



# Oregon Evictions and How Private Attorneys Can Help Bridge the Gap in Legal Services

by Jill Mallery  
Legal Aid Services of Oregon

This October, a month that is dedicated to celebrating pro bono service and increasing awareness of the need for pro bono, I'm compelled to write about a critical need facing Oregon. It is a stark reality that thousands of Oregon renters are in jeopardy of losing their housing this year. According to Portland State University researchers, 12,141 eviction cases have been filed statewide in 2023 as of August 15.<sup>1</sup> High rates of eviction filings followed the expiration of tenant protections last October, surpassing pre-pandemic levels. A devastating 2,243 eviction cases were filed in January 2023 compared to an average of about 1,500 filings per month in 2019.<sup>2</sup> The Oregon legislature responded to the high rate of eviction filings with the passage of HB 2001. HB 2001 became law on March 29 effective immediately upon Governor Tina Kotek's signing. The law provides renters new protections from eviction through a series of newly established tenant rights. As a result of the new protections, tenants have more time to pay rent in nonpayment cases, and court procedures have been modified to ensure that default judgments are based only on legally valid eviction filings.

The law has provided some relief to renters as indicated by recent eviction filings. In July, 1,655 eviction cases were filed statewide, a lower number than earlier in the year.<sup>3</sup> However, the percentage of tenants represented by an attorney in eviction cases remains extremely low, while landlords are often represented by a landlord or agent. In Multnomah County, only four percent of tenants had representation in their eviction case during the month of July.<sup>4</sup>

Members of the legal community can help reduce this power imbalance by utilizing their specialized skill set to advocate for low-income tenants. Becky Straus, Managing Attorney of legal aid's Eviction Defense Project describes the importance of legal assistance in an eviction case: "The eviction court process is rapid and unforgiving. For many low-income tenants and their families, the impacts of an eviction on their lives can be irreversible. Access to legal help during this crisis time can make all the difference for them - preventing homelessness and maintaining peace of mind through a confusing and traumatic process."

Each year pro bono attorneys make an incredible difference in the lives of low-income Oregonians and the greater community. In 2022, 210 attorneys dedicated more than 4,435 hours of direct legal representation to

**...pro bono attorneys make an incredible difference in the lives of low-income Oregonians and the greater community.**

clients on cases referred by legal aid statewide. In addition, the private bar and bench volunteer each year by presenting legal seminars and trainings, teaching informational classes to the public, creating and updating materials and providing mentorship. Legal aid is extremely thankful for the strong support it receives from the legal community and each individual attorney that volunteers their time to help those in need. Janice Morgan, Executive Director of Legal Aid Services of Oregon, summarizes the significance of volunteer attorneys to the work of legal aid, "Pro bono attorneys are critically important partners in achieving justice for low-income Oregonians. It's truly a privilege and a pleasure to be a legal aid lawyer in Oregon where the private bar is so invested in access to justice."

In recognition of Oregon attorneys' remarkable commitment to pro bono, quotes from legal aid volunteer attorneys appear on page 15 of this issue. Please take a moment to read the comments to hear from those who are doing the work, increasing access to legal services, and achieving justice for their clients. The attorneys are truly inspiring and illustrate the legal community's dedication to pro bono service.

Legal aid believes, in partnership with the private bar and bench, we can continue to expand assistance to those that are unable to afford legal representation. There are many opportunities for members of the legal community to get involved and increase legal services to low-income Oregon communities. Below are descriptions of several volunteer projects that provide free legal assistance to Oregon tenants. (Please note this is not an exhaustive list.)

## Housing Notice Clinic Legal Aid Services of Oregon

The Housing Notice Clinic was established to increase tenants' access to legal services and prevent evictions from being filed based on invalid notices. While legal aid represents thousands of tenants each year, the demand for legal services continues to exceed legal aid resources. Attorneys that volunteer with the Housing Notice Clinic provide critical legal assistance and help preserve stable housing for low-income tenants. Attorneys review notices of rental termination, advise tenants on the validity of the notice and tenant protections, draft demand letters to landlords to rescind invalid termination notices, and negotiate settlements.

This is a statewide remote volunteer opportunity that assists low-income tenants across the state of Oregon. Trainings, materials, and case support is available through legal aid. To get involved or for more information please contact Jill Mallery at jill.mallery@lasoregon.org or visit [www.probonooregon.org](http://www.probonooregon.org).

## Deposit Return Volunteer Attorney Panel Legal Aid Services of Oregon

Low-income tenants across the state of Oregon face financial burdens due to wrongfully withheld security deposits and meritless damage claims. This creates more than a financial challenge for a low-income tenant. The unrecovered deposit or additional damage charges can be a significant barrier toward safe and stable housing and economic stability. Volunteers provide advice and limited services to tenants statewide with deposit/damages disputes. Possible assistance includes, advising tenants of their legal rights and self-help options, drafting a demand letter and negotiation with landlord, and/or small claims advice. Case summaries posted to [www.probonooregon.org](http://www.probonooregon.org). Resources and support are available. For more information, please contact Brett Cattani at [brettcattani@lasoregon.org](mailto:brettcattani@lasoregon.org)

## Eviction Expungement Clinic Legal Aid Services of Oregon

Eviction records have the harmful effect of reducing a tenant's housing options, often pushing a tenant into substandard housing or leaving them without housing. Expungement of eviction records increases someone's chance at securing safe housing by preventing prospective landlords from considering past evictions. Legal Aid's Expungement Clinics assist low-income tenant's with sealing their records to minimize the serious and ongoing consequences of an eviction. Volunteers interested in this impactful work and assisting low-income community members are provided with training and support. Sign up to volunteer by emailing Shelby Smith at [shelby.smith@lasoregon.org](mailto:shelby.smith@lasoregon.org) or visit [www.probonooregon.org](http://www.probonooregon.org).

Continued on page 2

# mba | CLE

See details on p. 3. To register, visit [www.mbabar.org/cle](http://www.mbabar.org/cle) and input your OSB number to register at the member rate.

## OCTOBER

- 10.11 Wednesday  
**Divorce Mortgage Planning**  
Theresa Springer, CDLP
- 10.18 Wednesday  
**Mandatory Elder and Child Abuse Reporting**  
Sarra Yamin
- 10.31 Tuesday  
**Get to Know Your New Judges**  
Judge Jacqueline Alarcón  
Judge Rima Ghandour  
Judge Thomas Ryan

## NOVEMBER

- 11.7 Tuesday  
**Business Valuation Nuts & Bolts**  
Paul Heidt, CPA, ASA, ABV  
Alina Niculita, ASA, CFA, ARM-BV, MBA  
Terry Whitehead, CPA, ASA
- 11.8 Wednesday  
**Bar Update: Ethical Issues and Trends Affecting Oregon Lawyers**  
Nik Chourey

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Enhanced Statutory Protection for Survivors and Legal Aid’s Domestic Violence Project

by Brett Cattani  
Legal Aid Services of Oregon



As legal practitioners and advocates of the law, we understand that the nuances of legal statutes can play a pivotal role in determining the outcomes and implications for those they serve. Senate Bill 816’s amendment to Oregon’s Family Abuse Prevention Act (FAPA) is a testament to the significance of such nuances. This crucial amendment takes effect on January 1, 2024, and extends the duration of FAPA restraining orders from one year to two years. The amendment additionally increases the duration of consent agreements and renewals from one to two years. These amendments are primarily found in the following sections of the Family Abuse Prevention Act:

ORS 107.718 (3): “The court’s order under subsection (1) of this section is effective for a period of [one year] two years or until the order is withdrawn or amended, or until the order is superseded as provided in ORS 107.722, whichever is sooner.”

