



## The Importance of Mentors

by Tim Resch  
MBA President

I think many of us would admit that the process of becoming a lawyer, and then learning how to be a lawyer, isn't all that easy. We completed 12 years of primary and secondary education. We then went to college for our undergraduate degree. Finally, we decided that 16 years of

school wasn't enough, so let's do three more. I am pretty sure I'm not alone in acknowledging the important mentors I've had that helped me get to this point – it has been 25 years since I sat for the Oregon bar examination. I thought this month would be a good time to reflect on - and publicly thank - some of the important lawyers who have shaped my career.

My first and earliest mentor was Pam Jacklin. Pam was a lawyer with Stoel Rives. I first met Pam sometime in grade school (my dad's company used Stoel Rives, and Pam was one of the lawyers assigned to that client). I recall her as kind and curious, and tolerant of the way too many questions I had about what a lawyer did. By the time I was in law school, Pam became a frequent sounding board for school questions (should I take Employment Law?) and career choices. Early on, I recall Pam talking about the importance of being an advocate for your client. It took me a while to figure out what that meant (High School Tim wasn't all that switched on to that sort of issue), but that advice has stuck with me. When I think about how to be the best advocate for my client, I hear Pam's voice loud and clear.

In law school we have many teachers, and they each leave an imprint or mark on us. For me, it was Henry Drummonds. My first year of law school was actually pretty enjoyable. Professor Drummonds' Torts class had me hooked. Now for those who had Henry as a teacher, you know how he embraced the Socratic method and seemed to really enjoy teaching. I thought I was interested in employment law, and Prof. Drummonds' Employment Law class confirmed that interest. I asked Prof. Drummonds to supervise my "A" paper, and he agreed. I won't forget his comment about my first draft being "a little parochial." Professor Drummonds helped to teach me to think like a lawyer. He also introduced me to my next important mentor.

Early in my third year of law school, Prof. Drummonds told me there was a judge who needed a clerk for a special case, and asked if I would be interested. The adage that in your third year, law school "bores you to death" did not apply to me - in large measure because I had the privilege of working for Judge Bill Keys, on the Multnomah County Circuit Court. I met him in his chambers for an interview. We talked for a bit, and then he asked if I liked dim sum. I had no idea what dim sum was, but I was up for trying it. He hired me as a special clerk for the case, and I spent a lot of time that Fall reading

summary judgment motions, responses, and replies. The best part of working for Judge Keys was talking through the issues and arguments with him. He would poke and prod at my evaluation and analysis of the various motions. He let me sit in the court for oral argument, and included me as he mapped out his various rulings. Judge Keys was both practical and wise. I recall him asking lawyers to brief a certain issue with "two pages, and your two best cases." I miss the judge - he was taken far too young from us. But his impact on me lives on.

I had two mentors while I was working at the United Nations War Crimes Tribunal. Alan Tieger is an American lawyer. Before he came to the Tribunal, Alan was with the US Department of Justice Civil Rights Division, where he was a member of the trial team that prosecuted the Los Angeles police officers who beat Rodney King. Joanna Korner, K.C., C.M.G. is an English barrister. She now sits as a judge at the International Criminal Court in The Hague, Netherlands. Alan was a Senior Trial Attorney assigned to the Bosnian Serb Leadership cases, and I was one trial attorney on his team. I worked closely with Alan in all facets of the case, including investigating and narrowing down the scope of the case to the key witnesses and documentary evidence, drafting opening statements, and preparing the initial witness - an expert witness, who would lay out the big picture of the joint criminal enterprise we needed to prove existed in Bosnia in 1992. We spent 10-plus hours a day for a month preparing for that direct examination. Alan was also assigned a case involving the massacre of 200 prisoners. He asked me to second chair that case with him, and we ended up negotiating a guilty plea with the accused's lawyers. Alan was intense, and absolutely dedicated to holding the accused accountable for their crimes.

Joanna was also working on Bosnian Serb cases, and my role on the Bosnian Serb Leadership case trial overlapped with Joanna's case. Joanna's case was already in trial, and I joined the team to help with some of the overlapping witnesses from the Leadership case. English barristers focus on oral advocacy, and Joanna was the consummate oral advocate. She could absolutely command a courtroom, and she has that English way of sounding just so compelling. I spent a fair bit of time with Joanna conducting suspect interviews in Bosnia. She helped me to refine my forensic skills with practical and constructive advice. I am grateful for the lessons I learned watching her prepare for and conduct witness examinations.

There are a number of other mentors I've had through the years. The partners at Samuels Yoelin Kantor who hired me to be a law clerk back in 1996, co-counsel and opposing counsel on many cases over the years. What is the common thread to these mentors? They all took time to share the knowledge and wisdom they had about how to practice law. The MBA has a Mentor Program, under the umbrella of our Professionalism Committee. Our Mentor Program is always looking for mentors. I encourage our members to take advantage of the opportunity to give back to our community and volunteer to be a mentor to a newer lawyer.

**...What is the common thread to these mentors? They all took time to share the knowledge and wisdom they had about how to practice law.**

**... the process of becoming a lawyer, and then learning how to be a lawyer, isn't all that easy.**

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#### MBA 117th Annual Meeting, Dinner & Judges Reception

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## mba | CLE

Due to the COVID-19 pandemic, the MBA will be offering all seminars **ONLINE ONLY** unless otherwise listed. To register for a CLE seminar, please see p. 3 or visit [www.mbabar.org/cle](http://www.mbabar.org/cle) and input your OSB number to register at the member rate.

### MARCH

**3.14 Tuesday**  
**Investment Deals and Investor Litigation**  
Cody Berne  
Bryson Davis

### APRIL

**4.4 Tuesday**  
**Residential and Commercial Foreclosures in Oregon**  
Hope Del Carlo  
Tony Kullen

**4.6 Thursday**  
**Racism in Oregon History: A Brief Overview**  
Eliza Cany-Jones  
Kerry Tymchuck

**4.10 Monday**  
**Arbitrations in Oregon: The What, Where, Why, and How**  
A.C. Estacio-Heilich  
Brad Krupicka  
Heather St. Clair

**4.12 Wednesday**  
**State and Local Initiative Process**  
Justice Stephen K. Bushong  
Steve Berman  
Katherine Thomas

**4.18 Tuesday**  
**Ethical Duties Concerning Self-Represented Litigants**  
Judge Christopher Ramras  
Nellie Q. Barnard

**4.19 Wednesday**  
**Family Law Update**  
Judge Susan M. Svetkey  
Patricia Arjun  
Amy Fassler

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\*or the preceding Friday, if on a weekend.

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**February 3 Legislative Breakfast**



Back row, left to right: Presiding Judge Judith Matarazzo, Representative Daniel Nguyen, Judge Kathryn Villa-Smith. Front row, left to right: Trial Court Administrator Barbara Marcille, Judge Shelley Russell, MBF President Joe Franco.



Left to right: Diana Naranjo, Legislative Assistant to Representative Andrea Valderrama, Chief Criminal Judge Cheryl Albrecht, MBA President Tim Resch, Chief Justice Meagan Flynn, Senator Michael Dembrow, Judge Benjamin Souede

**Calendar**

**MARCH**

9 Thursday  
Oregon Women Lawyers  
Women of Excellence  
Celebration  
[www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org)

9 Thursday  
YLS Speed Networking Event  
Details on p. 13

16 Thursday  
YLS Public Service Activity:  
Children’s Book Bank  
Details on p. 13

22 Wednesday  
Solo & Small Firm Workshop:  
A Conversation on Humanity  
in the Practice of Law  
Details on p.13

23 Thursday  
OAPABA and YLS Happy Hour  
Details on p. 13

**APRIL**

3 Monday  
Roadways to the Bench  
[www.bit.ly/roadways-bench](http://www.bit.ly/roadways-bench)



Left to right: Cameron Quackenbush, law student and Legislative Intern to Senator Lew Frederick, Representative Lisa Reynolds, Barb Marcille and Tabitha Pitzer, Constituent Services Manager for Commissioner Sharon Meieran.

**Oregon/SW Washington Compensation & Benefits Market Data**

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For more information, contact:  
Marie Porter, [resources@oregonala.org](mailto:resources@oregonala.org)

\*Published by Gallagher Surveys for the Association of Legal Administrators, Oregon Chapter





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

Unless otherwise noted, all classes are held online.

