Orphan, Immigrant, Attorney

OSB President Liani Reeves Builds Community Through Law, Leadership, Mentorship
*Best Practices* includes over 1,200 pages of thought leadership on a wide range of topics, including the valuation of private company securities and intangible assets, valuation for property tax purposes, valuation for ESOPs, fair value measurement for financial accounting purposes, transfer price analysis, and economic damages measurement.

Written by Willamette Management Associates managing directors Robert Reilly and Bob Schweih, this book provides an anthology of related discussions that address valuation, damages, or transfer price principles. These topics generally are not found in most textbooks. Our focus is on topics that present themselves in client situations where there is a risk—and a cost—of being wrong. Such client situations include complex transactions, tax controversies, and litigation matters. Each of the 72 *Best Practices* chapters presents a discussion of the current thought leadership on topics such as business valuation methods, business valuation discounts and premiums, intangible asset valuation methods, intellectual property analysis, tangible property valuation, property tax valuations, ESOP and ERISA valuations, family law valuations, gift and estate tax valuations, fair value measurements, financial advisor services, damages measurement methods, forensic accounting analyses, and transfer pricing methods. With a detailed index, this book provides practical guidance to lawyers, valuation practitioners, forensic analysts, and other professionals involved in the practice of valuation, damages, or transfer price analysis.

Published by Valuation Products and Services, the regular price of the book is $199 (+ shipping and handling). For a limited time, we are offering *Oregon Bar Bulletin* readers a 10% discount off the regular price of the book. To order the book, visit: www.willamette.com/best_practices.html. The discount code is **BP10BAR**.
Liani Jeanheh Reeves was motivated to become an attorney, in part, by her experiences with racism, exclusion and bullying. Today, the Oregon State Bar’s 2020 president tells writer Melody Finnemore, she’s proud to represent the changing face of the legal profession. Learn about her plans for the coming year in a special report that begins on Page 20.

Portrait photos by Jonathan House

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Kiss paper checks goodbye
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Changing (and Saving) Lives  
By Gary M. Stein

There were times during my oldest daughter’s early 20s when I did not know where she was living. Months-long gaps when she simply disappeared from my life.

What I did know was that she was using methamphetamines. What I feared was a visit from a police officer, informing me that she was gone.

Instead, I received a phone call from Sarah late one night, telling me that she had been arrested for felony identity theft and drug charges. That she feared prison was her next stop. And that she finally knew she needed help beyond the therapy, outpatient programs and work camps in the Utah desert that we had tried before — and that had all failed to redirect her life.

After years of spiraling downward, Sarah had found her rock bottom — a dark and lonely place, as Kate Oldfield knows all too well.

For our story that begins on Page 30 of this month’s Bulletin, Oldfield tells writer Cliff Collins that she faced 70 months in prison for drug charges when her defense attorney offered her the alternative of entering drug court.

She didn’t hesitate.

“I knew if I didn’t take drug court, I was eventually going to die,” Oldfield says.

Sarah knew that, too. And so with the help of her defense attorney, prosecutors, treatment professionals and Judge Robert Selander, Sarah entered the Clackamas County Drug Court program in 2005.

The process wasn’t easy, she says: For eight months, she participated in group and individual treatment programs, attended regular sessions with the court and with her probation officer, completed random drug testing. For much of that time, she met the court’s requirement for clean-and-sober housing by living at Oxford House, a democratically run, self-supporting and drug-free home in Oregon City. (The nonprofit Oxford House network includes more than 2,000 homes nationwide.)

But all of that hard work paid off, just as it did for Kate Oldfield. Both women are now clean and sober, both mothers of beautiful children, both paying it forward by working to help others improve their own lives — and all because one of Oregon’s specialty courts offered them an alternate path.

Those days of not knowing where to find my daughter are over. “I think what sustains the work is realizing you’re helping people become well,” Steve Tillson, the treatment court coordinator for Klamath County Circuit Court, says in this month’s Bulletin article. “When you see the real person re-emerge ... it kind of restores your faith in humanity.”

It has certainly restored mine.

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.
With the help of our generous volunteers, the OSB produces a series of short videos answering common legal questions. Our Legal Q&A videos are embedded throughout the For the Public pages of the OSB website. A growing list of videos — currently 150 with 29 in languages other than English — are available at www.oregonstatebar.org.

Our thanks to the volunteers who contributed in 2019:

Franki Allegra  Jimmy Namgyal
Christopher Anders  Cecilia Nguyen
Luis Garcia  Troy Pickard
Olga Groat  Michael Purcell
Talia Guerriero  Nancy Reyna
Vivien Lyon  Mindy Stannard
John Marandas  Teresa Statler
Tim Murphy  Meredith Williamson
‘Important, Hard Work’

Congratulations to the winners of the Oregon State Bar Board of Governors election (Adrian Lee Brown and Joe Piucci in Region 5, Ryan Hunt in Region 6 and Rob Milesnick in Region 8)!

The incoming BOG members — one of whom will eventually become president — will be charged with the financial stewardship of the bar, a multimillion-dollar operation. They also will be responsible for articulating their vision for the Oregon legal profession. They will play an invaluable role in supporting legal aid and access to justice for vulnerable Oregonians.

This is important, hard work, and a huge time commitment. Please thank them for stepping up for this four-year term of unpaid volunteer service.

Speaking personally and not on behalf of OSB, I urge our incoming BOG members to continue the tradition of traveling around the state to engage rural practitioners and judges. I fully expect them to meet with the groups that I met with — the affinity bars, the specialty bars, law school deans, law students, judges and the Oregon New Lawyers Division — because their perspectives are vital. I am hopeful that the BOG will lead with integrity and inclusivity, and do us all proud.

Vanessa Nordyke, Vnordyke@osbar.org

Class-Action Flaws

The article “Real Legal Work for Real Animals” (November 2019) talks about an Oregon-based class action based on the alleged bad treatment of betta fish, which typically live in rice paddies in Southeast Asia. They are also popular pet fish, and the case alleges that their tanks are too small.

The problem is, there is no claim that the sellers or manufacturers are violating any laws. The article refers to “standards” for animal containment, but there is not a word that PETCO or anyone else has violated any laws.

In America, we are supposed to be free to do what we want, as long as it doesn’t violate laws. This is a basic principle of our society. It is what we live for. In our constitution, the due process clause proclaims, by implication, that we can do as we please, unless — unless — we have notice by enactment of a law that we cannot do this or that.

Perhaps the class-action lawyers add expansive claims that laws are violated, but the fact that the article doesn’t even suggest this tells us that these claims are peripheral and actually irrelevant, because the lawyers at bottom want to change the way the pet industry operates.

Class actions, including this one, have another flaw that many of them share. Courts hearing this fish containment case hear only from the plaintiff animal activists and the defense lawyers. This is a poor sample of society from which to generate what amounts to new government regulation.

Administrative agencies, bad as they may be, are better. The federal public and all the interests our country contains can comment on proposed federal regulations to their hearts’ content. This includes

Continued on next page…
Questioning Costs

In response to a Bulletin article about the high cost of a law degree and the related debt of graduates (“Dealing with Debt,” February/March 2018), I’d like to add some historical perspective.

Prior to 1965, Northwestern School of Law was a night school catering to veterans and other people who worked full-time and wanted to earn a law degree in their spare time. The staff were private attorneys and judges. The facilities were in a downtown Portland office building. In 1965, Northwestern merged with Lewis & Clark College; classes were held on the main campus of L&C thereafter, and it remained a night school until 1970, when the day school was added.

My class started in 1968 and graduated in 1972. Virtually everyone had a full-time job, a family and a mortgage. I worked the graveyard shift for a major airline at PDX. Our average graduate was 30 years old, married, with two children and a mortgage.

I never heard of any scholarships or loan programs, or any way to get money except to work. I never heard of anyone borrowing money. I did have the GI Bill, which paid $250 a month for 36 months maximum, which was enough for tuition, books and the bar review course.

Our first-year tuition was $500, although it rose each year and cost $1,200 for the fourth year. I know that sounds cheap by today’s standards, but salaries were also very low. My first legal job was at the Multnomah County District Attorney’s Office at $13,200 a year, which was $100 a month more than my airline job (which didn’t require a degree).

Inflation is a fact, but it seems ridiculous that in 1972, a year of night law school cost $1,200, and that now, a year of night school costs $30,000. That’s 25 times more than in 1972.

On the other hand, the starting salary in the DA’s office is not 25 times higher. It is about $82,000, which is about six times higher. If it were 25 times higher, the starting salary would be about $330,000 per year — and I don’t believe even the largest private firms start that high. So that expensive education isn’t directly translating to salaries, and never will.

Can a person with a full-time job afford to go to night law school? I don’t think most jobs pay enough that a person could squeeze $30,000 out for tuition plus books. So students need to have wealthy parents or borrow $120,000 in order to get a degree.

Who is benefitting most from this high cost? The schools and the banks, I think.

Roger B. Ley, Portland

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Be an Author

The Bulletin is always on the lookout for quality manuscripts for publication on these pages.

We publish articles on a wide variety of subjects and favor such topics as access to justice, legal funding, judicial independence, diversity in the profession, professionalism and future trends. We also publish columns on ethics, practice tips (in specific areas of law), law practice management and legal history, as well as essays on law and life.

The editorial staff welcomes inquiries and is happy to discuss requirements for publication. If you have a manuscript, suggestion or idea, contact Editor Gary M. Stein at (503) 431-6391. He can also be reached by email at editor@osbar.org.
By the Numbers

Oregon Salaries in the Middle

Oregon lawyers ranked 24th nationally in 2018 (the most recent numbers available) in terms of average annual wage, according to a recent report released by the Bureau of Labor Statistics that showed legal salaries have increased by 7 percent in the past five years in our state. The following are the top three states for lawyer salaries, Oregon's average salary, and the bottom three states for lawyer salaries. Note that there was no information available for Delaware in 2018, so the rankings are based on 49 states.

1. California ($171,550)
2. New York ($167,110)
3. Massachusetts ($165,610)
24. Oregon ($119,500)
47. West Virginia ($98,630)
48. Mississippi ($97,990)
49. Montana ($88,600)

Note: Oregon neighbors in addition to California include Nevada, ranked 11th ($138,920); Washington, ranked 13th ($136,480); and Idaho, 45th ($99,360).
State officials say the program is expected to pay for itself within the first two years, then reduce costs by $470,000 every two years after that.

Request for Public Comment On Proposed Changes to UTCR

The Uniform Trial Court Rules committee met Oct. 18, 2019, to review proposals to amend the UTCR and to make preliminary recommendations to the chief justice. A description of the proposals, action taken by the committee and out-of-cycle amendments is posted at http://www.courts.oregon.gov/programs/utcr/Pages/currentrules.aspx.

Proposals and out-of-cycle amendments of special note prohibit civil arrests in courthouses and courthouse environs without a judicial warrant or judicial order; clarify the time for filing a response or reply to a motion; require judgments, orders and writs to clearly state the substance of the court’s ruling; allow the use of electronic signatures on declarations; require the state to file a response with points and authorities before a hearing on a motion to suppress evidence; create a rule for filing exhibits in post-conviction relief cases; and amend requirements for filing a Uniform Support Declaration.

Comments on the proposals and out-of-cycle amendments are encouraged and can be posted at the web address mentioned above; mailed to the UTCR Reporter at the Office of the State Court Administrator, Supreme Court Building, 1163 State Street, Salem, OR 97301-2563; or emailed to utcr@ojd.state.or.us. The deadline to submit comments is March 20, 2020, at 5 p.m.

The committee will make final recommendations on these proposals at the next UTCR meeting on April 3, 2020, at 9 a.m. Those proposals approved by the chief justice will become effective Aug. 1, 2020.

Auction to Benefit L&C’s Public Interest Law Project

Lewis & Clark Law School’s Public Interest Law Project (PILP) will host its 29th annual auction, “An Evening in the Tropics,” at 6:30 p.m. on Saturday, Feb 22. This year, the student-run organization will honor Oregon Law Center attorney Nargess Shadbeh with the Amburgey Award and highlight the work of last year’s summer award recipients.
All proceeds from the event will benefit PILP’s Summer Award Program, which has helped nearly 300 students finance more than 100,000 hours of public interest legal work at no cost to their employers; and its Loan Repayment Assistance Program, which allows alumni to work for human rights organizations, Native American tribes, disability rights groups, conservation nonprofits and other public interest organizations without some of the heavy burden of student debt.

For registration, donation and sponsorship information, visit pilp.ejoinme.org/auction2020.


The 2019 edition of the Oregon Revised Statutes (ORS) is now available in both full sets and as individual volumes. This is the only official certified edition available, and it represents a proud Oregon tradition.

The Office of the Legislative Counsel publishes and sells a variety of legal publications. These publications are available for purchase online, by mail or in person. For more information, visit oregonlegislature.gov/lc.

New Report Shows How Clients Choose Attorneys

The Institute for the Advancement of the American Legal System and Avvo have released a new data-driven report that provides insight into what clients look for in attorneys.

“Think Like a Client” uses an evidence-based approach to illuminate clients’ preferences, needs and expectations when working with their attorneys, based on a qualitative analysis of more than a decade’s worth of client reviews.

To view the report, visit tinyurl.com/ThinkLikeAClient.

Has Your Firm Suffered a Cybersecurity Attack?

More than 23 percent of law firms responding to the ABA’s 2018 Legal Technology Survey said they had been the victim of a cybersecurity breach at some point, with consequences ranging from downtime and a loss of billable hours to the destruction of files and the need to replace hardware and software.
“From the perspective of someone who’s had a Court Appointed Special Advocate, there are a lot of young people in the foster care system who don’t have hope for their future. When you’re doubting yourself at that age, having that person there for you keeps you going.”

— Pamela Heisler, executive director of Prevent Child Abuse Oregon, who grew up in Oregon’s foster care system and had a CASA volunteer assigned to her when she was a teenager. Learn more at oregoncasanetwork.org/get-involved.

Source: OregonLive.com (Nov. 19, 2019)
Consider the Scope, Be Aware of the Risks

Settlements and Scams

By Amber Hollister and M. Kay Pulju

Lawyers know that most civil cases settle. The Civil Justice Initiative published by the National Center for State Courts estimates that even among cases that are actually filed in court, 62 percent are settled prior to trial. So getting settlement right is a crucial part of a civil legal practice.

With that context in mind, this month’s Bar Counsel column addresses ethics questions about the scope of lawyers’ settlement authority, flags prohibited terms in settlement agreements and highlights some of the risks of settlement scams.

For those Oregon lawyers eager to avoid con artists, the column also points to a new Scam Alert feature on the bar’s website, which is updated with new information as soon as it becomes available.

Settlement Authority

The OSB Board of Governors recently approved a new ethics opinion on the topic of settlement agreements. In Formal Ethics Opinion 2019-195, the Legal Ethics Committee grapples with the question of whether a client can grant blanket, unlimited settlement authority to a lawyer. With important caveats, the opinion concludes that the answer is no.

Here are the facts recited in the opinion:

Client wishes to hire Lawyer to pursue a lawsuit against Defendant. Client travels often, has a time-consuming job, and is concerned he will not have sufficient time to communicate with Lawyer about decisions related to his lawsuit, including settlement issues. Moreover, Client trusts Lawyer’s judgment and experience and is confident that Client would defer to Lawyer’s judgment on case-related issues in any event.

To make things easier, Lawyer and Client agree that Client will delegate all authority over settlement decisions to Lawyer. Lawyer and Client place no parameters on what terms the Lawyer may accept and simply agree that Lawyer will contact Client when the case is finally settled.