In ORS 107.716 (6): “An order or consent agreement made under this section may be amended at any time and shall continue in effect for a period of [one year] two years from the date of the order issued under ORS 107.718, or until superseded as provided in ORS 107.722.”

In ORS 107.725, there is a provision for the order renewal for two more years, based on certain criteria.

Senate Bill 816 is not merely a procedural change. The amendment addresses the inherent complexities faced by survivors by extending the duration of a FAPA restraining order. The Oregon legislature implicitly acknowledged the lasting trauma survivors undergo and an understanding of the prolonged emotional and psychological impact that survivors endure.

According to the American Psychological Association (APA) and various studies on domestic violence, the risk of further abuse can significantly increase when a survivor decides to end the relationship. The immediate aftermath of abuse is a period of profound vulnerability for survivors. In some studies, over

70% of domestic violence injuries and murders happen after the survivor has left or is in the process of leaving.

While the initial year following the imposition of a restraining order provides a respite, an impending expiration can reintroduce feelings of unease and insecurity. Extending the duration of a FAPA order for a duration of two years offers survivors a longer uninterrupted time frame to regain stability, thereby reducing the potential stress associated with the renewal process, providing survivors with an extended window to seek appropriate legal remedies and access counseling services, without the imminent pressure of potentially having to face their abuser at yearly contested renewal hearings.

**Pro Bono Assistance for Survivors of Abuse & Stalking**

Most petitioners are unrepresented at contested protective order hearings. The presence of an attorney during these hearings can greatly benefit survivors. Without legal representation, survivors face a significant disadvantage, particularly if the respondent is represented by counsel. An attorney’s impact not only helps in influencing the hearing’s outcome but also ensures that the survivor’s voice is heard, amplifying their concerns and experiences. “Contested restraining order hearings present overwhelming challenges for survivors of abuse and stalking, said Courtney Crowe, Staff Attorney with Legal Aid Services of Oregon. “Due to limited resources, legal aid attorneys cannot represent every survivor who might otherwise be eligible for assistance. Pro bono representation through Legal Aid’s Domestic Violence Project is a crucial resource for bridging that gap.”

LASO’s Domestic Violence Project (DVP) offers vital legal support to survivors of abuse and stalking and is actively seeking new volunteers. DVP provides free legal advice and representation at contested hearings for survivors of abuse and stalking. This includes, among others, restraining orders under the Family Abuse Prevention Act (FAPA) and the Elderly Persons and Persons with a Disability Abuse Prevention Act (EPPDAPA) and stalking protective orders. Typically, these cases have swift time frames, concern discrete issues, and often necessitate a court presence. DVP serves as a great platform for new lawyers seeking litigation experience, and those who prefer a volunteer opportunity with a shorter time commitment. The majority of DVP volunteers are not specialized in family law and are not expected to assist with

Calendar

OCTOBER

13 Friday  
OGALLA Annual Gala Dinner and Fundraiser  
www.ogalla.org/events-calendar  
  
20 Friday  
OFALA Gala  
www.oregonfala.org/ofala-events  
  
24 Tuesday  
Absolutely Social 2023  
Details on p. 9

26 Thursday  
OWLS Fall CLE  
www.oregonwomenlawyers.org

NOVEMBER

16 Thursday  
Bench, Bar & Bagels  
Details on p.8  
  
23 Thursday-24 Friday  
Thanksgiving Holiday  
MBA Office Closed

Imani Smith

Meet Imani, the newest addition to the MBA staff. She joined the organization in August. As Program Coordinator, Imani will be working with the CLE program and the Young Lawyers Section. Imani grew up in Northern California and earned her BA in Journalism from California State University, Long Beach. In her free time, Imani enjoys singing and songwriting, thriving and spending quality time with her loved ones. We are delighted to have Imani at the MBA! The MBA currently has five full-time staff members, and has maintained the same approximate staff size for the last 25 years.



Oregon Evictions

Continued from page 1

**Oregon Free Legal Answers Oregon State Bar**  
*In partnership with the American Bar Association*  
The OSB has launched a convenient new mechanism to offer pro bono legal services. Free Legal Answers allows you to log onto a secure website at your convenience, choose a legal question you are qualified to answer (submitted by a low-income Oregonian), and provide brief pro bono advice and other resources. Answer only as many questions as your time allows. Areas of law that are in demand include family law, housing, debtor/creditor and consumer law. This program has been lauded by lawyers around the country as a convenient and meaningful pro bono model. Visit [oregon.freelegalanswers.org](http://oregon.freelegalanswers.org) for more information.

**Eviction Expungements PCC Legal Resource Center**  
The PCC Legal Resource Center provides eviction expungements, a legal service only available in Oregon since 2020, to help people realize their right to

ongoing family law matters. We provide training resources and mentoring for support through [www.probonooregon.org](http://www.probonooregon.org).  
A heartfelt thank you to all volunteers for your commitment to pro bono services. Your

housing by preventing landlords from improperly considering past evictions in residential-tenancy decisions. The PCC Legal Resource Center also provides limited legal advice to assist people navigating the housing court process pro se, and information and training for tenants to self-advocate. We are always looking for volunteer attorneys to assist with this work! For more information, contact Leni Tupper at [alena.tupper15@pcc.edu](mailto:alena.tupper15@pcc.edu)

**Tenant Advocacy Letters PCC Legal Resource Center**  
We assist tenants with asking landlords for repairs, reasonable accommodations or modifications for disability issues, security deposit returns, fines and fee adjustments, and more. The PCC Legal Resource Center helps tenants draft request letters to landlords for various legal issues at our drop-in letter writing clinics the last Friday of the month or via online/phone assistance. We would also be glad to have pro bono attorney volunteers for this project, either in person on the last Friday of the month from 12-4 p.m., or remotely anytime. For more information, contact Leni Tupper at [alena.tupper15@pcc.edu](mailto:alena.tupper15@pcc.edu).

contributions are paramount in ensuring the safety of low-income communities.  
*If you are interested in volunteering for the Domestic Violence Project, please contact [brett.cattani@lasoregon.org](mailto:brett.cattani@lasoregon.org).*





The MBA will apply for general OSB MCLE credit unless otherwise noted; Washington credit may be obtained independently. Registrants who are unable to attend will receive a link to the archived webcast and written materials. Registration fees are non-refundable.

Unless otherwise noted, all classes are held online.

