. (Heimlich’s crimes were committed in Washington; the crime of “molestation” does not exist in Oregon.)

But this kind of story feeds into our eagerness to push away the ugly subject of child sexual abuse. A 2018 report by the Oregon District Attorneys Association reveals that more than 80 percent of the victims of Measure 11 sex crimes committed by Oregon juvenile offenders are under the age of 12. More than 50 percent were under the age of 6. Heimlich’s victim was between the ages of 4 and 6 when he abused her.

The Oregon Legislature just repealed the voter-approved law that provided tougher sentences for older juvenile offenders like Heimlich. And in making the argument that Heimlich should be allowed to continue to pitch for the Beavers, his supporters tried to minimize what he had done. But whatever Heimlich’s future as a pitcher might be, the victims of his actions should never see their trauma minimized this way.

The urge to deny or suppress can come easily. Even victims themselves deny their own abuse for years because it is so shaming and painful. However, self-denial is one of the telltale symptoms of those who have been abused.

The true heroes in these tragic tales are the victims themselves. When facing someone in a position of power, they somehow muster the courage to publicly acknowledge what has happened to them. But as part of their recovery, victims desperately need our acceptance and support. We can set an example by joining them in facing the horrors of childhood sexual abuse straight on without blinking.

Armatta got it wrong when she wrote that “many survivors are able to heal and put it behind them.” Childhood sexual abuse leaves lifelong scars that can take years to address. It forever changes the lives of those it touches. Sometimes it can even destroy lives. So when you read stories that try to deny or normalize the trauma and lifelong tragedy of childhood sexual abuse, please remember the victims and their courageous voices.

Clackamas County District Attorney John Foote was a founding board chair and board member of Clackamas County Children’s Center, which provides medical assessments and treatment for childhood victims of sexual abuse and assault. Reach him at JohnFoote@clackamas.us.
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