**Investment Deals and Investor Litigation: A Conversation Between a Business Lawyer and a Litigator About Practicing Securities Law**

**Tuesday, March 14 12-1 p.m.**  
**Miller Nash, 111 SW 5th Ave, Ste 3400 and Online Participation**  
Members \$30/Non-Members \$50

Business lawyer **Bryson Davis** of PNW Business Law and trial lawyer **Cody Berne** of Stoll Berne examine a hypothetical investment opportunity for red flags, both for those behind the investment opportunity and for investors. In examining the investment opportunity, Bryson and Cody will discuss issues that business lawyers and litigators should keep in mind when a business deal or case involves securities.

**For more information:** Contact Ian Christy, Miller Nash LLP, at 503.205.2416. For registration questions, contact the MBA at mba@mbabar.org.

**Residential and Commercial Foreclosures in Oregon**

**Tuesday, April 4 3:30-4:30 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

While it does not appear that we are headed for another housing crisis like occurred after the 2008 crash, with mortgage interest rates at levels not seen since 2007, household incomes being consumed by increased costs due to inflation, and the ongoing affordability issues in Oregon housing, against a backdrop of the expiration of COVID-related homeowner protections, we are likely entering a period of increased defaults and foreclosures. On the commercial side, with vacancies in Portland commercial real estate around 30%, we may also see an increase in commercial foreclosures as well. This seminar, led by **Hope Del Carlo** of Elemental Law, and **Tony Kullen** of Farleigh Wada Witt, will provide a primer on the Oregon foreclosure process (both judicial and non-judicial), pre-foreclosure mediation, defensive strategies for borrowers in, or at risk of, default, and foreclosure alternatives, including short sales, loan modifications and deeds in lieu of foreclosure.

**For more information:** Contact Holly Hayman, Farleigh Wada Witt, at 503.228.6044. For registration questions, ontact the MBA at mba@mbabar.org.

Additional class descriptions on page 4

CLE Registration Form

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- ☐ Non-Member

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Online CLE registration strongly encouraged. Visit [www.mbabar.org](http://www.mbabar.org) to register online. Registration forms with payment must be received in the MBA office by 3 p.m. the day before the seminar. Registration forms may be mailed to the address below. Accommodations available for persons with disabilities; please call in advance for arrangements.

**Photocopy registration and mail payment to:**  
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503.222.3275

Unable to attend? Archived webcast options are available at [www.mbabar.org/archivedcle](http://www.mbabar.org/archivedcle)

**Racism in Oregon History: A Brief Overview**

**Thursday, April 6 Noon-1 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

*Note: One hour of Access to Justice OSB MCLE credit will be applied for.*

In December 2019, the Oregon Historical Society (OHS) published a special issue of its 120-year-old journal, the Oregon Historical Quarterly, on the subject of “White Supremacy & Resistance.” The issue offers an in-depth view of the ways Oregon history has been shaped by White supremacist ideology and policies - and resistance to those frameworks - for almost two centuries. The special issue joins many other OHS projects that engage Oregonians in the complex and diverse history of our state. Understanding how both racism and justice are at the heart of Oregon’s history are crucial to our ability to build a better future. In this presentation, OHS Boyle Family Executive Director **Kerry Tymchuk** and OHQ Editor **Eliza Canty-Jones** offer an overview of the importance of these subjects and invite attendees to access OHS resources for more learning.

**For more information:** Contact Rudy Lachenmeier, Dispute Resolution Law, at 503.207.6932. For registration questions, ontact the MBA at mba@mbabar.org.

**Arbitrations in Oregon: The What, Where, Why, and How**

**Monday, April 10 Noon-1 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

Arbitrations, either through AAA, ASP, JAMS, or private arbitration, are playing a larger and larger part in civil dispute resolution. With the US Supreme Court’s decision to endorse class action waivers in Epic Systems Corp., arbitration has become even more prevalent. The recent trend of legislative barriers to private arbitration - including ORS 36.620(5) - are unlikely to turn the tide. Hear from **Brad Krupicka** and **AC. Estacio-Heilich**, Lewis Brisbois Brisgaard & Smith LLP, and **Heather St. Clair**, Lane Powell PC, on the theory, procedure, and practical issues of arbitration, including key issues in the drafting and enforcement of arbitration agreements.

**For more information:** Contact Brad Krupicka, Lewis Brisbois Brisgaard & Smith LLP, at 971.334.7010. For registration questions, ontact the MBA at mba@mbabar.org.

Seminar Selection:

Please select the seminar(s) you wish to attend. Written materials for each class are included with registration. Pre-registration with payment is required to participate.

3/14 Investment Deals and Investor Litigation:

- For online attendees, link will be emailed**
- ☐ In-Person Registration (\$30 Members/\$50 Non) . . \$\_\_\_\_\_
- ☐ Online Registration (\$30 Members/\$50 Non) . . . . \$\_\_\_\_\_

4/4 Residential and Commercial Foreclosures in Oregon

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$30 Members/\$50 Non) . . . . . \$\_\_\_\_\_

4/6 Racism in Oregon History: A Brief Overview

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$30 Members/\$50 Non) . . . . . \$\_\_\_\_\_

4/10 Arbitrations in Oregon: The What, Where, Why, and How

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$30 Members/\$50 Non) . . . . . \$\_\_\_\_\_

4/12 State and Local Initiative Process

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$45 Members/\$70 Non) . . . . . \$\_\_\_\_\_

4/18 Ethical Duties Concerning Self-Represented Litigants

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- ☐ In-Person Registration (\$30 Members/\$50 Non) . . \$\_\_\_\_\_
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4/19 Family Law Update

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$60 Members/\$95 Non) . . . . . \$\_\_\_\_\_

4/25 Crisis Communications

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$60 Members/\$95 Non) . . . . . \$\_\_\_\_\_

5/16 Taking and Defending Corporate Representative Depositions

- Online attendance only - link will be emailed**
- ☐ Class Registration (\$45 Members/\$70 Non) . . . . . \$\_\_\_\_\_

Total due.....\$\_\_\_\_\_



**State and Local Initiative Process**

**Wednesday, April 12 Noon-1:30 p.m.**

**Remote attendance only via Zoom**

Members \$45/Non-Members \$70

The initiative process impacts all aspects of state and local policy, from taxes to education to civil rights. Over the past few election cycles, advocates increasingly have turned to the initiative to influence local, as well as statewide, policy. In this CLE, **Katherine Thomas**, Assistant County Attorney for Multnomah County, **Steve Berman** of Stoll Berne, and Oregon Supreme Court **Justice Stephen K. Bushong**, will discuss the state and local initiative process from three different perspectives - the governmental entity overseeing the process, the advocate seeking to advance or defeat an initiative, and the judiciary tasked with ensuring that process is applied consistently with the law.

**For more information:** Contact Brian Marshall, Oregon Department of Justice, at 971.673.1880. For registration questions, ontact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Ethical Duties Concerning Self-Represented Litigants**

**Tuesday, April 18 Noon-1 p.m.**

**Schwabe Williamson & Wyatt PC, 1211 SW 5th Ave, Ste 1900 and Online Participation via Zoom**

Members \$30/Non-Members \$50

***Note: One hour of Ethics OSB MCLE credit will be applied for.***

What duties does a lawyer have when there is a self-represented party on the other side of a case? Sometimes the person is cooperative, sometimes not. The challenges presented by a self-represented party can sometimes be frustrating and even infuriating. How do you ethically approach a case with a self-represented party and still advocate zealously for your client? How do you properly confer with a pro se litigant and how might you best utilize alternative dispute resolution? Is there anything you can do to ease the case along? Our experienced speakers will assist us with learning how to work with self-represented parties. Our speakers are **Nellie Q. Barnard**, Schwabe, Williamson & Wyatt, and the **Honorable Christopher Ramras**, Multnomah County Circuit Court Judge.

**For more information:** Contact Jon Strauhull, Multnomah County Attorney's Office, at 503.988.3138 For registration questions, ontact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Family Law Update**

**Wednesday, April 19 3-5 p.m.**

**Remote attendance only via Zoom**

Members \$60/Non-Members \$95

On Wednesday, April 19 the MBA will hold its annual two-hour Family Law Update. Multnomah County Chief Family Law Judge, **The Honorable Susan M. Svetkey**, will be joined by **Patricia Arjun** of DBMA Family Law Group PC and **Amy Fassler** of Schulte, Anderson, Downes, Aronson & Bittner, PC for an in-depth discussion of recent Oregon Court of Appeals cases affecting domestic relations jurisprudence and Oregon family law practice. Our speakers will also provide family law practitioners with important information on recent changes, updates, reminders and practice tips regarding Multnomah County Family Court procedures and practice.