**Divorce Mortgage Planning - Better Outcomes for Divorcing Clients**

**Wednesday, October 11 3-5 p.m.**  
**Remote attendance only via Zoom**  
Members \$60/Non-Members \$95

**Theresa Springer**, CDLP, of Divorce Lending Association, will provide attendees with an understanding of the implications and challenges of how a divorce settlement agreement involving real estate, spousal support, child support, etc. are affected by the financial challenges and requirements as related to mortgage financing and tax law. Attendees will learn how to avoid common issues post-decree when real estate is present; settle divorce cases with real estate and mortgage financing faster and reduce common hurdles for clients needing mortgage financing post-decree. Whether mediating a collaborative divorce settlement or restructuring a real estate portfolio, there are real concerns and financing strategies involving your client's current real estate, ability to buy one spouse out or structuring maintenance in order for the receiving spouse to qualify for a new mortgage. The key to making sure your clients are well-positioned for their new lives after divorce comes from knowing how to set them up for success. This class covers various financing strategies and hurdles facing qualified income sources, marital debt and the disposition of the marital home.

**For more information:** Contact Mark Barzda, Gevurtz Menashe PC, at 503.227.1515. For registration questions, contact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Mandatory Elder and Child Abuse Reporting**

**Wednesday, October 18 12-1 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

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

This program will help lawyers meet their legal responsibilities as mandatory reporters, while maintaining their ethical obligations to clients. **Sarra Yamin** of the Oregon State Bar will present this dynamic and practical discussion on:

- Recognizing elder and child abuse;
- Complying with mandatory reporting requirements; and
- Protecting confidentiality.

Sarra is an Assistant General Counsel and Client Assistance Office Attorney at the Oregon State Bar. In that role she addresses ethics complaints about attorneys and responds to calls from lawyers on the bar's Ethics Helpline. Prior to her work at the bar she was an Assistant Attorney General in Washington State representing the Department of Social and Health Services in juvenile dependency cases.

**For more information:** Contact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Get to Know Your New Judges**

**Tuesday, October 31 12-1 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

Join two of the newest Multnomah County Circuit Court Judges - the **Hon. Jacqueline Alarcón** and the **Hon. Rima Ghandour** - for essential tips on how best to advocate in their courtrooms. Learn what these new judges find to be the most - and least - effective advocacy strategies, their courtroom preferences, and what they wish they had known before they took the bench. This will be informative and valuable for all Multnomah County litigators, and an excellent opportunity to hear from some of our newest judges. The **Hon. Thomas Ryan** will moderate the panel. Please join us for this unique opportunity and bring your questions.

**For more information:** Contact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Business Valuation Nuts & Bolts**

**Tuesday, November 7 12-1 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

**Paul Heidt**, CPA, ASA, ABV; **Alina Niculita**, ASA, CFA, ARM-BV, MBA; and **Terry Whitehead**, CPA, ASA from Morones Analytics, will provide an overview of the business valuation process from defining the engagement to concluding on value. Attendees will learn about three main approaches to value: the Income, Market, and Asset approaches. The audience will also be provided with an overview on the discounts for lack of control and lack of marketability.

**For more information:** Contact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

**Bar Update: Ethical Issues and Trends Affecting Oregon Lawyers**

**Wednesday, November 8 12-1 p.m.**  
**Remote attendance only via Zoom**  
Members \$30/Non-Members \$50

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

This CLE will cover the ethical issues and trends the Oregon State Bar is encountering through inquiries and complaints, as well as other pertinent ethical topics. **Nik Chourey**, Deputy Counsel for the Oregon State Bar, will present this informative CLE.

**For more information:** Contact Holly Hayman, Farleigh Wada Witt, at 503.228.6044. For registration questions, contact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org).

Visit [www.mbabar.org/cle](http://www.mbabar.org/cle) to register online  
or scan this QR code.

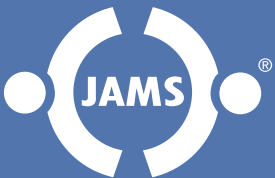


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# How You Can Support Legal Aid

by Heidi Thompson  
Campaign for Equal Justice



Happy Pro Bono month! In honor of this month I want to thank all the lawyers who have donated their time and money to help provide legal support to so many individuals in our state in dire need of assistance. This kind of commitment is not always easy, but it is vitally important to helping keep our communities whole.

Last year, legal aid was able to provide direct legal services to almost 23,000 low-income Oregonians - Oregonians like Charity and her son Maxwell. Maxwell is an eight-year-old with autism who had outgrown his car seat. Charity couldn't afford the specialty car seat he needed, and their insurance denied coverage. Luckily, legal aid was able to help with their appeal and OHP agreed to cover the cost for Maxwell, and other kids in the same situation. Charity tells us that "having a lawyer made them

think about my request more than they normally would."

Charity and Maxwell were helped by legal aid staff attorneys, but of those 23,000 Oregonians helped by legal aid, many were helped by volunteer pro bono attorneys giving their time and knowledge to those who would otherwise fall through the cracks. A pro bono attorney volunteering with legal aid was able to take Loretta's case, that you will read about on page 11. Without the help of a volunteer lawyer, Loretta might never have gotten the spousal support she was owed.

The Oregon State Bar has set a high aspirational standard for attorneys, in recognition of how vital legal services are for all Oregonians, regardless of their ability to pay. They recommend 80 hours of pro bono a year - with up to half of those hours dedicated to direct legal services for the poor and half dedicated to the general good. Of course, in striving for these goals, life and a busy legal practice can sometimes get in the way. In recognition of this reality, the OSB recommends a comparable financial donation to organizations providing direct legal services to the poor if taking on a matter yourself isn't an option. In our current environment of great need, where an estimated 84% of low-income Oregonians with a civil legal problem do not receive any

assistance, your help is critical - regardless of the form it comes in.

We encourage you to get involved with a pro bono project for legal aid, to join a volunteer committee with the Campaign for Equal Justice, or to donate to legal aid through the CEJ. Over the last 33 years, CEJ has helped raise over \$33.5 million dollars for legal aid, and we strive to keep increasing our support as needs continue to grow.

**The Campaign for Equal Justice strives to bring the entire legal community together in support of legal aid** so Oregonians like Maxwell and Loretta can continue to get the help they need!

The CEJ hosts events throughout the year, including:

- A Campaign Kick-Off party;
  - Regional luncheons across the state;
  - CLE seminars with Access to Justice credit, hosted at events or law firms upon request;
  - An end of year Awards Event set for March 14, celebrating our amazing community of donors and volunteers; and
  - Other community building events like Justice Trivia, Party Under the Stars, and more, all of which can be found at: [www.cej-oregon.org/events](http://www.cej-oregon.org/events)
- You can help support CEJ and legal aid by attending events, asking your firm to make a matching donation, checking if your company has a corporate match for charitable donations,

making a legacy pledge, making an annual donation to CEJ or joining the Justice Circle, our monthly giving program.

You can also join a CEJ committee. There are three Portland-based committees that focus on outreach, fundraising, and community cultivation across the metro region. Many of our committees also have a hand in helping to plan events - which is a lot of fun!