If this situation arises in your practice, you can take the offer as a compliment — but the ethics rules require you to decline. Oregon RPC 1.2(a) requires that a decision to settle must be made by the client. In addition, RPC 1.4 requires a lawyer to explain a settlement offer sufficiently to allow the client to make an informed decision. The committee notes there is no provision in RPC 1.2(a) allowing a waiver of the client’s right to make settlement decisions.

But the committee’s opinion only addresses a client’s blanket delegation of settlement authority. It affirms that a client can give a lawyer authority to settle a claim within parameters previously discussed and agreed upon — so long as the client had sufficient information to make an informed decision at the time.

Factors to consider in whether a client is capable of making an informed decision include, according to the opinion (and without limitation):

[T]he range of settlement authority that the client seeks to provide to the lawyer, the complexity of the case, the procedural posture of the case, the level of factual investigation and/or discovery that has taken place, the client’s sophistication level, the monetary value of the claims at issue, and the importance of the claim to the client’s overall financial, personal, and other objectives.

You can find the full opinion in our online library of formal ethics opinions at osbar.org/ethics.

Prohibited Settlement Terms

Once a client agrees to a settlement in principle, there is still work to be done. When drafting settlement agreements, lawyers must be wary of prohibited settlement terms.

The most often discussed settlement prohibition is Oregon RPC 5.6(b)’s prohibition of direct or indirect restrictions on a lawyer’s right to practice. As explained in OSB Formal Ethics Opinion 2005-47, a settlement including a lawyer’s promise not to sue again is unethical. Such an agreement has the potential to limit a client’s right to choose and access to justice.

Less known is Oregon RPC 1.8(h)(4)’s prohibition against any term that seeks to limit a client’s right to pursue any
While it may be tempting to seek to avoid the bar’s disciplinary process, proposing such a term will just add to any existing problems.

A number of restrictions apply to the settlement of malpractice claims — a lawyer may not make an agreement to prospectively limit the lawyer’s liability for malpractice unless the client has independent representation. Nor may a lawyer settle a claim or potential claim for malpractice liability with an unrepresented client or former client unless the person is advised in writing of the desirability of seeking independent counsel and given time to seek advice from independent legal counsel on settlement. See Oregon RPC 1.8(h) (1)-(2).

Any Oregon lawyer seeking to settle a malpractice claim is well advised to reach out to the PLF.

Settlement Scams

On occasion, what looks like a settlement is really just a scam. But no matter their form, settlement scams raise ethical issues.

A lawyer may be conned into divulging confidential information about a client, implicating Oregon RPC 1.6. Alternately, a lawyer may inadvertently jeopardize other client funds in an IOLTA account, raising questions about the lawyer’s failure to safeguard client funds, Oregon RPC 1.15-1(a).

Scams targeting lawyers are, unfortunately, nothing new. But they are becoming more sophisticated. This includes an update of the “cashier’s check” scam, in which a person posing as a potential client tries to get a lawyer to accept a fake settlement check and then disburse funds from the lawyer’s IOLTA account before the counterfeit is discovered by the supposedly issuing bank.

An Oregon lawyer recently contacted the OSB about an email purportedly from a former employee of CVS Health. The scammer claimed to need help getting his former employer to release the funds noted in a confidential settlement agreement. A PDF version of the supposed settlement agreement was attached; it and other supporting documents, as well as the email address, looked legitimate at first glance.
Not having been engaged by the client but careful of the need for confidentiality, the Oregon lawyer was unsure how to proceed.

Luckily, some internet sleuthing turned up a detailed report from the Florida bar on an almost identical scam.

For this particular scam, the clues are in the details. The name of a real company executive is used, but the language seems a bit awkward for someone in such a responsible position. The email addresses mirror but don’t match those of actual company employees. Graphics in the attachments are somewhat blurry, suggesting they may have been copied from a low-resolution source.

Whenever a client appears seemingly out of the blue, it pays to be skeptical, trust your intuition and do your research.

This is also a good reminder that you should not to disburse funds from your IOLTA account until you know any funds you have deposited have cleared the issuing bank. The PLF offers best-practice guidance online at osbplf.org for when a check is deemed cleared or not. See PLF Forms Library, “Frequently Asked Trust Account Questions.”

**Imposter Scams**

This summer, a person applied for a job with an Oregon law firm using a fictitious but fairly sophisticated employment history. The fabrications included fake law firm websites listed as previous employers, with phone numbers that were answered by live people prepared to offer fake references.

The law firm caught the scam, but expect to see similar attempts in the future from what appears to be a growing “fake job reference” industry — an internet search for that term will generate a roughly equal list of companies offering fake references and companies offering to spot fake references for you.

Finally, a few Oregon lawyers have been caught up in a timeshare scam that can be financially devastating for clients and a massive headache for the targeted lawyers. In this one, the scammers have gone to elaborate lengths to impersonate the identity of an actual Oregon lawyer, including setting up fake websites and email accounts. The scammer then targets owners of timeshares, presenting an offer to purchase. The timeshare owner is
then asked to provide upfront legal fees to facilitate the sale of the timeshare.

This particular scam may target lawyers who do not have a well-established website and may not even be in private practice. At least one Oregon lawyer’s name already has been used to scam dozens of timeshare owners.

A consumer savvy enough to check the OSB website after reviewing the offer may be falsely reassured to find a lawyer with that name in good standing — never noticing that the email addresses or phone number don’t match.

To address this issue, we have created an alert for the online membership directory. The alert, which would only be added at the lawyer’s request, states: “This member has reported being a victim of identify fraud involving fraudulent use of professional name and Oregon bar number”; it directs people to the bar’s Client Assistance Office for more information.

All lawyers should be aware of this scam, both to protect themselves and to protect potential clients who may ask them to review a purchase agreement for a timeshare. The Oregon Department of Justice has posted several key steps to take before selling a timeshare; they are available online at tinyurl.com/TimeshareScamTips.

Consumers who believe they have been scammed and lawyers who suspect their identity has been compromised are urged to call the Oregon Attorney General’s Office at (877) 877-9392.

A New Resource for OSB Members

Due to the prevalence of scams targeting lawyers, we have created a new “Scam Alert” feature on the home page of the OSB website at osbar.org. You can use the alert page to check whether a likely scam you encounter has already been reported, and also report new ones by sending a detailed email to webmaster@osbar.org.

Amber Hollister is general counsel for the Oregon State Bar; reach her at ahollister@osbar.org. Kay Pulju is the bar’s director of communications and public services; reach her at kpulju@osbar.org.
In September 2019, Merriam-Webster updated its online dictionary, adding new words like fabulosity, pickleball, free solo and deep state. But what caught everyone’s attention in the world of legal writing was the expanded definition of they.

After the ho-hum definitions — referring to “those ones,” referring to a group of people generally and referring to indefinite singular nouns like everyone — the bombshell dropped with a fourth possibility.

They can be used officially “to refer to a single person whose gender identity is nonbinary.”

For many, the response was “Yes!” For others, the response was “No!” Readers who know me as a grammar curmudgeon might be surprised that I’m in the “Yes!” camp. No one should be surprised that I explain my response with a grammar lesson.

If we are going to fight about pronouns, let’s be sure we all know what we’re fighting about. Pronouns are little words that replace nouns. (In case I just lost you, nouns are people, places, things, ideas — lawyer, court, book, freedom.) By using pronouns, we can avoid repeating a noun ad nauseam.

Suzanne read Suzanne’s book. It’s Suzanne’s.
She read her book. It’s hers.
Or, since this is obviously about me:
I read my book. It’s mine.
In the second example, the pronouns are she, her and hers.
In the third example, the pronouns are I, my and mine.

Pronouns are traditionally considered to be singular (one person) or plural (more than one person). Pronouns exist in first person (the person writing or speaking), second person (the person being written or spoken to) and third person (everyone else). Examples of singular pronouns are he and she. An example of a plural pronoun is we.

Different pronouns replace different forms of nouns. Technically these forms are called “cases,” and understanding noun cases is the one and only benefit I still derive from my high school Latin class.

Nominative pronouns, also called subjective pronouns, are the subjects of sentences.

I am a curmudgeon.
You are reading this article.
She might not agree with my recommendation.
We are each entitled to a different opinion.

Over time, pronouns move around on that handy chart. A few hundred years ago, you was plural. Only plural. A single person being spoken to was thee, not you. Over time, you crept over to the singular column, too, and now we accept you as both singular and plural.

Another set of pronouns — objective pronouns — serve as the object of a verb (receiving the action) or the object of a preposition. (If I lost you again, prepositions are little words like to and in.) The list of objective pronouns includes me, you, her, him, us, them.

Give us the briefs.
Give the briefs to us.

The last set of pronouns for today (and then I promise to stop) shows possession. Instead of Suzanne’s book, I say that it’s my book. My replaces Suzanne’s. And if I then want to state my ownership without naming the book again, I just say, “It’s mine.” Similarly, your bike is yours, her motorcycle is hers and our cars are ours.

If we put all of those pronouns into one chart, then we see where people get the lists of pronouns that sometimes appear on nametags or email signature lines (e.g., he/him/his). We are also more likely to sympathize with people learning
English as a second language. (See Chart 2, below.)

The Nonbinary They

Even if your eyes glazed over a few times during the grammar review, they should pop open as we take a look at what Merriam-Webster’s online dictionary did in updating its usage of they.

The starting point was recognizing that some people identify as nonbinary, which Merriam-Webster defines as “relating to or being a person who identifies with or expresses a gender identity that is neither entirely male nor entirely female.” From there, it was an easy step to recognize that the masculine and feminine pronouns (he/him/his and she/her/hers) are not appropriate for some.

Given the preference of some for the pronouns they/them/their, and the increasing use of those pronouns in the third person singular, Merriam-Webster acknowledged what many speakers and an increasing number of writers already do: they is acceptable as a singular pronoun in some circumstances. That means them, their and theirs are sometimes singular, too.

The backlash was predictable among curmudgeons who are even more curmudgeonly than I. “They cannot be singular!” I suggest that we all use they as a singular in speech already, at least occasionally. I know I do. But while I use the singular they in conversation, it still feels awkward for me to use they as a singular in writing. Especially in legal writing.

I remind myself that a prior generation of curmudgeons believed that “Ms.” was an abomination. The proper honorifics for a female were “Miss” until marriage and “Mrs.” thereafter. Geraldine Ferraro, running for vice president in 1984, was required to choose one of the proper honorifics; being Ms. Ferraro was not an option. I remember being annoyed: Her marital status was no more important than her running mate’s was, yet no one questioned that he was simply Mr. Walter Mondale.

**Singular or Plural?**

Once grammarians wrap their heads around the idea of they referring to one person, the world explodes with collateral damage. Does the singular they require a singular verb? If so, they is coming would be correct. I have been told that singular verbs are proper in this instance, but I doubt the change will be common in legal writing for years to come. In fact, if I were placing bets, I’d say that the plural verb will be used with they whether it’s singular or plural. That’s what we do with you:

You are my best friend.

You are my best friends.

In the first, you is singular. In the second, you is plural. Ho hum. Similarly, in the following set, they in the first sentence refers to someone who uses the pronoun they, while in the second, they refers to two or more people.

They are my best friend.

They are my best friends.

The reflexive pronoun might also feel challenging when they is singular. (Quick refresher: Reflexive pronouns are needed when the subject and object of a sentence are the same. Each reflexive pronoun ends in -self or -selves.) They did it themselves? They did it themselves? Merriam-Webster suggests the former is gaining ground.

**The Non-Universal They**

Now that we know what did happen in September, let’s look at what did not happen.

First, they was not expanded all that much. It already referred to a singular person of unspecified gender, though curmudgeons like me still resist and avoid writing, “Each juror should vote their conscience.” Additionally, they was already appropriate for indefinite pronouns like anyone, no one and someone. Back in 2010, my favorite dictionary provided the example “ask someone if they could help” and noted this usage dated back to at least the 1500s. And that dictionary noted the singular they was becoming common, at least in less-formal contexts, for singular nouns, as in “ask a friend if they could help.”

Second, they was not anointed as an all-purpose pronoun for any and every person. Some people prefer gender-specific pronouns: she/her/hers for those who identify as female and he/him/his for those who identify as male. Those preferences should be respected, too. They is not universally applicable, as you has become.

Third, they was not announced as a substitute for every other pronoun, interchangeable at will. If a person uses the pronouns she/her/hers or he/him/his, then those pronouns should be used consistently. Similarly, if a person uses they/them/their, then those pronouns should be used consistently. A person might be fine with two sets of pronouns, listing she/her/hers or they/them/their. When in doubt, ask for a person’s preferences.

Failing to respect gender identification and to use pronouns consistently can result in confusion, as happened recently as I discussed a case with a student. The plaintiff in the case was Gloria, and the case consistently used feminine pronouns for that person. In a span of 15 seconds, the student referred to the plaintiff as she, then he, and again they. Were we discussing the same case?

If you follow the pronoun clues in reading and in conversation, you’ll likely

<table>
<thead>
<tr>
<th>1st person singular</th>
<th>Subjective Pronouns</th>
<th>Objective Pronouns</th>
<th>Possessive Pronouns</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>me</td>
<td>my/mine</td>
<td></td>
</tr>
<tr>
<td>2nd person singular</td>
<td>you</td>
<td>you</td>
<td>your/yours</td>
</tr>
<tr>
<td>3rd person singular</td>
<td>he</td>
<td>his/his</td>
<td></td>
</tr>
<tr>
<td></td>
<td>she</td>
<td>her/hers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>they</td>
<td>their/their</td>
<td></td>
</tr>
<tr>
<td></td>
<td>it</td>
<td>its</td>
<td></td>
</tr>
<tr>
<td>1st person plural</td>
<td>we</td>
<td>us</td>
<td>our/ours</td>
</tr>
<tr>
<td>2nd person plural</td>
<td>you</td>
<td>you</td>
<td>your/yours</td>
</tr>
<tr>
<td>3rd person plural</td>
<td>they</td>
<td>them</td>
<td>their/their</td>
</tr>
</tbody>
</table>

Chart 2
be just fine. Again, when in doubt, it’s best to ask.

Conclusion

Let’s celebrate this grammatical leap forward. One small pronoun is a giant leap for humankind — validating the identity of colleagues rather than treating them as a grammatical inconvenience. Let’s also remember that pronouns still have specific roles and use our pronouns consistently.

Suzanne E. Rowe is the James L. and Ilene R. Hershner Professor at the University of Oregon School of Law, where she teaches courses in legal writing, legal research and advocacy. She is particularly grateful to Liz Frost, Amber Lesher and students in her Fall 2019 Writing Colloquium for their feedback on drafts of this article.

ENDNOTES


3. This point was covered recently in “What Quakers Can Teach Us About the Politics of Pronouns” by Teresa M. Bejan, https://www.nytimes.com/2019/11/16/opinion/sunday/pronouns-quakers.html.

4. Merriam-Webster’s definition is at https://www.merriam-webster.com/dictionary/nonbinary. The LGBT Foundation defines “non-binary” more broadly as identifying as having a gender between or beyond “man” and “woman”; fluctuating between those two categories; or having no gender, whether permanently or sometimes. https://lgbt.foundation/who-we-help/trans-people/non-binary.

5. I realize that I lied earlier when I promised that I’d present just three sets of pronouns. Pronouns in this set (truly the last for today) include myself, yourself, himself, herself, ourselves, yourselves and themselves.


7. Often the easiest revision is to make the subject plural. Jurors should vote their conscience. (Whew! That was tough!) For more ideas, see “Finessing Gender Pronouns,” Oregon State Bar Bulletin (June 2007).

Orphan Immigrant Attorney

OSB President Liani Reeves Builds Community Through Law, Leadership and Mentorship

By Melody Finnemore
Liani Jeanheh Reeves was motivated to become an attorney, in part, by her experiences with racism, exclusion and bullying — incidents that left her feeling powerless and alone.