**For more information:** Contact Erin Morris, Morris Stannard & Batalden Family Law PC, at 503.461.0244. For registration questions, ontact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Crisis Communications: Helping Your Clients Survive Both in the Court of Law and in the Court of Public Opinion**

**Tuesday, April 25 3-5 p.m.**

**Remote attendance only via Zoom**

Members \$60/Non-Members \$95

Join **Tim Resch**, Managing Partner at Samuels Yoelin Kantor LLP, plus subject matter experts, **Jenna Cooper**, APR, and **Dave Thompson**, APR, Fellow, from C3 Collective Strategic Communications to learn what to do when your client's reputation is threatened. They'll review case studies and best practices in today's world of cybersecurity threats, natural disasters, and global pandemics. As former broadcast journalists, Jenna and Dave will bring their crisis communications and media training expertise to show you how to protect your clients and your client relationships..

**For more information:** Contact Ian Christy, Miller Nash LLP, at 503.205.2416. For registration questions, ontact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Taking and Defending Corporate Representative Depositions**

**Tuesday, May 16 Noon-1:30 p.m.**

**Remote attendance only via Zoom**

Members \$45/Non-Members \$70

Federal Rule of Civil Procedure 30(b)(6) depositions present complex challenges for attorneys and serious legal risks for companies in pending and future litigation. In this presentation, **Chad Colton** and **Molly Honoré** of Markowitz Herbold will share their best practices and tips and tricks for preparing for, taking, and defending depositions of corporate representatives.

**For more information:** Contact Jamison McCune, Driggs Bills & Day PLLC, at 503.212.4475. For registration questions, ontact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

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**MBA LSAT Preparation Course Scholarship - Apply by March 10**  
To help achieve the goal to foster and expand diversity in the Multnomah County legal community and the state of Oregon, the MBA Equity Diversity & Inclusion Committee awards scholarships for LSAT preparation courses to law school applicants whose future involvement in the law will enhance the diversity of our bench and bar. Applications are due March 10. Details available at [www.bit.ly/mba-lsat](http://www.bit.ly/mba-lsat).

**Statement of Diversity Principles Available to Sign**  
The MBA Equity, Diversity & Inclusion Committee invites you to sign the Statement of Diversity Principles. Read and sign the diversity statement and pledge at [www.mbabar.org/diversity](http://www.mbabar.org/diversity).

**Weekend Lobby Hours Change at Inverness Jail**  
Due to ongoing staffing challenges, which the Multnomah County Sheriff's Office is working on a recruitment process to solve, the Inverness lobby will close at 3 p.m. on weekends, just as it does during the week. Any visits already in progress at that time will be allowed to continue. Additional information is available at [www.bit.ly/inverness-hrs](http://www.bit.ly/inverness-hrs).

**Noontime Rides**  
Join all ages of bicycle riders for noontime hill climbs on Mondays and Thursdays. Assemble at noon at SW Corner of Pioneer Square and leave together at 12:15 p.m. Rain or shine. Frequent regroupings. Mondays include rotating pacerline around SW Fairmount; Thursdays go up through Forest Park. E-bikes okay. Great repeating interval workouts. Contact Ray Thomas, 503.228.5222 if you are a new rider or for additional details.

**Rogue Farm Corps Seeking Board Members**  
Are you, or talented folks in your network, looking for unique opportunities to help support the next generation of farmers, and your community? Rogue Farm Corps (RFC), an Oregon nonprofit working to build a better food system, is seeking two to three people to join its Board of Directors. RFC is looking for board members with experience in real estate, land use transactions, cooperative business entities, or human resources. Please reach out to Maia Larson, [maiaflarson@gmail.com](mailto:maiaflarson@gmail.com) with questions or to apply.

**Volunteers Needed to Serve as Courthouse Experience Tour Guides**  
Classroom Law Project is seeking volunteers who can dedicate at least one weekday morning a month to guide teachers, students, and chaperones on courthouse tours. Training and support will be provided. Email Christopher Parrucci at [cparrucci@classroomlaw.org](mailto:cparrucci@classroomlaw.org) for more information.

**PDX Starting Grounds**  
The coffee café in the Central Courthouse offers beverages, breakfast, lunch and snack items. Open Monday through Friday, from 8 a.m.-2 p.m. See the menu or order online for takeout at [www.pdxgrounds.com](http://www.pdxgrounds.com).

Ethics Focus



by Mark J. Fucile  
Fucile & Reising LLP

Two decades ago, Oregon was at the forefront of reciprocal admission. Reflecting the times, however, the revolution in reciprocal admission in which Oregon was a key player only involved Washington and Idaho. From what was then known as the “Tri-State Reciprocal Admission Compact,” Oregon gradually expanded reciprocal admission over the years to include many other states. Reciprocity, however, was inherently dependent on other states participating - and not all did. Therefore, reciprocal admission was not a universal solution short of taking the Oregon bar exam for all experienced lawyers coming from other states to join law firms here.

The Oregon Supreme Court has addressed this fundamental short-coming of reciprocity through a new “comity” rule that replaces reciprocal admission. The new rule - Oregon Rule for Admission of Attorneys 15.05 - is available on the OSB’s website. In this column, we’ll first examine the new rule and then conclude with a brief survey of other recent related developments in Oregon.

**The New Rule**  
The Supreme Court’s order adopting comity admission - SCO 22-032 - does so as a direct replacement of the former reciprocal admission rule that had the same rule number. The new version reflects a subtle but substantial change. As noted above, Oregon’s former reciprocal admission rule was inevitably tethered to the participation of other jurisdictions nationally. The new rule is not.

- RFA 15.05(2)(a) sets out the nub of the new rule:
- (2) An applicant for admission under this rule shall:
- (a) Submit sufficient proof, to the satisfaction of the Board, that the applicant has:
- (i) Earned a (1) Juris

- Doctor (J.D.) or (2) Bachelor of Law (LL.B.) degree from an ABA accredited law school; or satisfied the requirements of RFA 3.05(3) [relating to graduates of foreign law schools];
- (ii) Passed a bar examination in another state, commonwealth, district or territory of the United States;
- (iii) Been admitted to the practice of law in at least one other state, commonwealth, district or territory of the United States of America;
- (iv) Current active membership to the practice of law in the highest court of at least one other state, commonwealth, district or territory of the United States; and
- (v) Been engaged in the authorized full-time practice of law for a minimum of 24-months out of the 48-months immediately preceding the date that the applicant submits their application for admission as an attorney in another state in which they were authorized to practice law or in a state that does not presently prohibit the type of practice of law that was conducted by the applicant in said state.

Comity applicants are also subject to character and fitness review and must complete CLE courses in Oregon practice and procedure.

In addition to de-coupling Oregon admission with corresponding accommodation of Oregon lawyers in other states, the new rule also significantly reduces the experience requirement necessary to take advantage of comity. Under the old reciprocal admission rule, applicants had to have practiced continuously for five of the past seven years immediately preceding an application. Under the new comity rule, by contrast, the practice requirement is reduced to 24 of the preceding 48 months. RFA 15.05(1)(d)

defines “full-time practice of law” as generally being 30 hours per week. The reduction in the experience requirement should especially benefit newer lawyers. While not the equivalent of a drivers’ license, the new comity rule is another practical step in recognizing the geographically fluid nature of law practice today.

**Other Developments**  
Although significant, the comity rule is just one of several recent developments that have generally made it easier for out-of-state lawyers to join law firms here. Two in particular offer important clarifications on the work that can be undertaken here pending admission.

First, the Supreme Court adopted a rule - RFA 13.70 - specifically permitting out-of-state lawyers with admission applications pending to practice here while action is taken on their applications. The new rule followed in the wake of *In re Harris*, 366 Or 475, 466 P3d 22 (2020), which considered the extent to which an out-of-state lawyer moving to Oregon could practice here while an admission application was pending. The new rule requires registration with the OSB and has a variety of other conditions. Nonetheless, RFA 13.70 eliminates much of the confusion surrounding this common circumstance. Additional information and registration forms are available on the OSB website.