Please join us during pro bono month in support of legal aid, whether that is as a volunteer or a supporter. You can reach us at 503.295.8442, and we'd love to hear from you!

## Which cloud is the best one?

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mba | ANNOUNCEMENTS

2024 MBA Award Nominations Due November 3

To learn more about the Diversity, Professionalism, Merit and Pro Bono awards and propose nominees for this year's award selection processes, please complete and return the nomination form(s) available at [www.mbabar.org/awards](http://www.mbabar.org/awards) or contact the MBA at [mba@mbabar.org](mailto:mba@mbabar.org). Nomination forms are due November 3 to the MBA. The MBA will present the recipients of the Diversity, Professionalism, Merit and Pro Bono awards at the MBA Annual Meeting on May 8, 2024.

Not Receiving MBA Emails?

Members are encouraged to opt in to ensure that they successfully receive MBA email communications. Visit [www.mbabar.org/opt-in](http://www.mbabar.org/opt-in) to confirm your email status.

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).

Volunteers Needed for the Children's Representation Project

The court has an ongoing need for lawyers to volunteer for the Children's Representation Project, and there is a backlog of requests. The court is seeking CLE credit for this representation. The work is rewarding and volunteers do not need to have a domestic relations practice to participate. Contact Brandy Jones ([Brandy.L.Jones@ojd.state.or.us](mailto:Brandy.L.Jones@ojd.state.or.us)).

Community Media Nonprofit Seeks Board Members

MetroEast Community Media, a nonprofit providing access to media and internet technology to invigorate civic engagement and inspire diverse voices, is seeking volunteer board members with legal expertise and an orientation to East Multnomah County communities. To learn more, contact Board President Julie Omelchuck ([Julie.Omelchuck@gmail.com](mailto:Julie.Omelchuck@gmail.com)) or visit [www.metroeast.org](http://www.metroeast.org).

Second National Interdisciplinary Cannabis Symposium, December 1-3

The symposium seeks to bring together law enforcement, judges, the legal profession, in-house counsel, drug court professionals, the drug and alcohol testing industry, academia, and human resource associations and organizations in order to educate each other on the continued changes in cannabis law nationwide that impact our courts and society. For a complete schedule and registration details, visit [www.nationalinterdisciplinarycannabissymposium.com](http://www.nationalinterdisciplinarycannabissymposium.com).

Noontime Rides

Join all ages of bicycle riders for noontime hill climbs on Mondays and Thursdays. Assemble at noon at the SW corner of Pioneer Square and leave together at 12:15 p.m. Rain or shine. Frequent regroupings. Mondays include rotating paceline 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.

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.-1:45 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

It has long been prudent practice to define the scope of a representation in an engagement agreement with a client. The Oregon Supreme Court, for example, discussed the scope of a representation in an engagement agreement at the heart of a fee dispute in *Jones v. Kubalek*, 215 Or. 320, 334 P.2d 490 (1959). More recently, RPC 1.2(b), which became effective in 2005, specifically permits a lawyer to limit the scope of a representation.

RPC 1.2(b), which is patterned after ABA Model Rule 1.2(c), is a rule of general application. The ABA Model Rule, however, was developed with a specific goal of encouraging lawyers to take on limited assignments for people of modest means who might not otherwise be able to afford "full service" legal representation.

In this column, we'll first briefly survey the history of the rule for context and then discuss the contours of the rule as applied when assisting clients who cannot afford to have a lawyer handle all aspects of a matter.

History

The ABA Model Rules adopted in 1983 included a version of Model Rule 1.2(c) that allowed a lawyer to "limit the objectives of the representation if the client consents after consultation." When the ABA comprehensively reviewed the Model Rules in the early 2000s, its "Ethics 2000" Commission recommended a reformulation of ABA Model Rule 1.2(c) to put the accent on limiting the scope of the representation. The Ethics 2000 Commission explained:

Although lawyers enter into such agreements in a variety of practice settings, this proposal in part is intended to provide a framework within which lawyers may expand access to legal services by providing limited but nonetheless valuable legal service to low-

RPC 1.2(b)  
Limited Scope Representations

or moderate-income persons who otherwise would be unable to obtain counsel.

When Oregon reviewed the ABA Ethics 2000 amendments through a special OSB committee, it concluded that the rule "is a helpful clarification of the lawyer's right to limit the scope of a representation." The Supreme Court later adopted the rule as RPC 1.2(b) as part of the replacement of the former Disciplinary Rules with the Rules of Professional Conduct effective January 1, 2005. The numbering difference between the Oregon rule and its ABA counterpart arose from the fact that Oregon did not adopt ABA Model Rule 1.2(b) and, therefore, ABA Model Rule 1.2(c) became Oregon RPC 1.2(b). The text of the ABA and Oregon versions of the rule is identical. Although Oregon's adoption of RPC 1.2(b) was not framed exclusively as part of an effort to foster greater access to legal services, a later OSB ethics opinion - Formal Opinion 2011-183 (rev. 2022) noted that it emerged from a national movement to permit the "unbundling" of legal services.

Contours

Oregon RPC 1.2(b) reads:

A lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.

Formal Opinion 2011-183, which is available on the OSB website, addresses both the reasonableness of the limitation and informed consent.

On the former, Formal Opinion 2011-183 quotes (at 2) Comment 7 to ABA Model Rule 1.2:

"If, for example, a client's objective is limited to securing general information about the law the client needs in order to handle a common and typically uncomplicated legal problem, the lawyer and client may agree that the lawyer's services will be limited to a brief telephone consultation. Such a limitation, however, would not be reasonable if the time allotted was not sufficient to yield advice upon which the client could rely. Although an agreement for a limited representation does not exempt a lawyer

from the duty to provide competent representation, the limitation is a factor to be considered when determining the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."

On the latter, Formal Opinion 2011-183 counsels (at 3):

Obtaining the client's informed consent requires the lawyer to explain the risks of a limited-scope representation. Depending on the circumstances, those risks may include that the matter is complex and that the client may have difficulty identifying, appreciating, or addressing critical issues when proceeding without legal counsel. One "reasonably available alternative" is to have a lawyer involved in each material aspect of the legal matter. The explanation should also state as fully as reasonably possible what the lawyer will not do, so as to prevent the lawyer and client from developing different expectations regarding the nature and extent of the limited-scope representation.

In addition to its use for sophisticated parties with discrete issues, Formal Opinion 2011-183 uses an illustration of a pro se litigant of modest means needing assistance in completing forms. RPC 1.2(b) allows a lawyer to assist an otherwise unrepresented person without necessarily taking on the entire matter involved.

Although RPC 1.2(b) does not require that the client's informed consent be confirmed in writing, prudent practice suggests memorializing both the scope and the consent in writing. In fact, the ABA issued an ethics opinion in 2015 - Formal Opinion 472 - recommending written confirmation so that there is a readily accessible record for the benefit of both the lawyer and the client.