“I perceived it as a way to reclaim power I didn't feel like I had as a woman and a person of color,” she says. “Lawyers have access to tools and resources that others don’t. And I wanted a law degree to empower myself and others.”

Today, the Oregon State Bar’s 2020 president says she’s proud to represent the changing face of the legal profession. And she remains a dedicated advocate for those who want to pursue a career in the law even if they don’t fit the traditional image of a lawyer.

“It is important to me that they know they have a choice and they should find their own best path,” Reeves says. “Being a lawyer can be an incredibly challenging path, but it can also be an incredibly rewarding path.”

Reeves’ own journey began as an abandoned newborn at an orphanage in Seoul, South Korea. She was adopted by an American family and immigrated to the United States as an infant. She was raised in upstate New York until she was 12, when her parents retired and moved to an Oregon coastal community near Coos Bay in 1988.

At the time she was adopted, adoptees from other countries and their families were encouraged to assimilate their adopted children fully into “American” culture, and Reeves says she lost all connection to South Korea.

“We did an occasional Korean restaurant or cultural event, but there wasn’t much exposure, through no fault of my parents,” she says. “That was just the model.”

At the same time, Reeves says she never felt completely connected or accepted living in predominately white communities.

“Because my parents raised me as their own, I wasn’t really aware that I was different until other people told me that I wasn’t welcome because I was different,” she says. “In high school, I had girls lining up to fight me outside of my classroom and the gym. I had racial epithets scratched all over my locker. It was obvious that people didn’t accept me as part of the community.”

After graduating from North Bend High School, Reeves left the coast and attended Willamette University, where she found community for the first time. A proud “Double Bearcat,” she earned her bachelor’s degree with a major in religious studies and a minor in English in 1998; she graduated from Willamette University College of Law in 2001.

She says she didn’t know where her law degree would take her, so she kept an open mind and followed opportunities that led to a broad array of experiences. She spent nearly a decade as an honors attorney, assistant attorney general and deputy chief trial counsel at the Oregon Department of Justice’s Trial Division, where her primary focus was employment litigation, defense of public universities and other large state agencies. She also spent 18 months working on behalf of crime victims at the National Crime Victim Law Institute, a nonprofit based at Lewis & Clark Law School.

In 2011, Reeves was asked by Gov. John Kitzhaber to serve as the general counsel for the Office of the Governor. She served four years, providing advice on a wide range of legal issues, including employment, public transparency, free speech, government ethics, and tribal and public safety matters. She also ran the
governor’s judicial appointment process, helping Kitzhaber appoint more than 40 judges to Oregon’s trial and appellate courts.

Reeves left her public sector career in 2015, when controversy surrounding the governor’s office eventually led to Kitzhaber’s resignation. But despite the challenges she faced at the end, Reeves says she doesn’t have any regrets and is extremely proud of what she describes as a high-risk, high-reward public sector career.

“Public practice can be challenging because of the constant public scrutiny, political backdrop and limited resources. It’s also extremely rewarding because of the impact you can have as a public lawyer,” she says. “I had the opportunity to work on issues that are extremely important to me as a lawyer, including the appointment of judges and the review of bills passed by the Legislature before the governor signs them.”

Reeves soon joined the Portland-based boutique labor and employment law firm Bullard Law, where she hoped to build a private practice working with government, education and non-profit clients. Now a shareholder, she calls it a perfect fit.

“A young Liani Reeves celebrates with her dad, the late Kent A. Reeves, on the day she became a U.S. citizen. Photo courtesy of Liani Reeves

Liani Reeves was somewhere between 1-4 months old when this photo was taken at the Eastern Child Welfare Society orphanage in Seoul, South Korea. Written on the photo is her birth name: “Shin, Kyong Ok.” Photo courtesy of Liani Reeves

Liani Reeves and Mae Lee Browning pose during a trip to Istanbul, one of Reeves’ vacations with her “travel family.” During Reeves’ term as OSB president, Browning will serve as chair of the Oregon New Lawyers Division, and Reeves says they “hope to use our respective roles, both individually and together, to highlight the importance and rewards of mentoring.” Photo courtesy of Liani Reeves

Because my parents raised me as their own, I wasn’t really aware that I was different until other people told me that I wasn’t welcome because I was different.
“I chose Bullard because they had a long history working with public sector clients. I wanted to continue that part of my practice, while also learning how to work with private clients and in a private firm setting,” Reeves says, describing the transition as challenging but rewarding. “I had to reorient the way I thought about being a lawyer. Fortunately, because I work primarily with public and nonprofit clients, I still filter everything through a public-interest lens. I had to learn to add that additional filter of a business lens.”

Her current practice is a mix of employment litigation and advice for public and nonprofit clients, with an emphasis on working with higher education and local government clients. She also frequently conducts workplace and Title IX investigations. And she speaks locally and nationally on a broad array of topics, including managing high-profile matters and sexual harassment and discrimination laws.

She says her diverse practice experience in the private, public and nonprofit sectors has given her a broad perspective on what lawyers do.

“I’ve been fortunate to work in a lot of different capacities,” Reeves says, “all of which add layers of experience to make me a well-rounded lawyer who understands legal issues from lots of different perspectives and understands challenges faced by different types of lawyers.”

Throughout her career, however, Reeves has had to overcome stereotypes about Asian women, including the bias that Asian women are shy and passive.

“As a lawyer, I’ve been subjected to subtle and outright discrimination,” she says, adding that like other women and people of color, she has had to work extra hard to prove herself. “Being a diverse attorney in Oregon, you stand out, for better or worse. People make assumptions about you or try to pigeonhole you into an area of law based on their own perceptions of your abilities.”

In law school, she was told she needed to cut her long hair in order to be taken seriously as a lawyer. (She didn’t.) Coming out of law school, she was rejected for a job in litigation because of the perception she was “too passive.” (She isn’t.)
“Early in my career, I had to come to terms with how my appearance as an Asian woman and the perceptions that flow from it were impacting how others viewed my abilities as a lawyer,” Reeves says. She made the choice, she says, to press on and work harder to overcome the barriers — even though she continues to face discrimination and stereotypes.

“All women and people of color do,” Reeves says, noting that even her decision not to have children so that she could concentrate on her career has raised questions.

“I wish that I didn’t have to feel like it was a ‘choice’ between family and career,” she says. “I know many women who have successfully balanced both. For me, I didn’t see a scenario where I could do that. I’ve been judged for it, but women tend to get judged no matter what choices we make.”

Building Community

Her experiences have led Reeves to a strong commitment to building community through mentorship, leadership and friendship — a commitment that started because of her childhood. “Being adopted and growing up in non-diverse communities played into that,” she says. “I definitely did not feel accepted in my community, so I feel the need to build that around me.”

She has mentored law students at Willamette University College of Law every year since she graduated, and has also mentored students from Lewis & Clark Law School and University of Oregon School of Law. She has been recognized by Willamette and Lewis & Clark for outstanding mentoring; in 2014, WUCL’s Asian Pacific American Law Students Association created the “Liani J. Reeves Inspiration Award” in her honor and in recognition of her support for law students.

Reeves says she advises students to follow their professional interests — even if they ultimately do not involve working in the legal profession. For those who do decide to become attorneys, she continues to offer support after they earn their degrees and begin to practice.

“I believe lawyers can open doors and affect change in amazing ways, but it’s not an easy path for women and people of color,” she says. “I try to support them and empower them so they get to make a choice about what path they want to take — not because someone else has chosen a path for them.”

Reeves is grateful for her own mentors — who were mostly white men, she says — and appreciates their contributions to her growth as a lawyer. They couldn’t share her perspective and didn’t try, she says, but that’s what made them effective mentors.

“They let me find a way to be a lawyer that worked for me and was authentic to who I am and what I bring,” she says, adding that she’s proud that she may not fit the traditional image of a lawyer.

“I’m an orphan, I’m an immigrant, I’m a woman and I’m a person of color. None of these things may reflect what people think lawyers look like, but I am a lawyer,” Reeves says. “For other people who don’t look or feel like the traditional image of a lawyer, I want them to know there is a place for them, and times are changing.”

Committed to Advocacy

Advocacy on behalf of women and people of color extends well beyond Reeves’ career and into her personal time. She served for eight years as co-chair of the Oregon Minority Lawyers Association (OMLA) and is past president of the Oregon Asian Pacific American Bar Association (OAPABA). She has also worked within the broader community, serving as a founding board member and president of the civil rights organization Korean American Citizens League and serving as the chair of the Oregon Commission on Asian and Pacific Islander Affairs.

In 2015, she received Oregon Women Lawyers’ Judge Mercedes Deiz Award for her work promoting minorities in the legal profession and community. In 2011, Reeves received the National Asian Pacific American Bar Association’s “Best Lawyers Under 40” award; in 2010, she was named “Up & Coming Lawyer of the Year” by the Daily Journal of Commerce and was named to the Portland Business Journal’s “Forty Under 40” list. In October 2019, she received the State of Civil Rights Forum Award from the Oregon League of Minority Voters for “going beyond the call of duty to promote and advocate for civil rights, for all peoples.”

Oregon Supreme Court Justice Lynn R. Nakamoto has worked with Reeves for years as part of OAPABA’s CLE Committee, which Reeves chairs. “Liani is a straight shooter and goal-oriented, and she likes to make things happen,” Nakamoto says. “She listens well, sizes things up, and then brings focus and practicality to the table every time.”
Elisa J. Dozono, senior corporate counsel for CLEAResult, credits Reeves with reinvigorating the CLE programs for OAPA-BA and says she addresses issues specific to the Asian Pacific American community while also highlighting attorneys who frequently go unrecognized.

“Liani is fierce. She is an unapologetic advocate and mentor for marginalized law students and attorneys of color,” Dozono says. “From advocating for yourself as a female Asian Pacific American attorney to making partner to changes in civil rights laws, Liani’s sole purpose is to ensure diverse attorneys are recognized for more than the color of their skin.”

Kathy Hindman, a partner at Bullard Law, respects Reeves’ passion for assisting education, public sector and nonprofit employers with “employment-related landmines.”

“She is a well-respected speaker, both locally and nationally, and has really hit her stride with performing top-notch investigations,” Hindman says. “Equally, or more importantly, is Liani’s tireless and compassionate work outside the office with mentoring new lawyers and working for equality for minorities and women. Her nature is humble, her wit is dry and her heart is huge. It is fun and a privilege to work with Liani.”

Bullard Law colleague Ben O’Glasser says he admires Reeves’ ability to tackle tricky legal issues with nuance while maintaining a firm grasp on the critical facts of a case.

“Shocked can seamlessly move from having big-picture conversations with clients to ensuring that witnesses feel heard and understood about minutia that is important to their stories,” he says, adding that after working for clients all day, Reeves frequently devotes more time in the evening and on weekends to mentorship and volunteer service. “Her impressive involvement in community and bar associations inspires other lawyers in our firm to do the same.”

Julia Markley, a partner at Perkins Coie, points out that Reeves helped create OMLA’s IMAGE program (“Inspiring Minority Attorneys Toward Growth and Excellence”) for new lawyers of color and coordinates Oregon’s delegation to annual National Asian Pacific American Bar Association conventions.

“She did this volunteer work when she was in public practice and continued through a successful transition to private practice,” Markley says.

Oregon Court of Appeals Judge Steven R. Powers says he looks forward to Reeves’ leadership of the bar.

“Throughout her career that spans public and private practice, Liani has continually demonstrated her commitment to a strong and diverse legal profession that is reflective of the increasing diversity of Oregon,” he says. “As a thoughtful and conscientious leader and listener, we are fortunate to have her steady hand to steer the OSB ship.”
U.S. District Court Magistrate Judge Mustafa T. Kasubhai says he is excited for Reeves to continue the bar’s trend of engaged leadership and commitment to including all members in its statewide community.

“I’ve known Liani for several years. In all of this time I’ve seen her inspire countless people to join her in creating programs and policies that will keep our legal profession robust and resilient,” Kasubhai says. “I have seen her spend her leisure time mentoring law students, collaborating with bar leaders to make Oregon a welcoming space for not only lawyers, but for all Oregonians. She is tireless. She doesn’t just talk the talk, she also sprints the walk.”

Presidential Priorities

Reeves says that during her presidency, her focus will include the importance of mentorship in securing the future of the legal profession. She notes that the profession’s demographics are changing, with baby boomers retiring in mass numbers and fewer people entering and graduating from law schools. In addition, she says, the rising cost of litigation has significantly limited the opportunities for civil practitioners to actually get into court and try cases.

“It is extremely important to the public that we have a new generation of lawyers available and adequately prepared to serve in all areas of practice and in all areas of our state,” Reeves says. “Mentors can play a crucial role in supporting the next generation of law students and lawyers, and giving them the support and the tools necessary to be effective lawyers in our communities.”

“I am excited that during my year as OSB president, Mae Lee Browning will be serving as the chair of the Oregon New Lawyers Division,” she adds. “Mae Lee and I were paired as mentor-mentee by Willamette during Mae Lee’s first year of law school, and we have maintained that relationship into her practice. Throughout 2020, we hope to use our respective roles, both individually and together, to highlight the importance and rewards of mentoring.”

Another area of focus, Reeves says, will be restoring confidence in the rule of law.

“Regardless of political affiliation, lawyers should be concerned that recent events have eroded confidence in our legal system and the rule of law. As lawyers and as the Oregon State Bar, we are uniquely situated to help rebuild that confidence,” she says. “I hope to explore ways to bring lawyers together around the state to highlight the importance of an independent judiciary and the rule of law.”

Pointing to data that shows Oregon has an access-to-justice gap, Reeves says a third area of focus during her presidency will involve looking at creative and innovative ways to address unmet legal needs. The OSB Board of Governors moved two such proposals forward in September after hearing ongoing concerns about the lack of lawyers available to move to and serve rural communities:

A new Writing for the Bar program would allow individuals to sit for the bar examination after going through a rigorous training program with a supervising lawyer in lieu of obtaining a J.D. “We have already heard feedback that this type of program could be extremely effective in rural communities for solo practitioners or small firm lawyers to train paralegals or other staff members who are already members of those communities to take over their practices,” Reeves says.

A limited-scope licensing program would allow individuals who may not have a J.D., but who have completed specialized education and mentoring requirements, to obtain a license to provide limited legal services in the areas of family law and landlord/tenant law — the two areas that have the highest numbers of unrepresented parties, Reeves says.

“The BOG understands that both of these programs may raise questions and concerns, and we welcome feedback as we move forward with looking at implementation and consideration by the Oregon Supreme Court,” Reeves says. “Given the access-to-justice gap and the OSB mission to serve the public, I am excited to explore these types of novel programs to deliver legal services to those who need it the most.”

When she’s not working, mentoring and volunteering, Reeves travels extensively. She has visited her birth country of South Korea and ventures out frequently with her “travel family,” a group of Oregon lawyers that includes her partner, Iván Resendiz Gutierrez, an attorney at Miller Nash Graham & Dunn; Mae Lee Browning, her former mentee; and Derily Bethold, her former OMLA co-chair. Together, they have traveled to the Dominican Republic and Turkey, as well as around the U.S. and Oregon.

In 2012, Reeves participated in a transatlantic fellowship through the German Marshall Fund of the United States, traveling to Germany, Sweden, Greece, Belgium and Albania. “For me, traveling to other countries has opened my eyes to what it means to be American and to appreciate everything that I have been afforded as an immigrant to America,” she says. “It also reminds me how big the world is and how other people’s experiences and cultures are just as rich.”