Second, the OSB issued an ethics advisory opinion - Formal Opinion 2021-198 (2021) - discussing the tasks that a law school graduate not yet admitted can perform under the supervision of Oregon-licensed lawyers. While not attempting to catalog all tasks a law graduate can perform pending admission, the opinion notes (at 4) that the potential range of activities is broad as long as performed under the supervision of a licensed attorney and the graduate does not hold himself out as a lawyer: “These activities may include conducting factual and legal research; drafting contracts, affidavits, and legal memoranda; interviewing witnesses and clients for information-gathering purposes; preparing documents for a lawyer’s review and signature; filing executed legal documents; and offering legal conclusions to the attorney or firm.” Although Formal Opinion 2021-198 doesn’t necessarily plow new ground, it offers comforting clarity for another common circumstance. Formal Opinion 2021-198 is also available on the OSB website.



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The Multnomah Bar Foundation Board of Directors would like to acknowledge the OCF Joseph E. Weston Public Foundation for its generous gift to the MBF to benefit Multnomah CourtCare.





Around the Bar



Shayda Le

**Barran Liebman LLP**  
Shayda Le, Barran Liebman LLP Partner, has joined the American Bar Foundation's Board of Directors. Having been admitted as a Fellow of the Foundation in 2018, and serving as an active member of the American Bar Association since 2014 (currently serving on its Board of Governors and the Young Lawyer's Division Executive Committee), she looks forward to further advancing the Foundation's work in this new leadership role.



Adam Adkin

**Tonkon Torp LLP**  
The firm has appointed partner Adam Adkin as co-chair of its Business Transitions Practice Group, along with partner Jeffrey Woodcox. He takes on the co-chair role from Sherrill Corbett, who continues to represent clients in her M&A and corporate finance practice.  
Attorneys in the Business Transitions Group closely with business owners and their management teams to identify, structure, and execute sophisticated transition strategies including merger and acquisition deals, finance solutions, and corporate finance transactions.  
Adkin's practice focuses on M&A and corporate finance with a particular emphasis on construction and permanent loans for senior living communities. He also provides substantial counsel to professional firms and others in structuring owner relationships and facilitating exits.  
Tonkon Torp LLP welcomes attorney Jessica Bernardini to its Environmental & Natural Resources Practice Group. Bernardini joins Tonkon Torp from McDowell Rackner Gibson. She also previously worked as an engineering consultant to private and public entities. Bernardini's



Jessica Bernardini

practice focuses on providing clients with regulatory advice and representation in matters of energy and environmental law.  
Bernardini graduated cum laude from Lewis & Clark Law School in 2021 with certificates in Environmental and Natural Resources Law and Energy, Innovation, and Sustainability Law. She holds an MS in Geoenvironmental Engineering from the University of California, Berkeley. Bernardini is a licensed Professional Engineer in California and Oregon.



Caroline Harris Crowne

Tonkon Torp LLP has appointed partner Caroline Harris Crowne as co-chair of its Litigation Department.  
Harris Crowne will co-chair the Litigation Department with Steven Wilker. She has deep expertise in arbitration and mediation procedure, has taken more than 30 cases to trial or final hearing, and has resolved many more through motions and settlement. Harris Crowne takes on the co-chair role from Anna Sortun who continues to represent clients in her busy litigation practice.



Parna Mehrbani

Tonkon Torp LLP has appointed partner Parna Mehrbani as co-chair of its Intellectual Property Practice Group.

Mehrbani works with local, national, and international clients on all aspects of intellectual property issues. She is active in the legal and trademark communities, and her practice is consistently recognized in The Best Lawyers in America, Chambers USA, Super Lawyers, and World Trademark Review 1000.  
Attorneys in Tonkon Torp's Intellectual Property Practice Groups help clients at all stages of growth to protect and leverage intellectual property assets. They provide a full range of counseling and compliance services, as well as litigation expertise.



Jessica Morgan

The firm appointed partner Jessica Morgan as co-chair of its Business Department.  
Morgan will co-chair the Business Department with

Michael Millender. Her extensive experience has been focused on regulatory compliance, securities and general corporate law for highly regulated industries including financial services, investment management, and cannabis. She takes on the co-chair role from partner Jeff Cronn, who held the role since 2008 and continues to represent clients in his M&A and business law practice.



Michele Wasson

The firm welcomes attorney Michele Wasson to its Business Department, where she will practice in the Estate Planning & Advocacy and Nonprofit Practice groups. Wasson joins Tonkon Torp from Riverview Trust Company, where she served as Chief Fiduciary Officer, and oversaw the trust and charitable services. Prior to that, she

worked for over a decade as an attorney at Stoel Rives.  
Wasson has represented high net worth individuals and families in estate planning, wealth transfer, probate and trust administration, business succession, and philanthropic matters. She has also assisted clients from a wide range of tax-exempt entities to navigate complex laws and regulations in all aspects of governance, compliance, and tax-related matters.  
Wasson is Board Vice Chair for the Estate Planning Counsel of Portland and is an Adjunct Professor at Lewis & Clark Law School. She earned her JD from Lewis & Clark Law School.

The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. The submission deadline is the 10th of the month preceding publication or the prior Friday if that date falls on a weekend. All submissions are edited to fit column format and the information is used on a space-available basis in the order in which it was received. Submissions may be emailed to [mba@mbabar.org](mailto:mba@mbabar.org).

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Sussman Shank LLP is excited to announce that Steven, Melanie, and Tyler have been named partners. Our newest partners bring outstanding experience, capabilities, and dedication to our firm.



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## PLF NAMES NEW DIRECTOR



**EMILEE PREBLE**  
Director of Administration  
& Underwriting

The OSB Professional Liability Fund is pleased to welcome Emilee Preble in her new role as of January 1, 2023. Emilee previously served as the Administration & Underwriting Manager.

She joins the other members of the PLF management team:

- Megan Livermore - Chief Executive Officer
- Betty Lou Morrow - Chief Financial Officer
- Heather Bowman - General Counsel
- Matt Borrillo - Director of Claims
- Hong Dao - Director of the Practice Management Assistance Program
- Kyra Hazilla - Director of the Oregon Attorney Assistance Program
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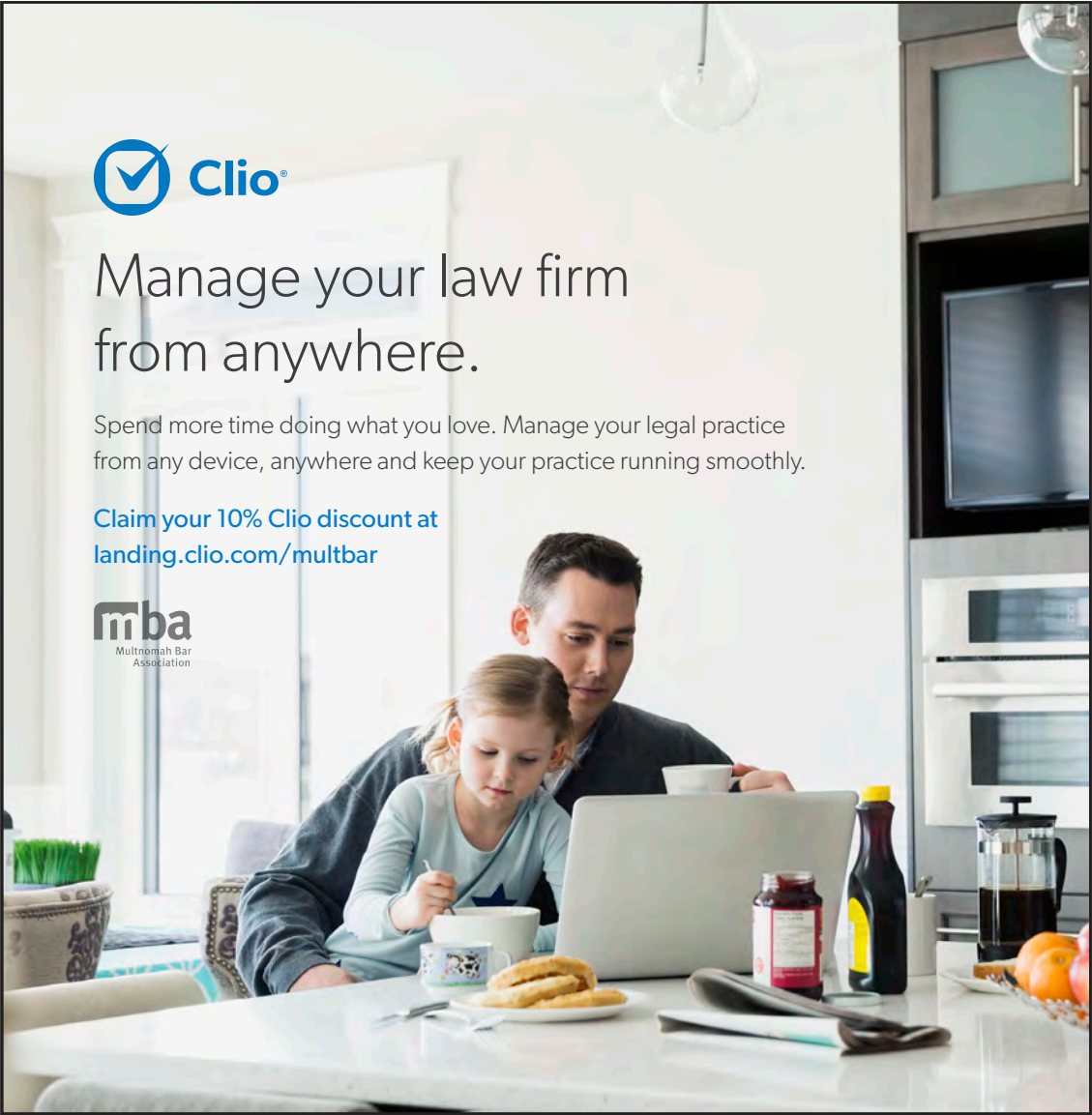
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# Embracing the Oregon IOLTA Program for Community Good