Finally, both Comment 8 to ABA Model Rule 1.2 and OSB Formal Opinion 2011-183 emphasize that while the scope of a representation may be limited, our other duties under the RPCs apply fully.

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**EMMA SINGER**  
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Emma’s experience in public service law, as a judicial clerk, and at a boutique law firm has given her a well-rounded understanding of the legal system and familiarity with a wide range of practice areas and types of clients. Her knack for synthesizing complicated legal and factual issues gives her clients confidence that their legal team is well prepared for trial, while her focus on open communication and negotiation helps her achieve favorable pre-trial settlements. We are thrilled to have Emma join our team.



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# Resources for Pro Bono Attorneys

## LOCAL RESOURCES:

### Pro Bono Oregon

[www.probonooregon.org](http://www.probonooregon.org)

This statewide pro bono website is sponsored by the legal aid community in Oregon. The site features pro bono opportunities around the state, specific case opportunities and resources. Sign up for a free membership to access the resource library as well as free CLE seminars for pro bono attorneys.

### Multnomah Bar Association

[www.mbabar.org/probono](http://www.mbabar.org/probono)

Take the Pro Bono Pledge, browse local pro bono opportunities, and learn and how to create a customized pro bono policy for your office.

### Oregon State Bar

[www.osbar.org/probono](http://www.osbar.org/probono)

Find information on pro bono in Oregon that includes volunteer opportunities, pro bono hours reporting, MCLE credit for volunteering, attorney resources, PLF coverage for pro bono, pro bono committees and types of membership status based on pro bono activities.

### Oregon Renters' Rights

[www.oregonrentersrights.org](http://www.oregonrentersrights.org)

Legal information and self-help guides about renters' rights.

### Oregon Law Help

[www.oregonlawhelp.org](http://www.oregonlawhelp.org)

Free legal information to low-income Oregonians is provided through this one-stop statewide website sponsored by legal aid offices in Oregon. Self-help handbooks are available for download and feature applicable statutes, remedies, forms and sample letters. These handbooks are great primers for the basics in some common areas of law.

### 211 Social Services Referral

[www.211info.org](http://www.211info.org)

211 provides assistance in finding health and community organizations in Oregon and SW Washington. Professional intake staff is available 24 hours a day by dialing 211 on your phone, or access the referral system through the website.

## NATIONAL RESOURCES:

### American Bar Association

[www.americanbar.org/groups/probono\\_public\\_service](http://www.americanbar.org/groups/probono_public_service)

[www.americanbar.org/groups/center-pro-bono](http://www.americanbar.org/groups/center-pro-bono)

The ABA Standing Committee on Pro Bono and Public Service and the ABA's Center for Pro Bono are national sources for pro bono information and resources.

### The Pro Bono Institute

[www.probonoinst.org](http://www.probonoinst.org)

The institute specializes in supporting the pro bono work of law firms and corporate legal departments.

### Pro Bono Net

[www.probono.net](http://www.probono.net)

This site provides regional, national and international resources for attorneys working to assist low-income clients.

# MBA Committees

Each year, MBA members serve on committees that address member needs and general issues affecting the profession. A synopsis of each committee's charge follows. If you have ideas or concerns about a particular committee, please contact the chair, MBA President Theresa L. (Terry) Wright, [tlwright@willamette.edu](mailto:tlwright@willamette.edu), or the MBA staff at [mba@mbabar.org](mailto:mba@mbabar.org).



### Continuing Legal Education

Chair: **Kathryn Roberts**, Markowitz Herbold PC, [kathrynroberts@markowitzherbold.com](mailto:kathrynroberts@markowitzherbold.com)  
Plans, conducts and evaluates approximately 40 CLE seminars, focusing on members' primary areas of practice.



### Court Liaison

Chair: **Leslie Johnson**, Samuels Yoelin Kantor LLP, [ljohnson@samuelslaw.com](mailto:ljohnson@samuelslaw.com)  
Serves as the MBA's interface with the court and fosters dialogue between the MBA membership, the local judiciary and other local area courts.



### Equity, Diversity & Inclusion

Chair: **Brittany Marks**, Old Town Law LLC, [brittany@myoldtownlaw.com](mailto:brittany@myoldtownlaw.com)  
Promotes equality in the profession, identifies ways in which the MBA can promote a diverse bar, and carries out the diversity award process.



### Events

Chair: **Elizabeth Hohn**, Thompson Law Group LLC, [elizabeth@portlandfamilylaw.com](mailto:elizabeth@portlandfamilylaw.com)  
Conducts member-outreach activities. Plans Bench Bar & Bagels, the Annual Golf Championship, which benefits the Campaign for Equal Justice for the Volunteer Lawyers Project, and the Battle of the Lawyer Bands and WinterSmash, which benefit the Multnomah Bar Foundation.



### Judicial Screening

Chair: **Anaiah Palmer**, Concentrix Catalyst, [anaiah.palmer@concentrix.com](mailto:anaiah.palmer@concentrix.com)  
Confidentially screens judicial and pro tem candidates in accordance with the MBA's process.



### Professionalism

Chair: **Amber Bevacqua-Lynott**, Buchalter, [alynott@buchalter.com](mailto:alynott@buchalter.com)  
Implements activities that promote professionalism and carries out the professionalism award process.



### Public Service

Chair: **Jill Mallery**, Legal Aid Services of Oregon, [jill.mallery@lasoregon.org](mailto:jill.mallery@lasoregon.org)  
Explores new ways for lawyers to assist those in need in the community, in partnership with the court, pro bono and social service providers, and other stakeholders.



### Solo/Small Firm

Chair: **Melissa Bobadilla**, Bobadilla Law PC, [mb@bobadilla.legal](mailto:mb@bobadilla.legal)  
Plans workshops and socials tailored specifically for solo and small firm attorneys.



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# Tips From the Bench

## Client or Not a Client

by Referee Mark A. Peterson  
Multnomah County Circuit Court



A tension exists in the quest for access to justice. When I taught legal ethics, I would ask the class, “Would you be better off if you had the advice and services of a lawyer available, without cost, whenever you are confronted with a significant decision?” For any student that answered “No,” I asked, “Then what are you doing in law school?” I believe that the correct answer is “Yes.” The problem is that only the very few can afford competent legal representation for even the weighty decisions. Sadly, many cannot afford legal services for situations where any objective person would opt for the assistance of a lawyer.

One approach to make legal services more broadly available is limited scope representation, also called unbundled legal services. “A lawyer may limit the scope of the representation if the representation is reasonable under the circumstances and the client gives informed consent.” ORPC 1.2(b). Limited scope representation may be straightforward in transactional settings, but it can create issues in litigation matters. Although this article is focused on issues that have come up in the high-volume dockets, particularly the FED docket, there should be takeaways that have broader application.