Melody Finnemore is a Portland-area freelance writer. Reach her at precisionpdx@comcast.net.
Meet the Oregon State Bar
Board of Governors

Kyra Kay Rohner
(Region 1)

Term: Appointed in 2019 to fill a board vacancy; term expires in 2020.
In Practice: Operates a solo practice in Baker City focused on family law and criminal defense; since January 2016, Rohner has also worked under a contract with Public Defense Services to provide indigent defense in Baker County.
Education: Bachelor's degree from Lewis & Clark College; J.D. from Willamette University College of Law.
Date Admitted to OSB: 2009
Contact: (541) 523-9670; kyra@rohnerlaw.com

Bik-Na Han
(Region 4)

Term: Elected in 2018; term expires in 2022.
In Practice: Deputy district attorney in the Washington County District Attorney's Office, currently assigned to the Domestic Violence Unit.
Education: Bachelor's degree from University of California, San Diego; J.D. from University of Oregon School of Law.
Date Admitted to OSB: 1999
Contact: (503) 846-8671; bik-na_han@co.washington.or.us

Adrian Lee Brown
(Region 5)

In Practice: Assistant U.S. attorney for the District of Oregon; she is the office's civil rights coordinator.
Education: Bachelor's degree from Indiana University Bloomington; J.D. from Lewis & Clark Law School.
Date Admitted to OSB: 2005
Contact: (503) 727-1000; adrian.brown@usdoj.gov

David Wade
(Region 2, OSB president-elect)

Term: Elected in 2017; term expires in 2021. (Previously served on BOG from 2011-2013.)
In Practice: After 25 years of trying business cases at law firms in Eugene, Wade is now in-house counsel at Douglas County Individual Practice Association.
Education: Bachelor's degree from Harvard College; J.D. from Harvard Law School.
Date Admitted to OSB: 1993
Contact: (541) 684-0674; jdwadejd@outlook.com

Eddie D. Medina
(Region 4)

In Practice: Founder of The Law Office of E.D. Medina in Beaverton, where his practice focuses on estate planning.
Education: Bachelor's degree from University of Tennessee; J.D. from Lewis & Clark Law School.
Date Admitted to OSB: 2005
Contact: (503) 336-4007; emedina@osbar.org

Kamron Graham
(Region 5)

Term: Elected in 2018; term expires in 2022.
In Practice: Deputy public guardian and conservator for Multnomah County, representing low-income, disabled and elderly adults.
Education: Bachelor's degree from University of New Hampshire; J.D. from Seattle University School of Law.
Date Admitted to OSB: 2013
Contact: (503) 313-8768; kamrongraham@comcast.net

Eric R. Foster
(Region 3)

In Practice: Partner at Foster Denman in Medford, where his practice includes business and corporate law (nonprofits, partnerships, limited liability companies and taxation), as well as estate planning and administration.
Education: Bachelor's degree from University of Oregon; J.D. from University of Oregon School of Law; LL.M. (Taxation) from University of Washington.
Date Admitted to OSB: 2002
Contact: (541) 770-5466; efoster@osbar.org

Colin Andries
(Region 5)

In Practice: Of counsel at Black Helterline in Portland, where he focuses on general civil litigation. In addition to specializing in landlord/tenant law and post-judgment collections, Andries also advises clients on real estate and land use issues.
Education: Bachelor's degree from University of Oregon Clark Honors College; J.D. from University of Oregon School of Law.
Date Admitted to OSB: 2005
Contact: (503) 224-5560; candries@osbar.org

John E. Grant
(Region 5)

In Practice: Founder of Agile Attorney Consulting in Portland, which helps legal teams with strategic planning, operational efficiency, employee engagement, and product development and pricing.
Education: Bachelor's degree from Tufts University; J.D. from Lewis & Clark Law School.
Date Admitted to OSB: 2011
Contact: (503) 389-5412; JEG_BOG@AgileAttorney.net
**Joe Piucci (Region 5)**

**Term:** Elected in 2019; term expires in 2023.

**In Practice:** Partner at Piucci Law in Portland, where he handles serious personal injury, wrongful death and employer liability law cases for plaintiffs.

**Education:** Bachelor's degree from University of Southern California; J.D. from Lewis & Clark Law School.

**Date Admitted to OSB:** 2001

**Contact:** (503) 226-2966; christinecostantino@osbar.org

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**Liani Reeves (Region 5, OSB president)**

**Term:** Elected in 2016; term expires in 2020.

**In Practice:** Shareholder at Bullard Law in Portland, where she handles high-profile matters for public sector and higher education clients and conducts workplace investigations and training.

**Education:** Bachelor's degree from Willamette University; J.D. from Willamette University College of Law.

**Date Admitted to OSB:** 2001

**Contact:** (503) 721-2645; lrees@osbar.org

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**Katherine Denning (Region 6)**

**Term:** Elected in 2018; term expires in 2022.

**In Practice:** Associate attorney at Landerholm Family Law in Salem, where she focuses on family relationships, including divorce, custody, visitation and adoptions.

**Education:** Bachelor's degree from Evergreen State College; J.D. from Willamette University College of Law.

**Date Admitted to OSB:** 2012

**Contact:** (503) 227-0200; kdenning@landerholmlaw.com

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**Ryan Hunt (Region 6)**

**Term:** Elected in 2019; term expires in 2023.

**In Practice:** Shareholder at Garrett Hemann Robertson in Salem, where he focuses on domestic relations, construction litigation and personal injury litigation.

**Education:** Bachelor's degree from Washington State University; J.D. from University of Oregon School of Law.

**Date Admitted to OSB:** 2002

**Contact:** (503) 581-1501; rhunt@ghrlawyers.com

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**Jenny Cooke (Region 7)**

**Term:** Elected in 2018; term expires in 2022.

**In Practice:** Life-long criminal defense lawyer and longtime shareholder in the Clackamas Indigent Defense Corporation; no longer engaged in litigation.

**Education:** Bachelor's and master's degrees from Portland State University; J.D. from Northwestern School of Law, Lewis & Clark College.

**Date Admitted to OSB:** 1979

**Contact:** (503) 656-9261; jhenning@osbar.org

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**Rob Milesnick (Region 8)**

**Term:** Elected in 2019; term expires in 2023.

**In Practice:** Founder of Milesnick Law in Vancouver, Wash., where he focuses on employment and civil rights law, consumer protection and litigation helpful to workers.

**Education:** Bachelor's degree from Virginia Commonwealth University; J.D. from Syracuse University College of Law.

**Date Admitted to OSB:** 2015

**Contact:** (503) 757-2561; rob@milesnicklaw.com

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**Christine Costantino (OSB Immediate past president)**

**Term:** Elected to Region 5 seat in 2015; term expired in 2019.

**In Practice:** Partner at Samuels Yoelin Kantor in Portland, where she focuses on dissolution of marriage and registered domestic partnerships; prenuptial and domestic partner agreements; contested custody, child and spousal support; grandparents' rights; and other family-related legal matters.

**Education:** Bachelor's degree from University of Vermont; J.D. from Willamette University College of Law.

**Date Admitted to OSB:** 2001

**Contact:** (503) 226-2966; ccostantino@osbar.org

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**Anne Graham (Public member)**

**Term:** Appointed in 2019; term expires in 2023.

**Occupation:** Graham was the head of solar facilities for Solarworld before retiring in 2010; she formerly led the design of semiconductor factories while with Intel Corp. Graham is also a former Redmond city councilor.

**Education:** Bachelor's degree from University of California, Santa Cruz.

**Contact:** (541) 699-7707; jahrenning@osbar.org

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**Joseph Hesbrook (Public member)**

**Term:** Appointed in 2018; term expires in 2022.

**Occupation:** Emergency management consultant in Bend; he previously served as a tribal liaison and branch chief for the Federal Emergency Management Agency.

**Education:** Bachelor's degree from University of Oklahoma; master's and Ph.D. from University of North Texas.

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**Michael Rondeau (Public member)**

**Term:** Appointed in 2017; term expires in 2021.

**Occupation:** Chief executive officer of the Cow Creek Band of Umpqua Tribe of Indians.

**Education:** Associate's degree from Umpqua Community College.

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**Traci Rossi (Public member)**

**Term:** Appointed in 2016; term expires in 2020.

**Occupation:** Executive director of the Center for Women’s Leadership, which is housed in the Hatfield School of Government at Portland State University.

**Education:** Bachelor's degree from The Catholic University of America.

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Kate Oldfield faced 70 months in prison under Measure 57 guidelines for drug charges when her defense attorney offered the alternative of entering drug court. She didn’t hesitate.

“I knew if I didn’t take drug court, I was eventually going to die,” she says.

Today, Oldfield has achieved nine years of sobriety. She is a mother, a graduate student in forensic psychology and a drug and alcohol counselor at the Columbia River Correctional Institution. She also is a survivor of domestic violence, post-traumatic stress disorder and an opioid addiction that peaked at 60 to 70 Vicodin pills a day.

At the heart of her recovery: Oldfield is a graduate of Washington County Circuit Court’s drug court, one of about 77 specialty courts statewide that are all administered at the county level.

Specialty courts provide an alternative to the adversarial milieu of the typical criminal court. Instead, judges, prosecutors, defense attorneys, probation officers and treatment professionals all work together to find the best way to serve and hold accountable individuals who end up in the criminal justice system, often because of mental health- or substance use-related disorders.

One of those individuals was Oldfield, who started smoking pot at age 12.
“I was really bright, did well in school and got high scores on my SATs. I didn’t think drugs were a problem,” she says. When Oldfield was 18, she met a man who was 29. “I decided to move in with him rather than go to college,” she says, “because he had pot and he could buy me alcohol.”

Within a few months, Oldfield’s partner started physically abusing her.

“I was too embarrassed to go home to my family, so I stayed. Then I was offered cocaine at my job and I used it. It made me feel brave enough to go home to the man I lived with and face what was waiting for me,” she says. “I started to get broken bones from the abuse and the doctor gave me prescription opiates for pain. I stopped using cocaine and pot, but I was still getting high. And I thought it was fine because my doctor gave it to me.”

By the time Oldfield left the man she had been living with, she was a full-blown opioid addict and had lost her job. “I was doctor shopping, and I would go to different pharmacies to fill the prescriptions,” she says, eventually making up names to obtain the drugs. She was arrested and charged with identity theft.

“I was sentenced to probation and outpatient treatment, but I wasn’t ready to stop,” says Oldfield. “I would stay clean for a while and then start using again.” But when she was brought back to court and confronted with sentencing, “I needed help, and I knew it.”

“When I was in the drug court program, I didn’t think I’d be capable of very much, because I had ruined my life so spectacularly,” she says. “The work you do in treatment court is the hardest work of a lifetime. Having to deal with pain, shame and addiction and be accountable is hard. The support I received helped me in finally overcoming my addiction.”

Counseling helped her deal with the trauma and domestic violence she had undergone, she says, and also to realize “the underlying issues behind my use.” Not only that, Oldfield’s drug court experience led her to a new life and a career. She earned certification as an alcohol and drug counselor, finished her bachelor’s degree, is pursuing her master’s degree and has worked at the prison for the past four years. Her goal is to continue as a counselor to “justice-involved individuals.”

“I found my purpose and my life through treatment court,” she says. “I can say with 100 percent certainty that the Washington County Drug Court saved my life” because of the support people there gave her and “the relationships they build. I realize how fortunate I was to have them fighting for my life. Because of drug court, I can now help other people going through treatment court, reduce recidivism and help reconnect families.”

‘Carrots and Sticks’

Specialty courts — also called problem-solving courts or treatment courts — began three decades ago when a Florida judge grew weary of seeing repeat offenders before him who were afflicted with mental health and substance use issues. He wanted to stop the revolving door and funnel defendants into treatment.

The idea, explains Multnomah County Circuit Court Judge Eric J. Bloch, is to “use the carrots and sticks available to us” as courts to encourage defendants to get into, and stay in, treatment.

Across Oregon, counties run courts that may focus on drugs (adult and juvenile courts), mental health, families, DUII and veterans; the mix varies by county. Multnomah County was second in the nation to establish a drug court, and other Oregon counties — such as Klamath and Lane — were early adopters, as well.

Funding for the courts comes primarily from three sources: nearly $15 million from the state’s general fund, $4 million from the federal government and $555,000 from lottery dollars. Individual counties apply for a share of those funds through the Oregon Criminal Justice Commission (CJC); in the 2019-21 biennium, 42 of the 50 courts that applied for funding received it.

In addition, the commission awarded an additional $2 million in December through its Specialty Court Implementation Grant program. Those funds will be used to support the implementation of new or existing Oregon specialty courts that did not already receive funding.
“Each specialty court is funded in a unique way, even if they get funding through our office,” says Joanna Robert, a CJC specialty court program analyst. “Some courts get nearly all or most funding from us, but we encourage that they have other resources to fund their specialty courts.”

No matter where the money comes from, though, the result is “a different model than the typical criminal court docket,” says Danielle Hanson, statewide specialty court coordinator with the Oregon Judicial Department. It’s a model that features judges and lawyers working together, she says, to emphasize behavior modification and use a non-adversarial approach in court.

Indeed, the specialty court concept constitutes a true collaboration, says Bloch, a longtime advocate of specialty courts and chair of the Oregon Alcohol and Drug Policy Commission. The judge, district attorney and defense lawyer “all sit together at the table and...”
figure out what we can do to help these individuals make progress toward recovery and exit from the criminal justice system,” he says.

The courts also work with housing, government and treatment agencies, Bloch adds, “looking for partnerships that people need for a well-grounded life in recovery.”

The objective is to get appropriate people into treatment before they commit more serious crimes, Bloch says, by targeting defendants who got involved in the criminal justice system in part because of mental health and addiction issues.

The program Bloch created and has been most directly involved in is known as START, an acronym for Success Through Accountability, Restitution and Treatment. It’s a drug treatment court in Multnomah County for adults convicted of certain felony offenses who have an addiction to drugs and/or alcohol; participants attend substance use treatment, are supervised by an assigned probation officer, report to court regularly and submit to random drug testing.

For some specialty courts, the minimum time commitment is one year. Drug courts generally also require that participants either work or pursue education.

“It is an arduously demanding program because we’re asking people to change their life circumstances in about every way imaginable,” says Bloch. “A lot are homeless on the streets, using heroin and meth and other dangerous drugs on a daily basis.” The drug court tries to “get them into treatment, and stresses accountability.”

The START court’s graduation rate is 42 percent, a relatively high figure that Bloch says is partly due to the fact that the court sets “reasonable expectations of people” at the beginning. For instance, participants must “show up,” but they do not have to be clean and sober at the outset because they are still physically addicted and haven’t begun treatment, he explains.

“Across the state, there is general recognition of the contributions specialty courts are making,” Bloch maintains. “Drug courts and specialty courts are very well accepted across the political and
philosophical spectrum. People understand we have folks who have a treatable disease, and we can promote success and get them back to a productive life to be valued members of the community.”

When members of towns large or small “see people benefiting from participating,” he says, “they know in a tangible way that these courts do work.”

Paying It Forward

Jeramy Ritter served in the U.S. Army and the National Guard from 2003-2011, including tours in Iraq. What he describes as “a physical altercation with my stepfather” led to his being sent to Lane County Circuit Court. There, he was identified as having anger-management issues and, as part of a plea bargain, accepted an offer to enter Lane County Veterans Treatment Court.

“I was already receiving counseling, and going through PTSD, a divorce and a lot of other things,” Ritter explains. “(Treatment court) makes you face yourself, and if you’re ready to do that, it’s a really good program. Anything I could do to get to the healing process would help me, and that’s why I decided to go in.”

A judge assigned Ritter to a probation officer, and he received a mental health evaluation and treatment. Regular court appearances were required to track progress, he says, and all participants must undergo regular random drug testing, whether or not they have a substance use disorder.

Veterans court “can be rough for people at first,” says Ritter. “Most veterans are prideful. Some have big-time drug addictions; some are homeless. What’s good is, they work with you to help you with whatever you need help with. When you first get in there and have to face self-awareness, you need to face things you don’t want to face. But I knew I needed it, and so I went through it with an open mind.”