by Dave Hansen  
Executive Vice President/Director of Retail Banking  
Columbia Bank



Columbia Bank and its forerunner banks have been long-time participants in the IOLTA Program in Oregon and other states where we do business. As we merge with Umpqua Bank in March 2023, we are excited to continue as a Leadership Bank benefitting the Oregon Law Foundation (OLF)

in its work going back to its creation in 1981. The combined IOLTA deposit balances of both banks means more support of the OLF.

Participation in the IOLTA Program is a natural fit for our community-focused bank because it helps Oregonians that are in need of assistance with legal issues who cannot otherwise afford representation. Healthy community members contribute to the creation of healthy communities that leads to healthy local economies. It takes a collaborative effort with community partners to drive positive and forward-focused successful communities.

As a community bank, we provide banking products and services to communities that helps families and businesses

reach their goals. We gather deposits from community members that we in turn lend out to benefit local communities. The IOLTA Program is another way that allows us to work in concert with the legal community to benefit local economies by supporting the broad range of community members. As stated in the research conducted by the OLF, “for every dollar spent on legal aid, Oregon receives \$3.43 of financial benefit to individuals and to the community.”

Traditional banking functions of gathering deposits that are invested in loans in our communities is combined with the IOLTA Program, producing a winning combination between banks and the legal community. In this, we are collectively doing the right thing for all members of society.

An additional benefit that banks gain in being actively involved in the IOLTA Program is recognition that banks realize in support of the Community Reinvestment Act (CRA). Banks are expected to be financially responsible and stable but also have the obligation to support

the communities that we serve. The interest paid on IOLTA accounts is recognized as direct support of CRA programs. Healthy, responsible and well-run banks with good CRA records support a strong local economic environment.

We are proud to work directly with the OLF as a Leadership Bank to support the needs of the community. Let’s continue to work together as a legal and banking community to maximize the health and well-being of our Oregon community.

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Tips From the Bench

Prima Facia Hearings: Make Them Just Right

by Judge Eric L. Dahlin  
Multnomah County Circuit Court

*This bed is too hard. This bed is too soft. This bed is just right, said Goldilocks.*

Like Goldilocks’ quest to find objects that were “just right,” attorneys sometimes struggle to find the right balance when presenting a *prima facia* case in support of a default judgment. Some attorneys fail to present enough information and some present too much (though, fortunately, many present just the right amount). If you have struggled to figure out how much information to include in a *prima facia* hearing here are some basic hints.

First, there is no exact formula that would apply to every case. You must determine what you need for your particular claim and prove no more and no less. This is effectively a trial, so you have a burden of production to present evidence to support the claim, but because this is not contested there is no need to have multiple ways to bolster the case, one will suffice. You also won’t need to head off all possible attacks on cross examination because there will be no cross.

Second, it is not enough to simply contend the plaintiff has requested a certain amount in the Complaint or to have a declaration from a client that says in conclusory fashion what the damages are. There must be evidence from which the judge can ascertain the damages. For example, in a breach of contract case, the client would need to submit a declaration attaching the contract and invoices from which the requested damages can be calculated. If the declaration and supporting exhibits establish a right to relief on the claim, and the amount sought is equal to or less than what is sought in the Complaint, presiding court will often sign the requested judgment without a need for a *prima facia* hearing.

Although this advice may seem obvious, an increasing number of attorneys do not present sufficient evidence to support a *prima facia* finding, but either essentially rely on the prayer in the Complaint or rely on conclusory declarations from their clients without adequate documentation. Some attorneys even comment when told that their submissions are not sufficient that they think a new procedure has been put in place requiring more information than in the past, possibly thinking that a *prima facia* hearing is one where the court just rubber stamps whatever relief is being requested. This is not a new procedure, and the court does not act as a rubber stamp in *prima facia* hearings.

Third, there are some matters where testimony is always required because documentation alone can never be sufficient, such as breach of oral contract, non-economic damages, and punitive damages. Also, presiding court may set a case



for a *prima facia* hearing where documentation could have been sufficient to support the claim but the documentation actually filed was inadequate. It is in these hearings where testimony is required that attorneys sometimes go too far.

It is not necessary in most cases with live testimony to go into granular detail about every event in the case, as one might do when telling a story to the jury and trying to address in advance issues that might arise on cross examination. All that is needed is to make a *concise and brief showing* - leading questions are allowed - that cuts to the chase and shows that the plaintiff is entitled to relief, and in what amount. Most testimony in *prima facia* hearings can be completed in five-10 minutes, though obviously each case is dependent on the particular facts. If, in preparing for your next hearing, you think testimony will be longer than 10 minutes, you may want to ask yourself if you really need that much testimony and whether you can make the presentation more concise. If you still feel you will need extra time to make the basic showing, that’s fine. But, in most cases with long testimony, the testimony could be cut drastically and still make the requisite showing.

Fourth, the most common situation where a *prima facia* hearing is set off the call docket is when the requested attorney fees are over \$2,000. In those cases, an evidentiary hearing with live witnesses is not needed as the judge will just be reviewing the documentation supporting the request for fees. Even though these hearings will almost always be decided based on the written record and the ORCP 68C(4) standard, you will have a greater chance of recovering the full amount of hours requested and at the rate requested if each billing entry is broken down by task with a detailed description that allows for meaningful review, and that the requested hourly rate is supported by competent evidence (the higher the requested rate, the more support is needed).

Fifth, another common problem with *prima facia* hearings is when a plaintiff seeks a default judgment that is higher than the

Continued on page 14

News From the Courthouse



by Anne Milligan  
MBA Court Liaison Committee

Chief Criminal Judge Report - Judge Cheryl Albrecht

This is Judge Albrecht’s last year as Chief Criminal Judge, a role that she has served in since 2018 when Judge Stephen Bushong started his term as Presiding Judge. The Chief Criminal Law Judge serves at the pleasure of the Presiding Judge, up to a six-year term per the court’s governance structure. Over her time as Chief Criminal Judge, Judge Albrecht has presided over criminal court operations undergoing significant change, from a legislative, procedural, and social perspective. For a number of reasons, 2022 in particular was an extraordinary year, as the court emerged from the pandemic and saw a significant increase in trials as 2019-2021 matters finally proceeded to trial.

From a legislative perspective, the court’s work also underwent significant change in July 2022 when Senate Bill 48 (SB 48) became effective and eliminated the right to immediate security release and certain mandatory minimum bail amounts in statute. This required increased individualized assessments based on objective criteria when making release determinations and setting bail for criminal charges. In addition, SB 48 directed judges to enter a standing pretrial release order specifying defendants and offenses subject to release on recognizance, conditional release, and people not eligible for release until an arraignment. For decades prior to 2022, the court’s bail schedule set mandatory bail figures; in contrast, SB 48 necessitated that the court decide how it should best independently determine bail instead of relying on a strict schedule.