An attorney becomes the attorney of record by filing a motion or pleading in a case, or by announcing in open court that the attorney represents a party. Thereafter, the attorney has the

authority to take positions and bind the client. ORS 9.330. (Of course, the attorney must keep the client informed and abide by the client’s decisions; ORPC 1.4 and 1.2, among others.) As a side note, when taking a position including reaching settlement terms, caution is advised if the client is not present. Ideally, have some documentation that the client is in agreement to avoid the uncomfortable situation where the client later says, “I never authorized that!” See ORS 9.340 on clients’ challenges to their attorneys’ actions. So, generally, it is clear that the attorney speaks for the client.

ORS 9.310 adds some confusion to the otherwise clear first sentence of the preceding paragraph. Some attorneys take the position, based on ORS 9.310, that, if they speak for a party in a court proceeding, they may be speaking in the role of a counsel, with their representation limited to that court session. (This interpretation is akin to the British system where the attorney on the written document is a solicitor and the attorney who speaks in court is a barrister.) However, ORS 9.310 seems to say that the counsel is a lawyer in addition to the lawyer appearing on the written documents. See, UTCR 2.010(7) requiring the name of the attorney-author as well as the name of the trial attorney, if different, on any filed court document.

Limited representation in litigation presents practical problems for the court and for any attorney representing the opposing side. If an attorney speaks in court on behalf of a party where that party’s court documents suggest that the party is pro se, does the court designate the attorney as the attorney of record for all purposes including court notices?

The problem is weightier for an attorney representing the opposing party. If a lawyer speaks in open court on behalf of, for example, a defendant, an attorney representing the plaintiff cannot speak to that defendant without

violating ORPC 4.2, unless the attorney for the defendant is present or gives consent. (In an adversarial environment, it would be wise to have that consent documented.) Should such limited scope representation be announced in court at the time the lawyer speaks for the defendant?

There are, of course, other issues for an attorney offering limited scope representation to a tenant in an FED case with little or no opportunity to interview the client in advance of the first appearance hearing. Limited scope representation is only permitted where the client gives informed consent to such an arrangement. “Informed consent” is defined in ORPC 1.0(g) as an “agreement ...by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.” Proceeding without an attorney may leave a party at a disadvantage in negotiating with a represented party. But, if the discussion that routinely takes place at the first appearance hearing does not result in a settlement, the attorney for the landlord may be effectively precluded by ORPC 4.2 from further discussions with the tenant, even if initiated by the tenant. The result may be that the case proceeds fairly promptly to trial and the tenant may end up with an eviction on his or her record and a supplemental judgment for attorney fees to pay when other, better, options may have been available.

Other issues also present themselves. Of course, competence (ORPC 1.1) and diligence (ORPC 1.3) are implicated, whether the representation is limited scope or otherwise. Further, the ethical rules relating to conflicts apply to limited scope representation. It is not unthinkable that codefendants may present issues that are adverse to one another. See, e.g., ORPC 1.7.

Perhaps more important than the court’s or opposing counsel’s possible confusion about whether and to what extent the defendant is represented, is the defendant clear about the scope of representation? The answer to whether and to what extent an attorney represents a client is defined by the client’s reasonable understanding. See, *In re Weidner*, 310 Or 753, 801 P2d 828 (1990).

If we have some clarity regarding whether an attorney is the attorney of record for a client, can we have some real clarity regarding when that attorney is no longer the client’s attorney? ORS 9.380(2) indicates that the attorney may terminate the representation “...after entry of a judgment or other final determination by filing a notice of termination of the relationship in the action or proceeding. The notice... must state that all services required of the attorney under the agreement between the attorney and the client have been provided.” Written notice must be provided to the adverse party(ies). See, ORS 9.390. Doesn’t ORCP 9A dictate service of that notice on opposing parties anyway? (Include a certificate of service.) For reasons that follow,

serve a copy on your client.

ORS 9.380(1) is less clear on withdrawing as counsel before judgment or final determination of an action. Subsection (a) seems to say such a notice of termination can be effected “upon the consent of the attorney filed with the clerk...” Really? Subsection (b), in the disjunctive, says “...upon the order of the court, based on the application of the client or the attorney, for good and sufficient cause.” ORPC 1.16 provides the ethical guidance for when a lawyer can, or must, withdraw from representation. Does ORS 9.380(1)(a) mean that the directive in ORPC 1.16(c) to comply with applicable law regarding permission to withdraw allows for withdrawal based on either a “consent” filed with the court or a motion for leave to withdraw? I would opt to follow ORS 9.380(1)(b) and seek permission (while avoiding a violation of ORPC 1.6’s duties regarding confidentiality by avoiding detailing in the declaration

the specific client conduct that necessitates the withdrawal).

When withdrawing, whether it is on the attorney’s initiative or at the client’s direction, the client becomes in a sense adverse to his or her attorney, especially if withdrawal is at the attorney’s initiative. Perhaps it is for that reason that UTCR 3.140(1) requires service of the application (I would call it a motion) to withdraw on not only the adverse party but also on the client. Whether it is a withdrawal before judgment or at the conclusion of the case, why not serve a copy on the client to document that the client is aware of your position? Do the judge a favor and include an order for the judge to sign. It might be appropriate to include in the order language to the effect that the adverse party may communicate directly with your now former client so there is no misunderstanding about the fact that you are no longer a shield protecting your client from the opposing counsel’s entreaties.

### Question for the Court?

If you have questions for the court or would like to share feedback about court practices through the Court Liaison Committee, please send your questions or comments to Pamela Hubbs, [pamela@mbabar.org](mailto:pamela@mbabar.org), with “Question for the court” in the subject line.

## MBA Mentor Program

### Frequently Asked Questions

**Who can participate as a mentee in the MBA Mentor Program?** Any YLS member (any MBA member in practice less than six years or under the age of 36), whether or not they are signed up for the OSB New Lawyer Mentoring Program (NLMP), may participate as a mentee.

**Who can participate as a mentor in the MBA Mentor Program?** OSB members in good standing, with reputations for competence and for conducting themselves ethically and professionally, and with at least seven years of practice, may participate as mentors.

**How are mentors and mentees matched?** Mentors are matched with mentees by MBA Professionalism Committee members based on the responses given on the sign-up form. Let us know if you would like the same mentor you have in the NLMP. If you’re not signed up for the NLMP, let us know what’s important to you in a mentor - practice area, firm size, gender, etc. We’ll do our best to match you appropriately.

**Is the MBA Mentor Program compatible with the NLMP?** Yes, it is possible to participate in both programs either with the same mentor or a different mentor.

**If I am participating in the NLMP why would I also sign up for the MBA Mentor Program?** The MBA program offers additional opportunities for mentoring outside the OSB structure, including networking, and obtaining free CLE credit available exclusively to people participating in the MBA program.

**If I am participating in the OSB New Lawyer Mentoring Program (NLMP), will I be assigned the same mentor for the MBA Mentor Program?** That’s up to you. Let us know your wishes on the MBA sign-up form and we’ll match you appropriately.

**Is there a fee to participate?** The MBA Mentor Program is free for all participants.

**How do I sign up?** Complete and return the sign-up form available at [www.mbabar.org](http://www.mbabar.org). Forms are due to the MBA by December 1.

Learn more about the OSB NLMP at [www.osbar.org/nlmp](http://www.osbar.org/nlmp).