Ritter later became a mentor for other participants, a volunteer role he still pursues.

“Ever since I graduated, I’ve done a lot of work on myself psychologically,” he says. So when he was asked to be a mentor, he accepted immediately. He had already been doing volunteer work with veteran-related organizations, “but I love the fact I had been through this before.
I believe I have a lot of knowledge to help other guys. It’s really good because it humbles you to help others, and it gives you a sense of responsibility.”

Some mentors choose to work only with participants who experienced the same kind of challenges they did, whether mental health or substance use, but Ritter does not.

“I like a mix,” he explains. “I believe I have the ability to understand what they are going through.” He finds the work gratifying, but adds: “I’m not proud. I’m more thankful that I have the ability to give back and help other people, because not only does it help them, it helps me.”

Charting Outcomes

Oregon is one of only two states that have established a unified database system to keep track of what each court accomplishes — or fails to accomplish — for clients, according to Michael Schmidt, executive director of the Oregon Criminal Justice Commission. Although specific numbers aren’t available yet, the outcome data will soon give Oregon an evidence-based model that will indicate courts’ effectiveness and show whether the state is getting results from the model it’s using.

“It will give us outcome data we’ve never had before,” Schmidt says. “And having those results will enable research to isolate what it is about them that makes them work. I think this is going to be an incredibly exciting innovation for Oregon’s specialty courts.”

Hanson, the statewide specialty court coordinator, concurs.

“We’re really excited to have this new database so we can tell legislators why these (programs) are important,” she says, and show how Oregon is doing compared with other states in terms of both outcomes and cost savings. “We hope to have accurate numbers in 2020 that we can start sharing.”

Hanson notes that Oregon developed the Oregon Specialty Court Standards, which are based on 10 key components
identified by the National Association of Drug Court Professionals as “best and promising practices for specialty courts.”

Steve Tillson, treatment court coordinator for Klamath County Circuit Court since 2010, was part of a work group that updated that manual in 2018. He says Klamath County was the first in the state to establish a veterans treatment court, served as one of the pilot courts for testing the statewide database and runs four types of treatment courts: drug, family dependency, mental health and veterans.

Tillson says the standards in the manual focus on reducing recidivism and use of resources. As a result, most specialty courts emphasize targeting “high-risk, high-need” individuals, he says, the thinking being that this gives courts “more bang for your buck.”

It’s a theory that seems to be working.

According to studies cited by Multnomah County Deputy District Attorney Caroline M. Wong, meta-analytic national research on drug courts shows that participants are significantly less likely to commit new criminal offenses or resume their drug use compared to defendants undergoing traditional criminal justice processing. Moreover, the average reduction in recidivism, 12 percent, is enough to generate a cost-benefit ratio indicating that, overall, adult drug court treatment produces about $2.21 in benefits for every $1 in costs.

Wong also points to a study conducted by the Oregon Criminal Justice Commission: Four drug courts — representing Multnomah, Jackson, Umatilla and Douglas counties — participated in a randomized, controlled trial to compare drug court with traditional probation. Participants were medium- to high-risk offenders. One-year results for 2014 found lowered recidivism for every crime category.
For that and other reasons, Multnomah County Senior Deputy District Attorney Jenna Plank predicts a continued expansion of specialty court programs, because they provide “alternative ways to meet community obligation” in a fiscally responsible manner.

Specialty courts’ eligibility requirements differ, depending on type and county, but Sara S. Mulroy, chief attorney for misdemeanors with Metropolitan Public Defender, notes that all are voluntary for the defendant “in the sense that clients have to agree” to enter them. Usually, though, that option is “part of a plea offer,” she says, “where the client is willing to plead guilty to a charge.”

That’s especially true in felony drug cases, Mulroy says, where the choice is either a specialty court or go to prison.

“I think for some clients, the high level of supervision and accountability offered by special courts can be incredibly effective in helping people access the help they need to make long-term, lasting changes,” Mulroy says. “Some folks really need this kind of system involvement, and for those people, participation in a specialty court can influence their lives in a positive way. It’s less punitive than sending people to prison.”

The specialty court model has certainly worked in Jackson County, where Circuit Court Judge Lisa Greif leads the local mental health court. Having such a court provides a different — and often more effective — way of handling defendants for whom mental health is one of their primary challenges, she says, noting that one-third of prisoners in Oregon have a mental health issue.

Greif’s court, as well as the county’s adult drug and family dependency courts, gives participants “the opportunity to change their lives for the better,” she says, noting that all three have shown dramatically reduced recidivism rates and increased cost savings.

“To see them participate and work so hard to overcome these (challenges) is very inspiring,” Greif says. “So when they graduate, it’s really a fun part of being a judge. You ... have hope that people can change and do change, and will make positive contributions to their community in the future.”

Klamath County’s Tillson says specialty courts are “one of the best things the justice system can do” because they “address the underlying root behaviors. Becoming a healthy and productive member of society — that truly is the goal. I think what sustains the work is realizing you’re helping people become well. When you see the real person re-emerge ... it kind of restores your faith in humanity. You know what you’re doing is restoring that person to be the person they could have been without drugs.”

Adds Multnomah County’s Bloch, “It’s been a real joy and positive professional experience for me to be a drug court judge and to really see individuals become themselves, and become the best version of themselves.”

Cliff Collins is a Portland-area freelance writer. Reach him at tundra95877@mypacks.net.
For Heather Weigler, Stand-Up Comedy Is Truly Personal

'Something for Myself'

By Kate Taylor

Heather Weigler takes the stage, and within the first three minutes, she's joked about parenting with marijuana, her kids' bathroom business and her own private parts. The crowd eggs her on, whooping and clapping.

This isn't the kind of success Weigler envisioned when she passed the bar, toiled through law school and eventually became senior assistant attorney general in the Oregon Department of Justice’s Charitable Activities Section. Yet since the lawyer and mother of two discovered stand-up comedy four years ago, it's been one of her main sources of inspiration and happiness.

It's also eased the stress of lawyering, a job that requires her to be constantly serious and scrupulous, to always consider how her actions will affect clients and co-workers.

On the job, Weigler works to protect the public’s interest in charitable assets and organizations. She also serves on her union’s executive committee and volunteers with Oregon Women Lawyers and the Campaign for Equal Justice. Comedy, she says, offers a break from all that.

With stand-up, Weigler says she’s free to experiment, to try her raw and often risqué sense of humor on audiences. She can draw stories from her own life, bending or playing with the facts to make jokes funnier.

That freedom of expression “hooked me from the start,” says Weigler, 43, sitting in the colorful Southeast Portland home she shares with her husband, Jake Weigler, and two children, 8-year-old Ruby and 6-year-old Clara. (The two ask that readers ignore anything their mother says about them.)

That said, Weigler dreaded her first performance at “Laf-Off 2015,” an annual fundraiser organized by the Campaign for Equal Justice, the nonprofit organization that raises funds for the state’s legal aid services.

A friend who liked Weigler’s snarky sense of humor volunteered her for the fundraiser, and she agreed for the sake of supporting a good cause. But as the comedy event drew near, fear set in. Weigler was fine standing up to argue or discuss legal matters, but to walk onto a stage (in Portland’s McMenamins Mission Theater) and face a crowd of people expecting to be entertained?

“I was so nervous I cried the whole day (before the event) and couldn’t remember why I’d agreed to do it,” Weigler recalls.

Once she stepped under the spotlight, however, she “had some beginner’s luck. People started laughing immediately. After that, I relaxed and started having a great time.”

That night, she did more than conquer her fear. She also won the event’s early show awards for funniest lawyer, for most money raised and most financial donors acquired.

“I was on cloud nine,” Weigler says. “It was the biggest high.”

She knew right away that she had to have more, and soon after she enrolled in comedy classes at Southeast Portland’s Helium Comedy Club. There, teacher Alex Falcone taught her and other students all about comic timing, improv, joke writing and other skills that help comedians create hilarious sets.
"I basically realized that I was doing everything wrong," she says, laughing.

By now, she’s performed all over the west coast, from Portland to Los Angeles to Las Vegas. But she continues taking classes to improve her skills, while making friends and contacts.

Weigler sat down with the Bulletin on a recent afternoon and talked about how her new passion has changed her life for the better.

Q. Why did you make the jump into stand-up comedy?

A. As I approached 40, I knew something was still missing. Both lawyering and mothering require you to give up a lot of yourself, subverting your interests in the interests of others. That’s pretty draining. So I started to explore how I might fill that need to have something for myself. I went skydiving ... I picked up embroidery ... I started constructing elaborate family Halloween costumes and throwing kid birthday parties that let me make crazy cakes and decorations.

Then the Campaign for Equal Justice called me (about Laf-Off) and I said yes because I was looking for new ways of being in the world. I thought, “The universe is giving me this chance, why not take it?”

Q. How has doing stand-up changed you and your life during the past four years?

A. Doing stand-up has given me more confidence and forced me to be more forgiving of my mistakes. Of course, it feels great to share your inner self and thoughts and get positive feedback. But more importantly, the process of stand-up builds up emotional resilience.

This might sound weird, but there is nothing like bombing on stage — it’s awful to stand up there and say something you think is funny and hear silence, but you get to walk off and start over, think about what went wrong, and try again. You learn a lot more from bombing than you do from delivering a killer set. And maybe you tweak it and it works next time, which is an incredibly satisfying feeling.

Q. What has helped you most on your path to becoming a stand-up comedian?

A. Classes. As a consumer of comedy, I don’t think I realized quite how hard it is. I want to give a shout-out to the classes at Helium Comedy Club.

In some ways, it was hard because I had such a good experience my first time on, and I didn’t know what I didn’t know, but I’ll swap ignorance for the capacity to improve any time.

I also struggle with the discipline of sitting down and writing new material, because as a hobby it’s easy for it to fall to the bottom of your to-do list. Being in the class gave me structure and forced me to be disciplined about writing and trying new material in the safe bubble of a comedy club with constructive feedback.
from a pro who wants you to succeed. It’s a much more forgiving environment than, say, an open mic in the corner of a bar filled with folks in their 20s talking about Tinder. It takes some thick skin to get up in that room with a perimenopause joke.

Q. What’s been the biggest challenge in learning to become a stand-up comedian?

A. I have struggled being an introvert, because I always feel out of place when I walk into an open mic. But it’s getting easier every time, and the women of Portland comedy have been especially kind and welcoming to me. I’m a pretty good writer naturally (if I do say so myself), but the stage presence thing is harder for me, and the only way to improve that is to get up over and over again in lots of rooms.

I need to work on that more, and it forces me to stretch myself socially. It’s also frankly given me an immense sense of gratitude for my life, because stand-up is all about hearing people’s struggles, and especially in Portland there is a lot of room for folks on the margins to share their stories. It’s not a comedy scene that tolerates punching down or racist, sexist (material).

Q. Why does the balance of lawyering and stand-up comedy work well in your life?

A. You rarely get a second chance as a lawyer. Once the hearing or trial is over, it’s over. But in stand-up, you get as many chances as you’re willing to take.

In both law and parenting, the whole point is to put yourself second in service of others. But stand-up is all about you, although you have the audience to help you

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In both law and parenting, the whole point is to put yourself second in service of others. But stand-up is all about you, although you have the audience to help you
figure out how you can best make folks laugh. And law practice matters in a way stand-up doesn’t. It’s one thing to have an audience depending on you for a laugh. If you make a mistake, the worst thing you’ll get back is silence and a chance to make fun of yourself. It’s a whole other thing to have a client depending on you for an outcome, where the worst thing might be life in prison, or a single mom being evicted, or millions of dollars stolen from the mouths of foster kids.

So while I’m sure a lot of lawyers wonder how stand-ups handle the pressure of the spotlight, to me it’s much less stressful than giving legal advice or litigating. In law, the standard you are striving for is perfection, and in stand-up you’re just striving for funny, which is by its nature imperfect and subjective.

Both comedy and law are about the problems inherent in being a human, but they are vastly different in their approaches to those problems. In comedy, you are the one sharing your humanity with an audience and hopefully listening to their feedback about it. And when you share something shocking and people laugh, you feel connected with the audience. They understand you.

In law, when you share your perspective, the vast majority of time it is telling folks they can’t do what they want, or that they are going to have to make a compromise, or even that they are going to lose and suffer some consequence. Your job is to take their human struggles and strip them of their humanity. It doesn’t matter how folks feel, it matters what the law and the evidence are. And you have very little control over outcomes as a lawyer,
because you’re constrained by the facts, and you can do everything perfectly and still lose.

I think that’s at the heart of why the public doesn’t like lawyers, because they are often expecting unrealistic outcomes that no amount of lawyering can deliver. In stand-up, all folks expect is to laugh, and how you feel and how the audience feels are the only two things that matter.

Rubber Chickens for All!

When Bill Abendroth won the first Laf-Off competition in 2004, he was honored with a bouquet of flowers. Since then, the categories have expanded to include most donors and most dollars raised, and anyone who wins any award — not just the funniest lawyer — gets a uniquely decorated rubber chicken. Here’s who brought home the coveted prizes in 2019:

Most Donors (Early Show):
Sarah Lowe

Most Dollars (Early Show):
Diane Henkels

Funniest Lawyer Before 9 p.m.:
Sarah Lowe

Most Donors (Late Show):
Heather Weigler

Most Dollars (Late Show):
Heather Weigler

Funniest Lawyer After 9 p.m.: (tie)
Cierra Brown and Paul Neese

Source: Shari C. Nilsson, programs & information specialist at the Campaign for Equal Justice

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Q. How do you push boundaries through comedy?
A. I have always been a bit of a boundary pusher. I’m a pretty blunt person, and I have a high tolerance for conflict and embarrassment. I don’t really care what other folks think of me, which is a strange thing for a stand-up to say because of course I care about the audience and want them to have fun. But I don’t need you to like me, and I don’t believe in taboos. They’re tools of oppression so that less powerful folks are constrained by shame from sharing their experiences.

So, for example, if you’re bothered hearing about my uterus, then you probably need to hear more about uteruses, not less. If you think you should get to tell folks which bathroom to use, maybe you need to listen to a person who is transgender talk about selecting a bathroom. If you don’t think white privilege is a thing, perhaps you need to hear a black man talk about getting pulled over.

Comedy is something that pushes society forward, and it can get you to think and maybe even change your perspective without you realizing it’s happening. So, I figure if my comedy makes people a little uncomfortable, I’m doing it right.

Kate Taylor is a Portland-area freelance writer. Reach her at katetgolightly@gmail.com.
Virtual Law Firms Shift Delivery of Legal Services Online

Beyond Brick and Mortar

By Hong Dao

What is a Virtual Law Firm?

According to the American Bar Association, the definition of a virtual law firm (VLF) can be hard to nail down because it ranges from a multi-lawyer, multi-jurisdiction law firm that provides full-service representation to a solo providing limited scope services.1 This article will focus on a VLF as a web-based law firm model for delivering online legal services with built-in accessibility and flexibility to meet the evolving expectations and demands of clients.

A VLF is the same as a physical law office, but everything is online. It uses technology to establish a cloud-based ecosystem for interacting with and servicing clients and as a tool for operational efficiency.

Some central features of a VLF include:

- No physical office space, but access to conference rooms for in-person meetings if necessary;
- Website with a secure client portal where clients can access the firm’s legal services;
- Secure client portal so attorneys and clients can communicate, upload and download files, review documents, pay bills, schedule appointments and transact business in an encrypted environment;
- Minimal in-person client contact, as almost all interactions occur in virtual spaces;
- Heavy reliance on cloud-based platforms and services — the firm’s data is stored in the cloud and the services it needs to run the firm are also cloud-based;
- Automated systems and procedures such as client intake, onboarding, bill payment and document creation; and
- An offer of unbundled legal services or limited-scope representation.