From a social perspective, there was and continues to be a historic public defense crisis in Oregon and Multnomah County in particular. The COVID-19 pandemic delayed the resolution of many criminal cases, due to added safety precautions which limited how many people could safely be in courtrooms and thus reduced the ability for the court to hold jury trials, but the shortage of public defenders is not solely related to the pandemic. The public defender system in Oregon has been chronically underfunded,

leading to understaffing, burnout, and attrition from the specialty practice and the profession. According to the Oregon Justice Resource Center, “More than 90% of people charged with crimes in Oregon depend on a public defender.” A study by the American Bar Association released in January 2022 found that Oregon has less than a third of the public defenders necessary to adequately represent indigent Oregonians charged with crimes. Furthermore, there were significant rule changes from the Office of Public Defense Services in January 2021 that imposed case count limits for the first time, limiting a full-time public defense attorney to 460 misdemeanor or 168 felony cases per year. Early in 2022, then-Oregon Supreme Court Chief Justice Martha Walters sent an emergency plea to attorneys statewide, asking them to take public defense cases, regardless of whether they were experienced criminal defense practitioners. In Multnomah County, the shortage of public defenders has led to some low-level cases being dismissed. In particular, in November 2022, District Attorney Mike Schmidt released a list of nearly 300 people who had charges dismissed, many of those because no public defenders were available to represent them.

Attorneys from Columbia and Wasco counties have been stepping in to help during the past year. Additionally, the Multnomah County bench and bar have responded in a number of ways, including through ongoing communication and collaboration to adjust docket processes; nonetheless, the system is not functioning as it should. Minor felonies are experiencing the most overload for public defense caseloads in Multnomah County. Unrepresented defendants in most of these cases are released from custody at arraignment and are directed to return to court at later dates to see if an attorney can be appointed.

Without representation at every stage of a criminal prosecution, the potential for a defendant to experience unconstitutional prejudice increases. The public defender’s office continues to file constitutional motions to dismiss for the lack of representation/ appointment, even in cases where it is not possible to schedule a next step in the case due to lack of representation by counsel.

As part of the larger conversation surrounding the crisis, the court is reevaluating the misdemeanor pretrial process including the current rules. The court has made great progress in changing the pretrial system, including working on updating the arraignment process. These changes center on the idea that if a criminal defendant can be given a clearer understanding of the charges against them and the system as a whole, that will help reduce recidivism. The court is also working to change the pretrial assessment process with assistance of a grant from the McArthur Foundation. The court continues to diligently work through the backlog created by the pandemic.

Civil litigators reading about the crisis in the media may wonder how they can help, and the court would like practitioners of every background to know they can and should assist. There are effective ways for civil litigators to help other than through direct representation, including assisting public defenders with research needs. Any attorney interested in assisting with legal research and writing projects can send an email to Judge Albrecht at cheryl.a.albrecht@ojd.state.or.us, and she will connect the attorney to staff at Oregon Public Defense Services. Civil litigators can also help by getting their cases to trial when they are assigned, thus clearing cases off the court’s call docket and freeing the court’s time for more criminal matters to move forward.

Presiding Judge’s Report - Judge Judith Matarazzo

Judge Matarazzo stressed how important is for all attorneys to be ready for trial. The Court will not reset trial dates for cases originating in or before 2019 or 2020 except under extraordinary circumstances. In the event that attorneys are double or triple booked, the oldest in-custody case will take priority. It helps the court a great deal in planning to know that a case has settled, so please alert the court as soon as possible when your case has been resolved.

Courthouse Update - Barbara Marcille, Trial Court Administrator

The legislative session has started and the legislature is considering proposed budget and policy

Continued on page 15



# WinterSmash Raises \$14,000 for the Multnomah Bar Foundation

by Kathy Modie  
Director, Events & Programs

What better way to raise money for a good cause than with an afternoon of family fun, bowling, raffle prizes and a best bowling shirt competition? On Saturday, February 4, about 250 MBA members and their families participated in the MBA's 19th Annual WinterSmash fundraiser at KingPins in Portland.

In the spirit of fun, teams gathered to vie for prizes based on their scores and outfits.

Best team score and the coveted bowling trophy went to the Alterman Law Group team, with their top three individual scores combined at 490.

There were a lot of great shirts, but Harrang Long PC edged out the competition and won the best shirt prize with their "Practicing Law Since 1957. Practicing Bowling Since 2005." shirts.

The prize winner for highest individual score went to Rey Ferrer from the Buchanan Angeli Altschul & Sullivan LLP team, with a score of 182. Six-year old Juliet Volm and her adult partner, Tess Krajewski received the lowest score of 13.

The recipient of the Big Lebowski award - the team with the most participants this year - was Holland & Knight LLP, with 24 people signed up. Wyse Kadish also had over 20 registrants.

WinterSmash benefits the Multnomah Bar Foundation's CourtCare, CourtSupport and CourtConnect programs.

Multnomah CourtCare improves access to justice by making free, drop-in childcare available for families who have business at the Central Courthouse.

CourtSupport provides the Central Courthouse with a bilingual Navigator who staffs the information desk and provides a critical service to the public by answering questions about the court, connecting individuals with needed services

or accommodations at the courthouse, and making the experience more welcoming and less intimidating.

CourtConnect pairs lawyers and judges to visit community groups and present information about the court system and the rule of law in an effort to forge a better connection between the community and legal profession.

Thank you to Buchanan Angeli Altschul & Sullivan LLP for sponsoring the food and beverages this year, and to all our sponsors and participants. Thank you also to the Events Committee, chaired by Natalie Hedman, for planning such a great event. Thank you, Victoria Blachly, Joe Franco, Shannon Hall, Chris Thomas and Terry Wright for volunteering at the event.

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Alterman Law Group PC winning team



Buchanan Angeli Altschul & Sullivan LLP team, including Rey Ferrer, highest individual score, second from left

## In Memoriam Michael D. Schrunk February 28, 1942-January 30, 2023

A proud Oregon native, Mike was born in Portland. He graduated from the University of Oregon Law School in 1967, after receiving his BS in Economics from Portland State University in 1964. Mike was a captain in the Marine Corps, volunteering during the Vietnam War and serving from 1967-70, through a program that allowed him to finish law school first.

In 1970, Mike obtained a post as a Deputy District Attorney for Multnomah County. In 1977, he went into private practice with Jensen, DeFrancq, Holmes & Schulte, where he stayed until 1980 when he was first elected District Attorney. During his time in office, serving a steadfast 32 years as Multnomah County's longest-serving DA, Mike had a part in implementing many new and innovative changes and programs, including the Regional Drug Initiative Task Force in 1986, the first ever Neighborhood District Attorney Program in 1990, the STOP Program in 1991 and Portland's Community Court Project in 1998.

At a 1996 panel discussion at the Institute for Law & Justice that stressed the importance of community and police participation to make programs effective and engaging at the local level, Mike was described as being "without a doubt, at the cutting edge of the community prosecution movement," having taken eight staff offline at that time and assigning them to community-based offices to ask, "What can I do, as your elected official, your chief law enforcement officer, to help you secure safe communities?" During that discussion, Mike was asked what the justice system can bring to the community and what value the community can bring to the justice system. In addition to sanctions and consequences, interpretations and explanations, representing the victim and the community, validating the hurt and the sorrow, and clarifying community standards, Mike said that prosecutors can provide the community with well-defined roles, like jury service, being a witness, and coming to a sentence hearing. "But to get ahead of the curve, we need to go forward. We need to not only say what happens after the crime, what we've got to bring to that community,... we've got to listen. We can help them solve the problems. Enhance the ability of the community. Enhance the ability of the police to work within the community. Enhance the ability of the citizens, both residential and commercial."



Michael D. Schrunk

Asked what the community supplies the justice system, Mike noted with enthusiasm that the public provides validation, feedback, and "an almost unending supply of ideas, resources, energy and support."

Among his many volunteer roles, Mike served as president of the MBA from 1985-86.

In 2011, he was awarded the MBA Professionalism Award, "awarded for the highest ethical standards and exemplary conduct in the practice of law and for making the practice of law more enjoyable." In his nomination of Mike, Ethan Knight, US Attorney's Office, wrote, in part: "Mike has consistently adhered to highest standards of professionalism. Mike has always led by example, making it clear that [his staff] must be guided by one simple principle: to do the right thing."