If you have questions about the MBA Mentor Program, please contact Kathy Modie at [kathy@mbabar.org](mailto:kathy@mbabar.org).

### mba|EVENT

## Bench Bar & Bagels

Thursday, November 16  
7:30-8:30 a.m.  
Tonkon Torp, 888 SW 5th Ave. Ste. 1600, Portland

The MBA is hosting the 14th annual “Bench Bar & Bagels” event on Thursday, November 16, 7:30-8:30 a.m. at Tonkon Torp, 888 SW 5th Ave. Ste. 1600. Please join your colleagues and members of the judiciary for a light breakfast and coffee. This event is offered at no cost to MBA members and judges. Non-members: \$10.

Special thanks to our sponsor and host:

Please RSVP to Kathy Modie, [kathy@mbabar.org](mailto:kathy@mbabar.org)



# Paul Duden

## Pro Bono Spotlight

by Jill Mallery  
Legal Aid Services of Oregon

Attorney Paul Duden is a career-long volunteer whose outstanding dedication to pro bono work has continued beyond his retirement. Paul volunteers with both statewide legal aid programs: Legal Aid Services of Oregon and the Oregon Law Center, representing low-income Oregonians throughout the state and providing the highest quality legal assistance to his pro bono clients. Paul became involved with legal aid many years ago by signing up for the legal aid pro bono listserv. Legal aid recently replaced the listserv with online pro bono case summaries for attorneys’ review and consideration. The case descriptions are available on legal aid’s pro bono website located at [www.probonooregon.org](http://www.probonooregon.org).

Paul spent his legal career in private practice from 1966-2007. As a partner at the Tooze law firm, and its successors, Duden Neiman LLP and Williams Kastner, he was a civil trial lawyer who tried a broad range of cases. He represented the Providence Health System for 35 years as well as many pharmaceutical and medical device manufacturers, in negligence and products claims.

Since 2008, Paul has provided pro bono representation utilizing his many years of experience to assist low-income vulnerable clients providing pro bono representation. Over the years, Paul’s pro bono clients have greatly benefited from his strong advocacy skills and case strategy.

Paul has a long history of volunteer work, so much that it’s difficult to capture it all! Since 1967, he has served on a number of public and nonprofit boards, and bar committees. For the last 14 years, Paul has been a gubernatorial appointee to the Oregon Humanities Board, an organization committed to bringing people together to build understanding and collaborative change. It’s crystal clear from Paul’s volunteer history that he prioritizes service to others and is dedicated to the work.

LASO is extremely grateful that Paul signed up for the listserv so many years ago. When asked what led him to volunteer, he responded, “I wanted to use the legal skills I had been fortunate to learn for the benefit of people who could not otherwise afford them.” Over the years, Paul has graciously accepted challenging case referrals, zealously advocated for his clients, and dedicated countless hours (often more than 200 hours) to his pro bono cases. He has provided legal assistance to clients across the state of Oregon, including the following counties: Crook, Clatsop, Deschutes, Lincoln, Linn, Multnomah, Clackamas, Douglas, Marion and Polk. Through his efforts he helped fill gaps in resources, and increased access to legal services in rural areas of the state.



Paul Duden

Paul provides pro bono representation on a variety of critical legal issues such as foreclosure, housing, debt collection, and domestic violence. Over the last several years, he has focused on an extremely important and high area of need: the abuse of vulnerable adults. Many cases have involved the threatened or actual loss of a senior’s home through financial or physical abuse by “friends” or relatives. Divine Zheng, a staff attorney at the Portland Legal Aid office who dedicates a substantial amount of time to assisting seniors describes the impact of Paul’s pro bono work. “We are so grateful to Paul and his willingness to take on complex and urgent cases, especially when the case is outside LASO’s expertise. Paul provides hope in a legal system that is cost-prohibitive for so many Oregonians, and his assistance is crucial to ensuring the physical and financial security of his clients.”

Thanks to Paul’s excellent legal advocacy, and relentless willingness to help, his clients were able to reclaim their homes and property or receive just compensation. Legal Aid Staff Attorney and Pro Bono Coordinator, Shelby Smith describes Paul’s commitment to volunteering. “If you look up volunteer in the dictionary, there should be a picture of Paul Duden. His volunteer work both while in active practice and following retirement is truly inspiring and has been life-changing for legal aid clients. The impact on seniors and vulnerable people in our community has been immense. We are so grateful to Paul for taking on these often challenging and time-sensitive cases.”

There are many remarkable examples of the life-changing impact of Paul’s pro bono work. Paul filed an elder abuse case on behalf of a vulnerable senior who was tricked by her daughter and son-in-law into signing away for home for \$1. Paul settled the case the day before trial for the full value of the home and property. In another case, Paul defended a senior client on an ejectment action. The senior had been promised her partner’s home for the many years of caregiving she provided, and the money she put into the house. Paul ultimately settled the case for a life estate for the client. Paul is quick to reply

and recently accepted a weekend referral to assist a vulnerable senior who was in jeopardy of losing her home. He filed a response to the probate matter the following Monday to preserve the senior’s right to a hearing and is representing the senior at the upcoming hearing.

Paul encourages attorneys to volunteer and describes his experience and the benefits he gained from his pro bono work, “I have really enjoyed the variety of the work and helping people in pretty dire straits. Not only have I been able to do work in a profession I love, but the representation of these clients has been the most rewarding service I have experienced.” Paul emphasizes that “there is a clear need for more pro bono legal service providers.”

Paul is a remarkable one-of-a-kind volunteer. At 83 he continues to fight for justice for those in need. The importance of Paul’s work cannot be overstated. Thanks to Paul, vulnerable adults are given peace and assurance that someone is listening and cares and is fighting for their rights and often home. We are truly appreciative of his commitment to representing the frail and elderly in Oregon. Paul’s pro bono work has benefited not only the most vulnerable but has made Oregon communities a better place. On behalf of legal aid services in Oregon, we thank Paul for his dedication to amplifying the voices of the vulnerable and increasing access to legal services for many.

*If you are interested in volunteer opportunities with LASO, including upcoming trainings on elder abuse, please email us at [probono@lasoregon.org](mailto:probono@lasoregon.org).*

### 2024 PRO BONO AWARDS

Nominations Due November 3  
Propose a Nominee at [www.mbabar.org/awards](http://www.mbabar.org/awards)

Pro bono awards recognize attorneys who provide pro bono assistance to low-income and underserved members of our community to reduce barriers to justice and access to the legal system. Recipients are screened and selected by the Legal Aid Services of Oregon (LASO)/Oregon Law Center (OLC)/Multnomah Bar Association (MBA) Pro Bono Committee.

#### AWARD CATEGORIES

**Legal Aid Pro Bono Volunteer of the Year.** Presented to a lawyer (or lawyers) who has displayed an outstanding commitment to the delivery of critical pro bono services to low-income persons through LASO or OLC.