What a VLF is Not

VLF is often confused with working remotely, or having just a website and no physical office. A defining feature of a VLF is moving away from the traditional methods of service delivery.

Many lawyers now integrate technological advances in their practice, such as backing up data to the cloud or using artificial intelligence for legal research, but they still deliver the bulk of their services the traditional way. The selective or even pervasive usage of technology does not make a firm a VLF. To be a VLF, it must offer online legal services through a secure client portal as the primary delivery mechanism.

Benefits of VLFs

Operating a virtual law firm has some benefits, including:

Capturing new client markets. A good share of the solo and small firm legal market is taken up by online platforms like LegalZoom and Rocket Lawyer. A VLF can position itself as a competitor to retake this market. Also, a generation of prospective clients grew up with the internet. Being a VLF is a competitive edge in this specific market.

Reducing overhead. By getting rid of traditional office spaces and all the costs associated with a physical setup, virtual lawyers can reduce their overhead. This frees up resources, which may allow lawyers to pass savings on to clients while still providing the same high-quality legal services at a reduced fee. The costs of hiring internal support staff may also be eliminated by using technology to automate administrative tasks.
Improving mobility and efficiency. Virtual lawyers are not tethered to any specific office location and can practice law anywhere on their devices. Mobility is made possible through automated systems that don’t require lawyers to be physically at their desk. Document and systems automation result in a more efficient delivery of legal services.

Promoting creativity and flexibility. Traditional law firms are entrenched in their current model due to the heavy operational costs of having a physical office equipped with staff and legacy technology. VLFs are not limited by these constraints and are able to try different fee structures and services (e.g., limited-scope representation) that may not work with the traditional model.

Risks of VLFs

There are some risks to running a virtual law firm that lawyers need to evaluate before launching one:

New delivery model could fail. There is no guarantee that a virtual law firm model will work for everyone. Some lawyers may find they cannot work successfully outside the traditional model.

Landmines in unbundled legal services. For a VLF that offers unbundled legal services as permitted by ORPC 1.2(b), there are two landmines to be aware of. One is ethics. When a lawyer performs only a small aspect of a client’s bigger matter, that lawyer’s options and means to accomplish the narrowly defined objective may be limited. The lawyer has to ensure that the limitations are reasonable under the circumstances and still provide the client with competent and diligent representation. See OSB Formal Ethics Opinion 2011-183.

The other landmine is malpractice. A lawyer may limit the client interview to narrow the scope of representation. This, however, can lead the lawyer to miss issues and relevant facts pertinent to the client’s matter. To avoid the risks of failing to advise clients to seek other counsel or missing the statute of limitations and other upcoming deadlines that may result in malpractice issues, lawyers should thoroughly interview these prospective clients and ask questions as if those clients need full representation.

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Security of technology used. Not all cloud-based software products are created equal. Lawyers must engage in due diligence when using applications to ensure they are able to fulfill their ethical obligation to prevent the inadvertent disclosure of client data. This means they need to research and understand how their data is being stored and who has access to it. Failure to do so may lead to exposed client data.

How it Works from the Client’s Perspective

When clients go to a virtual law firm’s secure website, they should be able to see the firm’s fee schedule and choose a service based on their legal need. An online calendar should prompt clients to book a consultation appointment at a date and time convenient for them. Clients are then ushered to a page where they pay their consultation fee online. The lawyer calls or meets with the clients at their scheduled appointment time.

If both sides agree to the representation, the lawyer directs the client to a secure portal to proceed with the onboarding process. The lawyer explains to the client that they will communicate and interact through the client portal and how it will be used. The lawyer's final work product is available for clients to download in the portal.

Considerations for Starting a VLF

Starting a VLF is the same as starting a regular law office, minus a few considerations but plus a few others. You still need to consider choice of entity, hardware and software, law office systems, PLF coverage issues, marketing, etc. All Oregon Rules of Professional Conduct still apply to VLFs.

Real VLF Examples

Check out these virtual law firms from across the U.S.:

- My Virtual Lawyer: myvirtual.lawyer
- MD Family Lawyer: mdfamilylawyer.com
- Grossbart, Portney & Rosenberg, P.A.: mdbankruptcylaw.com
- McIlveen Family Law: mciiveenfamilylaw.com/virtual-law-office
Here are some extra considerations:

**Know your target market.** Understand who will be consuming your legal services. Who is your target audience? If your audience is older people who prefer a traditional office space and methods of communication, or if your audience has limited access to technology, the VLF model may not work for that market. As mentioned earlier, people who use non-lawyer online services like LegalZoom or the “connected generation” are more open to a VLF model.

**Have a user-friendly website with a client portal.** Almost all lawyers practicing law today have some type of website. Some are more sophisticated than others. A VLF website is a bit different from a traditional law firm website. First, it needs to have a secure client portal for the reasons already mentioned; most major practice management programs have a built-in secure client portal. Second, the website should explain how the VLF model works; clarify the online process of engaging your services, so prospective clients know exactly what they are retaining. Third, make sure the website is easy to navigate, has a fast load time and is mobile compatible; the content should be well-organized and formatted so information is easily scanned and accessible.

**Determine what type of online legal services you want to offer and the fees for those services.** The types of legal services a VLF provides depends on its practice areas. Although a virtual practice isn’t, by definition, limited to any practice areas, some are more amenable to online delivery. Practice areas that are paper-heavy, such as business startups or estate planning, are easier to deliver online. Further, any practice areas that can be unbundled or broken down into discrete tasks and sold online as single-service products are conducive to a virtual practice. These may include the preparation of legal documents bundled with legal advice, legal advice only, contract drafting, preparing pleadings or document review.

Because virtual law firms do not operate like traditional law firms, they avoid billing by the hour against a retainer. Instead, virtual legal services are typically delivered on a flat-fee basis. Figuring out the value of a single-service product may require some research or trial and error.
The services and fees should be clearly delineated and posted on the firm’s website.

**Determine what law office systems and processes you want to automate.** To streamline your operation and make it easier for clients to use your online services, consider automating certain aspects of your virtual practice. If you don’t know where to start, think about any time-consuming tasks that involve the same repetitive steps or process, and start there. At the very least, start by automating your client intake procedures and client onboarding process, as well as document creation. Once those systems are automated, move on to others.

**Invest in the right technology to create a cloud-based legal environment to deliver services.** The technology you want or need depends on the type of services you provide and the systems you want to automate. Whatever technology you use should be integrated into your website.

Because many applications are required to automate certain processes, it’s important to think through your systems and procedures before purchasing a piece of technology. For example, let’s look at some of the technologies needed to automate client intake in your website:

- An online scheduling application like Calendly so clients can book appointments;
- Online forms like Google Form, Typeform, Wufoo or Jotform so clients can fill out an intake form;
- An online credit card processor like LawPay, LexCharge or Square so clients can pay consultation fees and additional services;
- A digital signature tool like DocuSign, SignNow or HelloSign so clients can sign their fee agreement and other documents;
- Cloud practice management software to manage the firm’s operation in one place; and
- Workflow automation tools like Zapier, IFTTT or Microsoft Flow to allow different applications to talk to each other and function together.

Having the right technology is also important as it can restrict or enhance your delivery of services. For example, the functionality of a client portal may be limited based on the platform on which it’s operating.

Client portals offered by many of the practice management programs mentioned previously limit their functions to document sharing, bill sharing and paying, task assigning, software integration, and messaging. Client portals offered by platforms like DirectLaw allow clients to purchase online preparation of legal documents and complete a questionnaire. Once completed, the platform will prompt the automatic creation of that legal document for the lawyer’s review and approval. This type of document assembly can still be done with a practice management program, but requires the use and integration of many other applications, including the workflow automation tools mentioned above.

The American Bar Association’s Legal Technology Resource Center, available online at tinyurl.com/ABATechResources, is a great place to start looking into different technology available to lawyers.

**Conclusion**

The changes in the legal marketplace have led some lawyers to adopt the VLF model to remain competitive. While this model may not work for every lawyer and client, it may be a good fit for others.

Lawyers should be mindful of not taking the traditional law firm model mindset and applying it to the VLF model. Running a VLF is about being untraditional and doing things differently. This mindset will help lawyers succeed outside the brick-and-mortar framework.

Hong Dao is a practice management attorney for the Professional Liability Fund. Reach her at hongd@osbplf.org.

**ENDNOTES**


2. Cloud-based programs with a client portal include: ActionStep, Amicus Attorney, Clio, CosmoLex, MyCase, Practice Panther, Rock Matter, SmokeBall and Zola Suite.
Jan. 31 is Deadline Day at the Oregon State Bar

Many different regulatory deadlines come at the beginning of the new year, and all fall on the same day: Friday, Jan. 31. These deadlines include:

Membership fees for 2020 must be received online by midnight on Jan. 31 or physically in the bar office no later than 5 p.m. (Postmarks are not relevant.)

Status changes for 2020 are also due Jan. 31. More information on status changes can be found at osbar.org/status changes/statuschangeFAQ.html.

MCLE compliance reports for members whose reporting period ends Dec. 31, 2019, must be electronically certified and submitted no later than 5 p.m. on Jan. 31. More information about MCLE reporting can be found at osbar.org/mcle/index.html.

IOLTA certification must be reported by Jan. 31. Information on why this is required and how to submit your certification can be found at osbar.org/IOLTA/faq.html.

You can find more information on which deadlines are relevant to you specifically by logging in to the newly redesigned member dashboard at osbar.org.

OSB Leadership Institute to Train Diverse Lawyers

The Board of Governors has approved the creation of an annual Leadership Institute designed to enhance the personal development and cultivate the leadership skills of Oregon lawyers from diverse backgrounds.

The nine-month-long institute, which will be housed in the bar’s Diversity & Inclusion Department, will be open to attorneys with 3-9 years of practice who are in good standing with the OSB. The first cohort is set to begin in September 2020.

“The institute is not only designed to cultivate the fellow’s personal development, but to also increase leadership opportunities of historically underrepresented groups in the OSB and the community at large,” says Jonathan Puente, the OSB’s director of diversity & inclusion. “As a public protection agency, the OSB knows it is crucial for its leadership to be representative of the state.”

Along with the director of diversity and inclusion, the institute will be guided by an advisory board composed of leaders in the diverse legal community. The board will advise on curriculum, faculty and selection of cohorts.

Program curriculum will range from career planning, board management, public speaking and executive presence to conversations with judges, legislators and other executives.

For more information, contact the OSB Diversity & Inclusion Department.

MCLE Compliance Timeline Amended

The Oregon Supreme Court has amended MCLE Rule 7 with an order effective Jan. 1, 2020. The amendments condense the MCLE noncompliance timeline, moving it up approximately one month to better align with other regulatory noncompliance timelines.

Attorneys who fail to comply with MCLE requirements by April 1 may be suspended by the Oregon Supreme Court.

The amendments and related FAQs can be found on the bar’s website at osbar.org/mcle/index.html. For more information about MCLE rules and MCLE reporting, email mcle@osbar.org or call (503) 431-6368.

Federal Court Upgrades Its System for E-Filing

Attorneys who practice in U.S. District Court for the District of Oregon will need to adjust their PACER accounts now in order to continue e-filing with the court after Jan. 21, 2020.

On that date, court officials will implement a new case management/electronic case filing system (EM/ECF) called NextGen. Attorneys with a PACER account that was established in mid-2014 or before will need to upgrade their accounts to use the new system.

In addition, all users will have to make sure they know their CM/ECF username and password so that they can link their PACER and CM/ECF accounts and continue to e-file in Oregon federal district court on or after Jan. 21.

Essentially, the changes will allow users to have a single user ID and password for both PACER and CM/ECF. New applicants to the District of Oregon Bar will submit their applications via PACER; otherwise, the user experience for e-filing will stay the same.

For step-by-step instructions and more information about the e-filing changes, go to ord.uscourts.gov/nextgen.

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.
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Exclusive for ONLD members — New Lawyer Workshop, Crafting Legal Writing.

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LI20

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More than just a CLE, the 2020 OSB institutes present intensive multi-day CLE content along with unequaled networking opportunities built in. Sometimes it just makes sense to carve out more time away from the office.

Mark your calendar for the following 2020 institutes:

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Oregon Tax Institute
June 11-12
Multnomah Athletic Club, Portland

Legal Publications

Oregon Uniform Jury Instructions
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With Oregon Uniform Jury Instructions you will always be prepared for trial with up-to-date and customizable jury instructions.

In 2019, the Uniform Criminal Jury Instructions Committee significantly revised a number of instructions, including those dealing with attempt, physical injury, failure to appear, sex abuse, and harassment. It also wrote two new instructions on vouching and modified evidence. Other instructions have been updated with recent case law.

The Uniform Civil Jury Instructions Committee updated 10 instructions and issued one new instruction. The committee completed its multi-year review of the disability-discrimination instructions, completely reorganizing them and issuing a new instruction. The committee also updated instructions in the areas of fiduciary duty and condemnation.

Preorder by Feb. 15 and save 10% with coupon code JURY2019.

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- Advising Oregon Businesses, Volume 5
- Insurance Law
- Rights of Foreign Nationals

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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.

RONALEE M. FACHNER
OSB #083204
Salem
Disbarment

Effective Nov. 4, 2019, the disciplinary board disbarred Salem attorney Ronalee M. Fachner for mishandling funds and failing to respond to the bar in two client matters.

In the first matter, Fachner represented the personal representative of an estate. After filing the inventory, Fachner took no further action to administer and close the estate, despite having all of the necessary information to do so. Fachner paid herself directly from the estate’s funds without obtaining the court’s approval. When the court subsequently ordered her to refund those attorney’s fees to the estate, Fachner did not do so. Despite repeated requests for information, Fachner failed to keep her client reasonably informed about the status of the estate. After her client terminated her, Fachner failed to provide the client’s file to her new attorney, despite agreeing to do so. Fachner also knowingly failed to respond to the bar’s requests for information during its investigation.

Based on that course of conduct, the disciplinary board found that Fachner violated RPC 1.15-1(d) (failing to promptly deliver funds that the client is entitled to receive), RPC 5.5(a) and ORS 9.160(1) (practicing law while not an active member of the bar) and RPC 8.1(a)(2) (knowingly failing to respond to a disciplinary authority).

In the second matter, Fachner met with and collected a $400 retainer from a new client while she was administratively suspended for failure to pay her PLF assessment. Fachner did not disclose her suspended status to the client, but nevertheless took possession of original materials and agreed to represent him at an upcoming hearing. Thereafter, Fachner failed to respond to the client’s repeated calls about the hearing date, or to his repeated requests that she return his file and refund the retainer. Fachner also failed to respond to the bar’s requests for information during its investigation.

The disciplinary board concluded that Fachner violated RPC 1.15-1(d) (failing to promptly deliver funds that the client is entitled to receive), RPC 5.5(a) and ORS 9.160(1) (practicing law while not an active member of the bar) and RPC 8.1(a)(2) (knowingly failing to respond to a disciplinary authority).

In concluding that disbarment was warranted, the disciplinary board found that Fachner acted intentionally or knowingly in violating the rules, causing injury to her clients, the public, the legal profession and the bar. Fachner’s conduct was aggravated by a dishonest or selfish motive, a pattern of misconduct, multiple offenses, bad-faith obstruction of the disciplinary proceeding, substantial experience in the practice of law and indifference to making restitution.