In his letter of support, Judge Eric Bergstrom wrote that "Mike is the essence of professionalism and that his life's work in public service embodies the highest standards and ideals that we seek in our profession." "Mike's style is collaborative and inclusive and he preaches openness and transparency."

Mike was an early champion of diversity and his hiring practices reflected that commitment.

When Mike retired in 2012, the Multnomah County Board of Commissioners unanimously proclaimed December 20 as Michael D. Schrunk Day in recognition of his years of service. At that time, then Chief Criminal Judge Julie Frantz said of Mike, "While deeply committed to policies that protect and promote public safety, Mike has always been known for doing the right thing. He does not bow to political pressures or the loudest voices, but rather adheres to principles of fairness in promoting public safety."

Mike will be remembered with gratitude for his years of innovation, exemplary leadership, and dedicated service to the people of Multnomah County.



**mba** | Young Lawyers  
Section

What is the YLS?

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

YLS Director Nominees

The YLS Board has approved a slate of four director nominees to join the board beginning June 1.



Allison Kamilos

**Allison Kamilos** earned her JD from Lewis & Clark Law School, and was admitted to practice in 2016. She practices family law at Holtey Law LLC. Allison joined the YLS Membership Committee in 2019, and co-chaired the committee from 2020 to 2022. She has also been involved as a committee member for St. Andrew Legal Clinic’s annual fundraising events since 2018, has participated with the Children’s Representation Project since 2017, and served as a National Lawyers Guild Legal Observer in 2022.



Gemma Nelson

**Gemma Nelson** attended Lewis & Clark Law School and joined the Oregon bar in 2019. She practices affordable housing development & financing and real estate law at Elliott Ostrander & Preston, PC. Gemma presently chairs the YLS Service to the Public Committee, which she first joined as a member in 2020. In addition to her MBA involvement, Gemma chairs Youth Villages Oregon’s Ambassador Board, and is a member of the ABA Forum on Affordable Housing and Community Development Law.



Sarah-Ray Rundle

**Sarah-Ray Rundle** is a graduate of Lewis & Clark Law School and was admitted to the OSB in 2018. Sarah-Ray practices plaintiff-side asbestos litigation at Maune Raichle Hartley French & Mudd LLC. Sarah-Ray’s involvement with the YLS began when she joined the YLS Membership Committee in 2021. In 2022, she received the YLS Rookie of the Year Award. She presently serves as the chair of the YLS Membership Committee. Outside of the MBA, Sarah-Ray is awaiting BOG approval to serve as the 2023 Secretary of the OSB Uniform Civil Jury Instructions Committee and is both an Oregon Trial Lawyers Association Guardian as well as a Washington State Association for Justice EAGLE.



Elli Tillotson

**Elli Tillotson** received her JD from Lewis & Clark Law School and was licensed to practice in Oregon in 2016. She practices civil litigation, landlord/tenant and business law at Black Helterline LLP. Elli joined the YLS CLE Committee in 2018, and presently serves as co-chair for the 2022-23 program year. Elli has been a member of the Lewis & Clark Law School Alumni Board of Directors since 2021, a member of the Gus J Solomon Inn of Court since 2022, and served as a volunteer mentor with the Lewis & Clark Law 1L mentor network since 2016.

Marry Karam  
YLS Member Spotlight

by Christine Sargent  
YLS Board

The MBA is excited to spotlight YLS member Marry Karam, who currently serves on the YLS Membership Committee. As one of very few Arab-American domestic relations attorneys in Oregon, Marry’s many contributions to the Oregon bar have already proven to be extremely valuable even in her first few years of legal practice. Marry was born in Syria and lived there until she was three years old, when her parents made the decision to move her and her sisters to the United States. Marry’s parents, who are “big on education” wanted to make sure their daughters had every opportunity possible to prioritize their education and career. Portland was the landing spot because they had family nearby. Marry decided to attend both college and law school in the Portland Metropolitan area, as she loves living in the Pacific Northwest and knew she wanted to live here for the long haul. Marry is driven and dedicated to her family and culture. Becoming a lawyer was always on her radar, as her father always wanted to become one but did not have the opportunity to do so in Syria. Marry’s desire to manifest her father’s dream, coupled with her experience winning a mock trial in a high school criminology class, motivated her to take every step necessary to go to law school. As such, she attended Portland State University, where she majored in criminology and criminal justice with a double minor in political science and pre-law, and was involved with PSU’s Explore the Law program, which pairs students with attorney mentors and helps students prepare for law school. She also had the rare opportunity to intern with the Multnomah County District Attorney’s Office in the Gangs Unit as an undergraduate student.

After visiting the law school at Willamette University, Marry knew it was where she wanted to pursue her legal career. She enjoyed the tight-knit community it offered and liked the idea of attending school near the capitol building in Salem. While in law school, Marry noticed that Arab-Americans were significantly underrepresented, both in her class and in the legal community as a whole. Accordingly, she immersed herself in outreach roles throughout her law school tenure (and beyond) that allowed her to further diversity initiatives. Among other things, she served on the Multicultural Student Association Board and was the American Constitutional Society’s Diversity Chair. To obtain practical legal experience, she also clerked at Chock Barhoum, a mid-size defense-side personal injury firm, where she ultimately obtained her first associate job following graduation and admission to the bar. Although Marry enjoyed working at Chock Barhoum, she realized her skills would be best suited working in a field where she could more regularly utilize her Arabic fluency, so she began researching domestic relations (family law) and immigration law. Marry reached out to her Explore the Law mentor from PSU, Lissa Kaufman, who practices family law, for ideas about where to start. Coincidentally, Kaufman was looking for a new associate, and hired Marry soon thereafter in January 2022. As one of the only Arabic-speaking domestic relations attorneys in the state, Marry has been able to satisfy a need for Arab-American representation in the family law world. While her fluency in Arabic certainly is a huge benefit, she has an unparalleled ability to walk her Arab-American clients through difficult domestic relations



Marry Karam

situations based on her knowledge and personal experience in Arab culture. Many of her clients speak very little English and are unaware of their rights in the United States, so helping them through the legal process can oftentimes be life-changing for them. One of the most rewarding aspects of her job is when clients tell her they are relieved to have an attorney walking them through their circumstances who (a) understands the language, but also (b) genuinely understands the cultural implications of divorce or custody issues. Marry sought to join the YLS Membership Committee because she recognized the importance of getting to know her peers in the legal community, which was challenging as a 2020 graduate during the pandemic. She enjoys meeting with the committee on a monthly basis and has made it her goal to get people excited to attend more in-person events and to take advantage of all the networking opportunities that the YLS offers. Her favorite YLS activity so far has been the Imprint Project because she believes strongly in the power of connecting high school students with career professionals so that students - especially those in less well-off neighborhoods - know what possibilities are out there. During her free time, Marry loves exploring the Portland food scene and spending time with her family and husband, who recently moved to the area from Syria. The YLS is lucky to have Marry as a member and is excited to see what she does in her career.



Thank you to everyone that donated goods and volunteered to assemble winter care kits for Blanchet House. The February 9 event was organized by the YLS Service to the Public Committee and sponsored by Miller Nash LLP.



## Upcoming YLS Events

**Speed Networking Event**  
**Thursday, March 9, 5:30-7 p.m.**  
**Barran Liebman, 601 SW 2nd Ave Ste 2300, Portland**

Prepare your elevator pitch and come ready to take part in this structured and fast-paced networking event. Conversation topics will be provided in advance with participants free to engage wherever the conversation takes them.

Thank you to Barran Liebman LLP for sponsoring this event. Organized by the YLS Membership Committee.

Attendance is free for MBA members, and space is limited. Register at:  
[www.bit.ly/yls-network](http://www.bit.ly/yls-network)

**Community Service Activity at the Children’s Book Bank**  
**Thursday, March 16, 3-5 p.m.**

The YLS Service to the Public Committee invites you to volunteer at the Children’s Book Bank, a nonprofit that seeks to improve the literacy skills of low-income children by collecting, repairing and distributing used books to families in need.

Volunteers will perform book repairs. This means inspecting and restoring used children’s books using a variety of tools and techniques. Volunteers will also learn about the offered programs.