LESLEY MARTINEZ
OSB #130068
Green Valley, Arizona
Form B resignation

Effective Nov. 14, 2019, the Oregon Supreme Court accepted the Form B resignation of former Beaverton attorney Leslie Martinez. At the time of her resignation, there was a formal proceeding pending against Martinez, alleging violations in two separate matters of RPC 1.3 (neglect), RPC 1.4(a) and (b) (failure to adequately communicate with clients), RPC 1.15-1(a) and (c) (failure to properly handle client funds), RPC 1.16(d) (failure to return unearned fees upon withdrawal) and RPC 8.4(a)(3) (knowing conversion of client funds).

There was also a second formal proceeding authorized, alleging violations of RPC 1.15-1(a) and (c), RPC 8.1(a)(2) (failure to respond to disciplinary inquiries) and RPC 8.4(a)(3).

Martinez closed her Oregon practice in July 2017 and relocated to Arizona. The resignation says that all current-client files were given to the PLF when she left the state, and that former clients are able to contact her for their closed files.
TIMOTHY MPM PIZZO
OSB #961709
St. Helens
2-year suspension

Effective Nov. 23, 2019, the disciplinary board suspended Timothy MPM Pizzo for two years for violations of RPC 8.1(a)(2) (failure to respond to a disciplinary authority) and RPC 8.4(a)(2) (criminal conduct reflecting adversely on honesty, trustworthiness or fitness to practice).

Pizzo pled guilty in October 2018 to one count of methamphetamine possession (a Class C felony) and one count of endangering the welfare of a minor. Pizzo was permitted a conditional discharge, on the condition that he serve and successfully complete an 18-month probation. During that same month, he failed to call or meet with his probation officer and tested positive for methamphetamine, thereby violating two conditions of his probation — meeting with his probation officer when requested to do so and maintaining his sobriety.

In November 2018, Pizzo pled guilty to one misdemeanor count of knowingly possessing methamphetamine based upon the positive UA in his prior case. Pizzo was again placed on conditional discharge in the second case, on the same terms required by the first. During November 2018, Pizzo failed to meet with his probation officer as required. At a show-cause hearing in mid-November 2018, Pizzo admitted to using intoxicants and failing to report to his probation officer, both in violation of his conditional discharge requirements. During December 2018 and January 2019, Pizzo was cited multiple times for driving while suspended.

Several months later, the disciplinary counsel’s office received a complaint from the district attorney regarding Pizzo’s conduct. DCO sent multiple letters by mail and email to Pizzo seeking a substantive response. Pizzo did not provide a substantive response.

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

CONGRATULATIONS TO OUR NEWLY NAMED PARTNERS

We are proud to announce that Lea Schneider and Tab Wood have been named partners of the firm effective October 1, 2019.

Lea’s practice is focused on complex business and commercial litigation. She represents clients in a variety of industries with experience in wrongful death, personal injury, breach of contract, defamation, product liability, and probate disputes.

Lea Schneider
lschneider@sussmanshank.com
503.972.4257

Tab Wood
twood@sussmanshank.com
503.972.4259

Tab represents individuals and businesses in civil litigation, including complex commercial, transportation, personal injury, employment, and real estate litigation.

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Among Ourselves

Miller Nash Graham & Dunn partner Ian Christy recently joined the board of directors of Saturday Academy and will serve a three-year term. Saturday Academy provides hands-on learning opportunities in the areas of science, technology, engineering, math and the arts for elementary and high school-age students of all backgrounds. Board members help guide the mission and strategic direction of the organization and oversee its finances, program focus, staffing and development efforts.

Hon. Daniel Harris, a senior judge and mediator, recently returned from Russia and eastern Europe where he and his wife, Susan, served for 19 months as legal volunteers to facilitate humanitarian projects and promote the rule of law.

Dirk Edwards has been inducted into the Estate Planning Hall of Fame by the National Association of Estate Planners & Councils. Edwards, who practices as the firm Edwards Consulting, is also one of only seven estate planning professionals to receive the Accredited Estate Planner (Distinguished) designation from the organization for 2019; the award is given annually in recognition of lifetime achievement and outstanding contributions to the practice and profession of estate planning within the professional disciplines of accounting, insurance and financial planning, law, philanthropy, trust services and academia.

The American Academy of Matrimonial Lawyers Foundation recently awarded a $5,000 grant to The Homeless Youth Law Clinic (HYLC), which provides community lawyering and advocacy to Portland-area young adults (age 14-25) who are experiencing or at risk of homelessness. Established in 2014 as a project to increase youth access to justice, HYLC relies on a community lawyering model in which clients are the experts in solving their cases. One of the goals is to teach youth about the legal system so they can better access it and eventually develop the knowledge to advocate for themselves.

Stoel Rives has announced it has committed to the American Bar Association’s Well-Being Pledge. Launched by the ABA Working Group to Advance Well-Being in the Legal Profession, the campaign provides a framework to address the legal profession’s high rates of mental health and substance abuse issues. Part of the firm’s support includes its extended-leave support program, which allows for support and resources that lawyers need before, during and after a leave to ensure a successful transition. Earlier in 2019, Stoel Rives also launched a firm-wide paid-leave program for all staff members, which generally provides up to 18 weeks of paid time off for parental leave or in the case of a serious health condition affecting an employee or an employee’s family member.

Moves

Tonkon Torp has welcomed associate Mick Harris to the firm’s business department, where he will focus on business law. A recent graduate of Willamette University College of Law, Harris gained legal experience working as a summer associate at Tonkon Torp and as a judicial extern for the Hon. Robyn Ridler Aoyagi at the Oregon Court of Appeals. The firm also welcomes Timothy Wright as an associate in the litigation department. Prior to Tonkon Torp, Wright served as a judicial law clerk for the Hon. Erika L. Hadlock, former chief judge at the Oregon Court of Appeals.

Hart Wagner has added two new associates to the firm. Josh Sherman will focus on employment litigation, medical malpractice and general liability matters; he has worked as a certified law clerk for the U.S. Attorney’s Office for the District of Oregon. Lauren Lewis will focus on the defense of long-term care facilities, medical malpractice and general liability matters; she has worked as a law clerk with the Oregon School Boards Association and for Ruthie City of Anchorage, Alaska.
Eric Mills has joined the Portland office of Miller Nash Graham & Dunn. Mills will continue to focus his practice on business litigation matters, including contract, corporate governance and securities disputes, and supporting clients in the financial services, technology, retail, real estate and other industries. Before joining Miller Nash, Mills practiced in the Washington, D.C., office of a global law firm.

The Law Office of Arden E. Shenker has returned to the World Trade Center, Suite 1100, where it will continue to focus on complex civil litigation. The firm’s telephone and email listings remain the same.

Rick Freud is joining the Portland office of Gordon Rees Scully Mansukhani. Freud comes to Gordon Rees from CityCounty Insurance Services, where he spent two years handling all aspects of civil litigation, including civil rights and state law tort claims. Prior to his time with CityCounty, Freud spent eight years as a deputy district attorney in Multnomah County and Manhattan, N.Y.

Elizabeth Bailey has joined Stoll Berne as an associate attorney. Bailey’s practice will focus on complex litigation. Prior to joining Stoll Berne, Bailey served as a law clerk for the Hon. David W. Christel (U.S. District Court, Western District of Washington), as well as a judicial extern to the Hon. Jolie A. Russo (U.S. District Court of Oregon).

The PLF is pleased to announce that Nena Cook is the Chief Executive Officer effective January 1, 2020. Nena succeeds outgoing CEO, Carol Bernick.

Nena is well regarded in the Oregon legal community as a civil litigator and leader in the profession. Among her many contributions, she served as OSB President in 2005. Nena also brings extensive management experience from the firms where she worked.

The PLF’s Board of Directors is confident that Nena’s managerial experience, commitment to public service, and esteem within the legal community will continue to advance the PLF’s mission of providing mandatory professional liability protection for Oregon lawyers.

We congratulate Román for his receipt of Oregon State Bar’s President’s Diversity & Inclusion Award. He has a career-long record of advancing diversity and inclusion in the legal profession both locally and nationally.
McCoy Russell welcomes Doug Wells as a patent and trademark attorney; he will represent clients in aspects of patent and trademark portfolio development. Wells has spent the past 15 years practicing IP and business law while also providing business consulting, including significant experience as in-house counsel.

Robert Montgomery has joined Gilroy Napoli Short Law Group as an associate, focusing on criminal/DUII defense throughout Oregon. He previously ran Montgomery Law as a sole practitioner. Prior to law school, Montgomery worked in business and international manufacturing.

Keenan Ordon-Bakalian has joined Jordan Ramis as a full-time attorney in the firm’s land use and development practice group. He spent the past year as a law clerk with the firm. Ordon-Bakalian focuses his practice on land use and environmental law, with experience handling a variety of regulatory and legal compliance matters at the intersection of these two fields of law.

Jennie Bricker has announced the reopening of her law practice — Land Shore Water Legal Services (landshore-water.com) — as of Jan. 1, 2020. Bricker continues as of counsel in the energy and natural resources group at Harrang Long Gary Rudnick. Bricker has practiced natural resources, real estate and environmental law since 1998.

Seasoned family law attorneys Nicole Deering, Brittany Berkey, Georgina Miltenberger and Patricia Arjun celebrated the new year with the opening of their new firm, DBMA Family Attorneys at Law.

The FA Research Fund was established in 1989 by Lynn and David Frohmayer to fund research into Fanconi anemia.

For information about Fanconi anemia and the Research Fund, please call 1-541-687-4658 or visit the website at www.fanconi.org.

Donations to the Fund may be sent to:
Fanconi Anemia Research Fund, Inc.
1801 Willamette Street, Suite 200
Eugene, Oregon 97401.
Law Group. The founding partners offer a synergy of skill and experience resolving complex family law matters through mediation, litigation and collaborative divorce practice.

Davis Wright Tremaine has welcomed two new associates to its Portland office. Kellen Luey has joined the firm’s corporate and business transactions group; he brings a background in both private and public accounting. Meagan Himes now is part of the firm’s litigation team; she brings experience in the public, private and nonprofit sectors.

Two attorneys have joined Reynolds Defense Firm. Kami White brings more than 17 years of experience in Oregon criminal law to her role of senior associate attorney; she previously worked as a public defender who advocated on behalf of thousands of clients charged with crimes ranging from DUI to more serious felonies. Daniel Fan joins the firm as an associate, bringing abundant life experience with him.

Marcus J. Swift has announced the founding of Overland Law, based in The Dalles. Serving the Columbia River Gorge and surrounding counties, Overland Law is a solo-attorney practice focusing on residential landlord-tenant law for small landlords, employment law for workers, general civil litigation and government affairs.

Robert joined Gilroy Napoli Short Law Group as an associate in the Spring of 2019, focusing on Criminal/DUII Defense throughout the State of Oregon. A graduate of Willamette School of Law and Atkinson School of Management, he previously ran Montgomery Law as a sole practitioner. Prior to law school, Robert worked in business and international manufacturing.

W. Greg Lockwood has been elevated to partner at Gordon Rees Scully Mansukhani. Lockwood is a partner in the Portland, Milwaukee and Minneapolis offices. He represents businesses, executives and professionals in courts, arbitrations and administrative proceedings across the country. Lockwood has second-chaired three cases to jury verdict, first-chaired more than 10 arbitrations in front of AAA, ASP and FINRA panels, deposed parties and experts in multimillion-dollar cases, and successfully briefed and argued high-stakes dispositive motions in state and federal courts.

In Memoriam

Marlyce Arlene Gholston, a 51-year employee of the Oregon State Bar, passed away on Nov. 8, 2019, with her family by her side.

Gholston was born on July 18, 1936, in Walker Village, Minn.; her family moved to Portland when she was 5 years old. Her parents started Rugroden Grocery with various locations around Portland, which is where Gholston learned about hard work at a young age as she stocked shelves, sliced meat, ran the register and helped patrons with their groceries.

It’s also where she caught her big career break at the age of 19. One of her teachers from her high school alma mater, Lincoln High School, was in the store one day and told Gholston about an opening at the bar. She was hired in 1956 as one of just three OSB employees. (When she retired as director of admissions in 2007, the bar employed more than 85 people.)

During her 51 years with the bar, Gholston had direct interactions with more than 15,000 Oregon attorneys in her various admissions roles. For most attorneys, she was the first person they met.
at the bar. She helped with their applications, fingerprinted them and made sure everything was in order. After admission, she often was their go-to staffer for bar business. She greatly valued the friendships she made with members of the BBX and the Oregon Supreme Court.

Gholston also played a major role in conducting the bar exam and reporting the results afterward, missing the administration of just one bar exam during the course of her five decades of service. (A ruptured appendix landed her in the hospital for 11 days and foiled her perfect run, despite her best efforts to convince the doctors she only needed 48 hours to recover.)

Gholston spent many nights finalizing exam statistics with Ken Rowe, the BBX statistician for more than 40 years. Once the passing rates were perfect and every last decimal point had been checked, Gholston and Rowe would make their way through all sorts of weather in the wee hours of the morning to get those printed results taped to the doors of the Board of Bar Examiners.

Her knowledge of how to administer the bar exam and compile the results led Gholston to hold prominent national roles as well, serving as president and secretary of the National Conference of Bar Examiners for decades. She traveled to all 50 states to attend many of the organization’s conferences, sparking a love of travel that continued into retirement. She took a dream trip to Italy, went dogsledding in Montana, made her way to Hawaii with her grandchildren, took Alaskan cruises with her nieces and ventured to the Grand Canyon.

As a busy working mother and with daycare not readily available during much of her career, Gholston routinely brought her four children (Mark, Norman, Arlene and Leone) to the bar when school was out or they were sick. They alphabetized attorney mailing address plates, collated papers and sharpened pencils for the bar exam. Leone, who herself has worked at the bar for nearly 30 years, says the sound of pencils sharpening still makes her think of being sick because of the hours she spent on the floor of her mom’s office, executing the repetitive task.

Gholston was preceded in death by her husband, Glenn. She is survived by her four children, several grandchildren and many friends.
Congratulations to our new partners!

CLAIRE BROWN
Business lawyer Claire Brown works with both new and established companies to solve a broad range of legal issues in securities law, corporate finance, corporate governance, contract negotiation, M&A, and general business matters.

MELINA LAMORTICELLA
Business Immigration lawyer Melina LaMorticella manages immigration matters for multinational corporations and regional technology firms, health care providers, and universities. She assists companies and individuals with a wide variety of non-immigrant and immigrant visa options and procedures.

MELANY SAVITT
Business Immigration lawyer Melany Savitt guides employers and foreign nationals through the maze of U.S. immigration laws. She handles a full range of nonimmigrant work visas and has extensive experience with PERM labor certifications and immigrant visa petitions.

Diagnosed with laryngeal small cell carcinoma in late 2017, Martha O’Donnell Pagel died 21 months later at the age of 65.

Pagel was born to Charles A. and Mable E. O’Donnell in San Diego, where she was raised by her mother and grandparents. She attended Hoover High School and graduated from San Diego State with highest honors. In the mid-1970s, she moved to Salem; there she met Victor C. Pagel, and they were married on July 14, 1979.

Pagel graduated magna cum laude from Willamette University College of Law in 1983 and went on to work 17 years in state government, serving Oregon as assistant attorney general, director of the division of state lands, senior policy advisor to the governor for natural resources and finally director of the Department of Water Resources.

In 2000, Schwabe, Williamson & Wyatt opened its Salem office, where Pagel became a shareholder as an environmental law attorney. Her reputation for excellence and good judgment extended beyond Oregon, including her service as arbitrator for the states of Kansas, Nebraska and Colorado to resolve a water dispute pursuant to a decree entered by the U.S. Supreme Court.

Pagel requested that there be no funeral or other formal gathering, but she was grateful, as is her entire family, to her doctors, nurses and supporting health care professionals and staffs, including those with Willamette Valley Hospice.

She is survived by her husband, Vic; step-daughter Stephanie; step-granddaughter Molly; siblings Patti, Mary and Jim; plus cousins, nephews, nieces and in-laws.

John Robson Sidman died in his Vancouver, Wash., home on Oct. 30, 2019, at the age of 88. He was born in Los Angeles on Dec. 30, 1930, to Jane and Frank Sidman, and he grew up in Portland.

Sidman was a graduate of the University of Oregon and Northwestern School of Law at Lewis & Clark College. He practiced law from 1958-2010, with a general
practice in downtown Portland as a solo practitioner for most of his 52-year career. Sidman was a friend, colleague and mentor to those attorneys fortunate to have shared offices with him over those many years. He trained and supported many law students as process servers.

Sidman’s military career started with enlistment in the U.S. Marine Corps, followed by U.S. Army Officer Candidate School and active duty service during the Korean conflict. He remained active in the Army Reserves through the Vietnam era, retiring with the rank of colonel. A full military honors committal service was held at Willamette National Cemetery on Nov. 26, 2019.

Sidman had a love of nature and the outdoors. He worked as a YMCA camp counselor in his teens. Camp Meehan on Spirit Lake, at the base of Mount St. Helens, held a very special place in his heart. In his adult years, he served on the YMCA board of directors, promoting the camping experience.

He was preceded in death by his sister, Josephine. He is survived by his wife, Elizabeth “Jean”; his brother, George; four children (Barbara, John, Joy and Susan) with his former wife, Marjorie; two stepchildren, Margo and Lisa; 12 grandchildren; and four great-grandchildren.

Other Notices

Hon. Dennis J. Hubel
71, Portland, Sept. 16, 2019

Hon. Robert Wollheim
70, Portland, Sept. 21, 2019

Lynn Blough
62, Vancouver, Wash., Sept. 21, 2019

Don H. Marmaduke
93, Wilsonville, Oct. 17, 2019

Steven E. Rich
66, Newport, Oct. 20, 2019

John R. Sidman
88, Vancouver, Wash., Oct. 30, 2019

Ron Versteeg
64, Cape Junction, Nov. 4, 2019
FOR SALE

OREGON STATE BAR BULLETIN  •  JANUARY 2020

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FOR SALE – Complete set of Oregon Reports and Court of Appeals Reports. PRICE: $9,015 Shelves available.Will deliver in Oregon. CALL: (541) 426-4912.

LAW LIBRARY, COMPLETE SET OREGON REPORTS and Oregon Appellate Reports, $5,500, (503) 650-8010.

LAW OFFICE FURNISHINGS, LAW BOOKS, BOOK CASES, desks, chairs, computers, multi-line phone system, copy machine, printers, framed pictures/paintings, lateral files and more at great prices. Call Chris (503) 504-9057.


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 Eyerman Bradley PC at (503) 222-3526 or email receptionist@gaylordeyerman.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.

AVAILBLE NOW! FURNISHED OFFICES IN DOWNTOWN PORTLAND – Three offices and two secretarial work stations available for rent on the 6th floor of the Caplan Building. $1,000, $800, $500 and $200 for each work station. Great location. Easy access to the courthouse and other law offices. Internet included. You will also have access to the large conference room and shared kitchen space. Will consider offers for individual offices to be rented. Contact Maria at (503) 226-3515.

CLASS A OFFICE SPACE IN SE PORTLAND, window office with reception service available in friendly SE Portland law firm. Top floor of modern building, easy highway access, free parking. Access to kitchen, copier/scanner and work areas. Will consider adding assistant space if right fit. $700 - $1,000/mo. Contact Alyssa at alyssa@fitzwaterlaw.com or (503) 786-8191.

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.

EXTERIOR OFFICE 12’ X 13’ IN 7 ATTORNEY SUITE in 6th + Main building (used to be called Congress Center), available now. Includes reception, conference room, kitchen and access to high-volume copier. Building workout facility with shower. $875/mo, assistant space $100/mo. Contact Christine, (503) 242-1122, ctraitcey@nwlawfirm.com.

HILLSBORO DOWNTOWN OFFICE SPACE one block to courthouse, free reserved parking. Single private offices on month to month or longer. $325 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@nicholslaw.group.

LAKE OSWEGO KRUSE WAY – Class A Office Building. 4248 Galewood Street, Lake Oswego, OR 97035. Primarily Attorneys. Partner-sized, windowed offices. Receptionist, Phones, High Speed Internet, Conference Rooms available or included. Free parking. Office lease prices range from $600 to $1400 per month. Phone numbers or ported numbers available. Call for information. John (503) 675-4343.

NE PORTLAND CONVENIENT LOCATION – Large offices with reception services, phones, internet, copier, supplies, conference rooms and more included. Additional opportunities available as owner transitions to retirement. Price negotiable depending upon arrangement. (503) 256-0780.

OFFICE SPACE – JOHN’S LINING – Looking for other professionals to share office space on the third floor of the River Park Plaza Building in John’s Landing with other sole practitioners and a small law firm. Current tenants include Estate Planners, Family Law, Elder Law, Tax Preparers and Investment Advisors. This is Class A space in a building that was built in 2003. Rent includes high speed Internet, phones, reception, voicemail, meeting rooms, kitchen and parking! We have two offices available at $600 each. We are looking for a one-year commitment. Please contact Bob Cronk at (503) 245-0894 or bob@naylaw.com.

OFFICE SUITE FOR RENT – Approximately 2000 square feet conference room, reception area, kitchen and utility area, five separate, private offices, and plenty of additional space for files and paralegal space. Great central location in Goose Hollow, just minutes from downtown, but with better parking. Near the Max and bus stops. Within walking distance of Court Houses. $2850 a month. Available February 1st. If interested, call Chris at (503) 504-9057.


PANORAMA BUILDING 5,000 SQUARE FEET OF GROUND FLOOR OFFICE SPACE 4504 SW CORBETT Convenient to Downtown. Panoramic River and River and Mountain Views. Space includes reception area, offices, conference rooms, cubicle areas and other amenities. Janitorial and basic utilities provided. Off and on street parking. All-inclusive lease $28 per square foot annually. Contact: (503) 866-7521.

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@landislaw.com or Mark Olmsted @ (503) 445-4453 / mark@olmstedlaw.com.

PORTLAND (TIGARD) OFFICE SPACE FOR LEASE – CPA office located in a manicured, professional business park just off the I-5. The

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lorry has a warm, inviting atmosphere which is professional without feeling corporate. There’s 2 interior bathrooms, break/nap room, conference room and kitchen. We offer meet and greet reception, utilities and janitorial services at no extra charge. One 9.5 X 9 office available for $595 as of 1/1/20. Contact Betty (503) 670-8286 or betty@cushlawcpa.com.

SUBLETTING PROFESSIONAL OFFICE SPACE IN BEND OREGON – 2 room 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@ebmillerlaw.com.

TWO OFFICES AVAILABLE IN DOWNTOWN PORTLAND – Partially furnished, upstairs corner double office (22 x 16), with five large windows and sliding door to divide into two spaces. $1340. Nice upstairs office (11 x 14.5) with large window, newer carpet and paint, and separate secretarial area with desk and chair outside door. $735. 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 LAW OFFICES AVAILABLE DOWNTOWN at the Honeymoon 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 Allan at (503) 781-7887 or Eric at (503) 224-1212.

TWO OFFICE SHAINS 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 hub. Alder Street Parking Garage across street. Rent includes reception, telephone/internet, office conference room, shred, copier & postage machine use. Building amenities: Gym, w/shared law partner’s suite. Contact Jamie (503) 243-2733 or jamie@kramer-associates.com.

**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 Wilson Stayer, Stayer Legal Search LLC cwstayer@stayerlegalsearch.com (503) 968-0901.

A MID-SIZED PORTLAND LAW FIRM RELOCATING TO NEW OFFICES IN DOWNTOWN PORTLAND, is seeking associates with 3-5 years’ experience in litigation, or business. Candidate must have excellent verbal and written communication skills, strong research, analytical and organizational skills, and strong commitment to providing high-quality client service. We offer the opportunity to gain experience in a variety of areas of law. Competitive salary and benefits. Interested candidates should submit a cover letter and resume to mark@kramer-associates.com or fax letter/resume, attn: Jamie (503) 274-4774.

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

ASSOCIATE ATTORNEY, NEWPORT, OR – Well-established law firm representing a variety of local government entities, business organizations and individuals primarily in civil matters seeking a proactive attorney with excellent research, writing and 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.

BUSINESS ATTORNEY – DUFFY 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 transactions, real estate leases 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 and develop their practice, in addition to 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 Desree Shestakofsky, dshestakofsky@duffykekel.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 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.

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 of conservation advocacy 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 confidentially upon request.

D’AMORE LAW GROUP IS SEEKING A FULL-TIME, WELL-QUALIFIED ASSOCIATE ATTORNEY to join our personal injury litigation firm. D’Amore Law Group is a collegial, AV Preeminent rated personal injury firm practicing in Oregon, Washington, and California for the past 28 years. Our attorneys represent plaintiffs in complex personal injury litigation, including motor vehicle, trucking, nursing home, sexual assault, medical negligence, product liability, aviation, and insurance and banking bad faith litigation. Candidates must be excellent legal writers, conduct legal research, draft complaints, motions, and memos. Our firm offers rewarding work on behalf of individuals that have been catastrophically injured. A commitment to plaintiff’s work is essential. We are seeking candidates with 8-10 years of experience, with preference given to candidates with civil litigation credentials and experience in plaintiff’s personal injury, insurance defense, or commercial litigation. Must be admitted to the Oregon State Bar upon hire and preferably admitted to the Washington State Bar as well. Salary: DOE. Qualified candidates, please email cover letter with salary requirements, resume, writing sample (max 5 pages), and three professional references to shannon@damorelaw.com. No phone calls please. For more information about our firm, please visit www.damorelaw.com.

EXPERIENCED CRIMINAL DEFENSE ATTORNEYS, PORTLAND & HILLSBORO – Metropolitan Public Defender is seeking experienced attorneys with at least one to five years of criminal defense experience. Please send cover letter and resume via email to kconstan@mtdlaw.com.

EXPERIENCED ESTATE ATTORNEY – We are a team-oriented law firm located in the Portland/Tigard area seeking a full-time experienced estate planning attorney with business experience to complement our long-established practice. We are a boutique estate planning firm, serving high net worth individuals and complex families. With our legacy stretching back to 1960, we also steward a thriving trust administration and probate practice, serving personal representatives and trustees. Specifically, we are looking for an estate planning attorney with business experience to serve our estate planning clients who own businesses. The attorney would also do general estate planning. Our firm values balance in life, humble team work, excellence of work, and a strong emphasis on customer service. The candidate must love people. Additionally, we have a Myatt & Bell, P.C. estate planning brand to maintain so we’re looking for an attorney who wants to practice in Portland as a team. In addition to a competitive salary, we provide insurance, automatic 3% of salary contributed to your 401K, long-term and short-term disability, PTO, and we strive to make time at the office collaborative, fun and enjoyable. We enjoy each other here. If interested, then send me an email letting me know: justinmm@myattandbell.com. I’ll keep our communication confidential.

EXPERIENCED LITIGATION ATTORNEY – CHENOWETH LAW GROUP – We are looking to add a litigation attorney to our team. This full-time position will work with our existing clients 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 a sense of humor. 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 cover letter stating why this position is for you to careers@chenowethlaw.com.

LINCOLN DEFENDERS & JUVENILE ADVOCATES, the indigent defense consortium for Lincoln County, is currently accepting applications from attorneys interested in providing contract indigent 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 grego@pioneer.net.

NON-PROFIT CRIMINAL DEFENSE FIRM SEeks STARTING ATTORNEY. Our office has opportunities for training and mentorship. OSB membership is required; law clinic background is preferred. Please send resume and cover letter to pam@crlaw.org.

NON-PROFIT PUBLIC DEFENDER OFFICE SEeks EXPERIENCED CRIMINAL DEFENSE ATTORNEY to be part of 16 attorney team in Bend. Applicant must meet PDSC standards for minor felony defense. Please send resume and cover letter to pam@crlaw.org.


SUSSMAN SHANK, LLP, A MIDSIZED, FULL-SERVICE COMMERCIAL LAW FIRM – The Confederated Tribes of Grand Ronde Tribal Court is seeking applications for its Indigent Defense Program. These attorneys will represent children and parents for child abuse and neglect cases in our Tribal Court. Call (503) 879-4623, email CourtPrograms@GrandRonde.org or visit our website: https://www.grandronde.org/government/tribal-court/court-programs/.

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 abuse and neglect cases in our Tribal Court. Call (503) 879-4623, email CourtPrograms@GrandRonde.org or visit our website: https://www.grandronde.org/government/tribal-court/court-programs/.

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 $253,000 the last three years (2016-2018) and is poised for growth under new ownership. 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 PIERCE COUNTY PERSONAL INJURY PRACTICE that was established in 1980, has over 100 active clients, and has averaged gross revenues of over $775,000 the last three years (2016-2018). The practice/case breakdown by revenue is approximately 99% Personal Injury and 1% Other. The Practice is located in a 1,375 SF fully furnished office that the Practice leases. Contact info@privatepracticetransitions.com or call 253-509-9224.

ESTABLISHED SEATTLE ESTATE PLANNING PRACTICE that has a practice/case breakdown by revenue of approximately 45% Estate & 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, 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 166 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 that has a practice/case breakdown by revenue of approximately 70% Family Law, 15% Estate Planning, 5% Real Estate, 5% Business, and 5% 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.

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.

PROFITABLE SNOHOMISH COUNTY PERSONAL INJURY PRACTICE that has been in business for more than 27 years. The practice/case breakdown by revenue is approximately 95% Personal Injury and 5% Other. The Practice is located in a 1,022 SF fully furnished office that is also available for sale, if desired. Contact info@privatepracticetransitions.com or call (253) 509-9224.

REAL ESTATE LEGAL PRACTICE WITH TWO LOCATIONS is headquartered in the fastest growing metro area in the fastest growing state (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.

REGIONAL AND INTERNATION-L BUSINESS LAW PRACTICE with a stellar reputation and average gross revenues over $550,000 the last three years. The Practice/case breakdown is 50% Business Law, 35% Estate Planning, 10% General Legal Services, and 5% Intellectual Property. The Practice is located in East King County in a 1,022 SF leased office. Contact info@privatepracticetransitions.com or call (253) 509-9224.

SUCCESSFUL KING 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.

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**JANUARY 2020 • OREGON STATE BAR BULLETIN 169**
Photo Finish

Portland lawyer Scott Snyder captured this dramatic image of York Minster, one of the largest cathedrals of its kind in northern Europe, during a three-week trip to Great Britain with his fiancée, who is originally from England.

Photo by Scott Snyder

Do you have a photograph you’d like to share — beautiful flowers and towering trees, perhaps? Snow-covered peaks or a gorgeous sunset? Let Bulletin readers tag along on your next outing by sending your favorite images our way for “Photo Finish.”

Send high-resolution images to Editor Gary M. Stein at gstein@osbar.org. Make sure to include your name, and tell us where the photo was taken and what made your trip so special.
Thank you, Lawyers of Oregon!

Arbitration Service of Portland (ASP) says: thank you, lawyers of Oregon:

- For your 35 years of support and kind words.
- For knowing that an arbitration clause is the best way to protect your clients and to enforce their contractual entitlements.
- For knowing that an administered arbitration is the safest way to ensure that an arbitration will proceed promptly, efficiently, and less expensively.
- For recognizing Arbitration Service of Portland as the ONLY arbitration service in Oregon that combines these crucial components:
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  - Procedural rules that balance efficiency with fairness, designed to meet Oregon practices and procedures, plus
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    - Partnership
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James J. Damis, Administrator/Attorney
Friday, January 31, 2020 is the deadline for OSB fee payments, IOLTA and MCLE reports.

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