The book bank also asks that each participant bring with them the following:

- Signed volunteer form or youth waiver form (available at [www.childrensbookbank.org/frequently-asked-questions](http://www.childrensbookbank.org/frequently-asked-questions))
- Proof of Covid vaccination (physical card or photo of card)
- Mask
- Close-toed shoes
- Water bottle

If you are interested in participating in the service event, please email Nicolas Ball at [nball@barran.com](mailto:nball@barran.com) or Mark Hansen at [mark.hansen@lewisbrisbois.com](mailto:mark.hansen@lewisbrisbois.com). Volunteer forms and proof of vaccination can also be provided to them in advance. This event is limited to 14 volunteers.



**Advanced Trial Litigation**  
**YLS Virtual Spring CLE Series begins April 13**

The YLS CLE Committee invites you to this nine-part, noontime series for newer attorneys. Courses include “Ethics and Discovery,” “Practical Application of Rules of Evidence” and “How to Be a Great Second Chair.” Nine hours of OSB MCLE credit will be applied for in total - \$150 for members, \$250 non-members. See the enclosed flyer for details and register online at: [www.mbabar.org/cle](http://www.mbabar.org/cle)

**OAPABA/YLS Happy Hour Social at Khao San**  
**Thursday, March 23, 5-6:30 p.m.**  
**Khao San, 1435 NW Flanders St, Suite A, Portland**

Please join the Oregon Asian Pacific American Bar Association and YLS for happy hour at Khao San in downtown Portland. Delicious Thai appetizers will be hosted; drinks will be available for purchase at the bar. RSVP to Sarah-Ray Rundle ([srundle@mrhfmlaw.com](mailto:srundle@mrhfmlaw.com)) requested but not required; feel free to just drop in if you can make it.



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## A CONVERSATION ON HUMANITY IN THE PRACTICE OF LAW

Wednesday, March 22  
12-1 p.m.

Remote attendance only via Zoom

Our ability to navigate the challenges of professional life is influenced by our skill at managing relationships with clients, colleagues, the court, and our relationship with our own internal experiences. Many members of the legal community have found the past three years challenging, stressful, and unmanageable. In a profession replete with stress, current circumstances have resulted in an increase in vicarious trauma, burnout, and symptoms of mental health conditions for practitioners and clients. According to pre-pandemic research, approximately 90% of US adults have experienced some form of direct trauma. For many, the events of the global pandemic and the changes in our court system have renewed symptoms of past trauma or resulted in new mental health symptoms.

Developing stress management techniques that recognize the emotional content of legal work is a vital strategy to mitigate stress, burnout, and vicarious trauma. When we are able to recognize our own human responses, we are better able to navigate challenging circumstances.

Join **Senior Judge Jim Fun**, Washington County Circuit Court and **Kyra Hazilla**, director and an attorney counselor with the Oregon Attorney Assistance Program (OAAP), where you will:

- Increase your awareness of signs and symptoms of vicarious trauma, mental health conditions, and unhealthy stress and learn strategies to address these.
- Learn strategies to interact with clients and colleagues experiencing trauma.
- Learn about structural influences on vicarious trauma: moral injury, organizational trauma, trauma mastery.
- Learn protective factors, coping skills, and self-care.
- Learn strategies to increase connectedness in the practice of law and in non-professional relationships, including engagement groups.

**Cost:** Free for members; \$30 for non-members

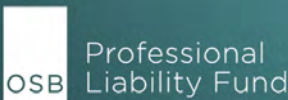
The MBA will apply for 1 hour of Mental Health and Substance Use OSB MCLE credit

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**Tips From the Bench**

*Continued from page 10*

amount of damages alleged in the Complaint (see ORCP 18B and ORCP 67C), or they seek to recover attorney fees even though

they did not properly allege the “facts, statute, or rule that provides a basis for the award of fees” as required by ORCP 68C(2)(a). If the client would like to seek more than what was requested in the Complaint or would like

to recover attorney fees despite not adequately alleging a right to fees, you need to file and serve an Amended Complaint and give the defendant the opportunity to file an appearance. If the defendant still does not appear, you can then

apply for another default order and then have a *prima facie* hearing seeking the higher amount.

For more information about the particulars of what can be decided by presiding court, and what will need to go to a judge

for a review of declarations or even a hearing with testimony, see the Multnomah County Circuit Court Attorney Reference Manual, Section V. (Judgments) and subsections C and E at [www.bit.ly/mult-arm](http://www.bit.ly/mult-arm)

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News From the Court

Continued from page 10

packages that may impact funding for the Multnomah County Circuit Court as well as the other Oregon trial courts. Adequate funding

for the court system impacts all litigants and practices.

After some early staffing road bumps, the courthouse navigator position - which is funded by the Multnomah Bar Foundation - has expanded and the information

desk at the courthouse is now staffed for 40 hours per week. A plaque will soon be installed outside of the presiding courtroom to recognize contributions that made the courthouse navigator position possible.



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Employment Lawyer

Stokes Lawrence, P.S. is seeking an experienced employment lawyer at a partner or senior associate level. A successful candidate will have a minimum of six years of experience, superior communication and interpersonal skills, the ability to independently advise employers on a wide variety of employment law issues, and the ability to supervise and collaborate with others. Experience conducting workplace investigations and a full or partial book of business are desired, but not required. Stokes Lawrence is a mid-sized commercial law firm with offices in Seattle and Yakima. Our clients range from locally owned and operated businesses to Fortune 500 companies, and also include nonprofits and individuals. A certified Women

Business Enterprise and member of NAMWOLF (National Association of Minority and Women Owned Law Firms), the firm views inclusion, equity, and diversity as a business imperative. We believe that diverse teams of lawyers and staff create a stronger, more resilient organization that produces better results for our clients. Stokes Lawrence is an equal opportunity employer and encourages individuals from diverse backgrounds and experiences to apply. Our attorneys share a common value system rooted in a sense of collaboration, excellence, client service and professionalism, along with a desire for professional and personal growth and satisfaction. Learn more about our firm at [www.stokeslaw.com](http://www.stokeslaw.com). Compensation for this position will be determined based on the individual's qualifications and experience. For senior associate candidates, the expected salary range is between \$150,000-200,000, as well as opportunities for a quarterly non-discretionary hours stipend and/or a discretionary annual bonus. Compensation for candidates with partner-level experience will be higher than for associate candidates, depending on qualifications, experience and expected levels of production. Stokes Lawrence provides attorneys with medical, vision, dental, life, AD&D, and disability insurance coverage, bar and professional membership dues, paid parental leave, flexible PTO, and contributions to a 401(k) profit sharing plan. Additional information about attorney benefits can be found at [www.stokeslaw.com/attorney-hiring](http://www.stokeslaw.com/attorney-hiring).

Pro Bono Volunteers

Thank you to the following lawyers who recently donated their pro bono services to the Children's Representation Project or the Volunteer Lawyers Project at Legal Aid Services of Oregon. Visit [www.mbabar.org/probono](http://www.mbabar.org/probono) to discover pro bono opportunities in Multnomah County.

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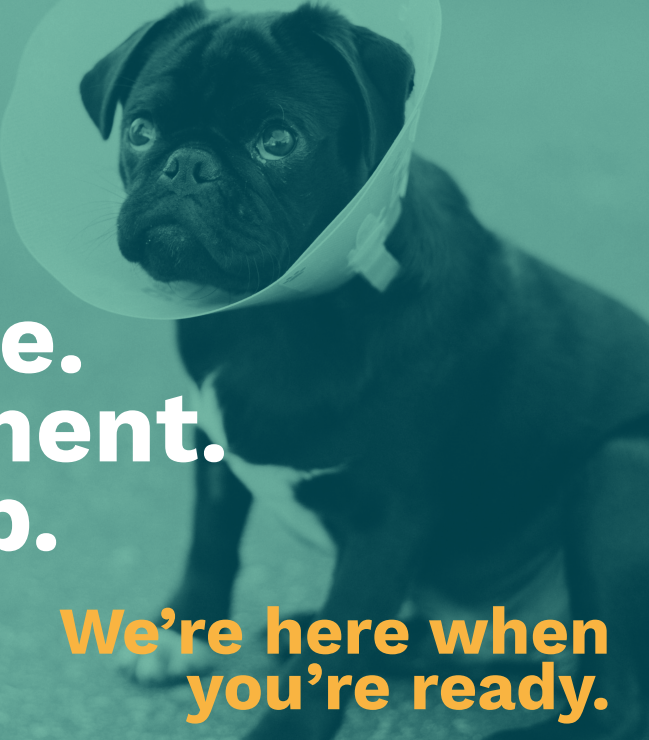
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