**Michael E. Haglund Young Lawyer Award.** Presented to a young lawyer (or lawyers) who, in the tradition of Michael Haglund, founder of the Volunteer Lawyers Project, has displayed a particular dedication to pro bono services. A “young lawyer” is a lawyer who is 36 years old or younger OR who has been an attorney licensed for six years or less.

**Pro Bono Award of Merit.** Presented to a lawyer (or lawyers or law firm) who has exhibited the highest standards of commitment to increasing access to justice within Oregon to those unable to afford legal assistance or those from communities underserved by the legal profession.

**Awards will be presented at the MBA Annual Meeting and Dinner on May 8, 2024.**

## mba|EVENT

### Multnomah Bar Association Absolutely Social

Tuesday, October 24  
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**Register at [www.mbabar.org](http://www.mbabar.org).**



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!

Rachelle Collins  
YLS Member Spotlight

by Elli Tillotson  
YLS Board

Rachelle Collins is a life-long Oregonian, growing up in Portland before attending the University of Oregon for her undergraduate studies. After taking a few years to decide whether law school was the right path for her, Rachelle returned to the University of Oregon and graduated with her JD in 2021. Following graduation, Rachelle joined Stoel Rives LLP as a litigation associate and is enjoying the active advocacy associated with a commercial litigation practice.

Rachelle first joined the YLS Pro Bono Committee in 2022 to further her goal of incorporating pro bono work into her career, and is one of this year’s co-chairs. For Rachelle, joining the committee was a natural extension of what drove her to law school in the first place - the opportunity to give back to her community and to advocate for those who may not be able to advocate for themselves within the complexities of the legal system. This drive was informed, in part, by her experiences with her mother, who had immigrated from the Philippines and whose first language was not English.

In addition to the Pro Bono Committee’s role in organizing and participating in pro bono activities, Rachelle was excited about promoting other opportunities to the wider community, especially those that may appeal to those who are not able to commit to lengthier



Rachelle Collins

projects but still want to get involved. As co-chair, Rachelle is looking forward to continuing to work with local organizations to identify not just the need for pro bono services but also the type of support that would be the most impactful.

Especially as a newer attorney entering the field during the pandemic, Rachelle has found her time with the YLS to be a great way to meet other members of the community, and enjoys the additional experience she has been able to gain through her pro bono work.

In her spare time, Rachelle coaches mock trial at Jefferson High School, is the treasurer of the Oregon Filipino American Lawyers Association, acts as a mentor for her firm’s summer associates, and is an active member of the Oregon Asian Pacific American Bar Association.

Julie Preciado  
Pro Bono Spotlight

by Natalie Pattison  
YLS Pro Bono Committee

This month’s Pro Bono Spotlight features Julie Preciado. Julie’s lifelong passion for community involvement and empowerment has guided her in both her pro bono work and her prior career.

As an associate attorney at Dunn Carney LLP, Julie’s work often involves real estate-related matters. This makes her skills a perfect match to provide pro bono legal services in landlord-tenant matters. Her work often includes defending low-income tenants from invalid termination notices, improper withholding of security deposits, and assisting tenants when other issues arise under the Oregon Landlord Tenant Act or Portland City Code ordinances related to residential tenancy. When litigation arises, Julie also steps in to provide crucial pro bono work on behalf low-income, marginalized tenants who may face significant barriers to accessing legal representation.

Before going to law school at Willamette University College of Law, Julie owned a medical interpreting company and worked as a case manager for Multnomah County, providing a number of anti-poverty services for Latino and other immigrant and refugee families and underserved communities. Julie always planned to go back to school when her daughter got older, and when the time came, she decided a law degree was the way to go. It would allow her to continue helping marginalized and immigrant communities at an elevated capacity, while at the same time allowing her to help small businesses navigate business law and legal compliance.

As the daughter of an immigrant small business owner, Julie understood from a young age how important and impactful closely held family businesses can be for communities, noting that “business ownership is an

important path for generating wealth within communities, especially marginalized communities.” Having owned a small business herself, and having many friends and family who are small business owners, Julie knew the legal side of business ownership played a significant role in the viability and sustainability of businesses in a community.

Because of Julie’s passion for business development within her community, there are a number of nonprofits and small businesses in Portland that she works with through board service and pro bono work. For example, she has helped draft employee handbooks and facilitated free business law workshops for small businesses. Julie also presents an annual legal update presentation for the Hispanic Metropolitan Chamber of Commerce’s Latino Leadership Program.

Julie is also on the board of directors for Latino Founders, a Latino entrepreneur-focused organization, where she provides free legal presentations for emerging entrepreneurs. These presentations review topics such as finance documents and agreements with venture capitalists, which can sometimes contain harsh terms for the growing businesses. Julie’s presentation provides key information to empower the startups to advocate for better terms and conditions in these legally significant business agreements.

Additionally, Julie has volunteered with and provided pro bono legal services for a number of other clinics and programs such as: the LASO Night Clinic, which Dunn Carney regularly participates in, helping individuals apply for permanent residency through SOAR and AILA Citizenship Day and Refugee Adjustment



Julie Preciado

Day, assisting with ABA monthly legal clinics where Julie assists individuals applying for temporary protective status and answers a variety of other legal questions. She has also helped fire victims with insurance claims or FEMA applications at the OTLA clinic, and assisted individuals through the Clark County Volunteer Lawyers Program Latinx Legal Day.

When it comes to pro bono work Julie leads by example, and when asked about her demonstrable commitment towards this essential work, she said: “As attorneys, we are often helping people in some of the most scary or vulnerable situations of their lives. Pro bono work provides the opportunity to help people who wouldn’t otherwise have access to legal services because they are out of reach cost-wise and because people just don’t know who to go to, in particular if they do not know any attorneys or have anyone in their community that knows an attorney. Sometimes people just have a question or just want to be heard, and through pro bono work you can be that person for them - someone with more experience and knowledge about rules and institutions that we all deal with - to talk with them, give them some options, and empower them in those decisions.”

The YLS Pro Bono Committee thanks Julie for all her incredible pro bono work and contributions to the community!

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# Two Champions Make a Big Difference for Self-Represented Litigants

by Shelby Smith  
Legal Aid Services of Oregon

In Oregon, approximately 70-80% of family law cases involve at least one self-represented litigant. This leaves a substantial gap between those who can afford to obtain even brief legal advice, let alone representation, and those who cannot. While Legal Aid Services of Oregon (LASO) attempts to fill that gap for the lowest income Oregonians, the need far surpasses the capacity of staff attorneys. To bridge the divide, volunteer attorneys provide brief advice appointments and forms help to self-represented litigants through LASO’s Family Law Clinic (formerly known as PROSAP).

The Family Law Clinic has two pathways through which volunteers can assist low-income clients. Attorneys with little or no family law experience can meet with clients and assist them in filling out court pleadings while giving basic advice. While more experienced family law practitioners can be paired with a client who has already been assisted with forms to give brief advice on a discrete family law issue. Two attorneys that consistently volunteer with this clinic in its different yet important capacities, and who exemplify what it means to volunteer, are Philip Hornik and London Ballard.



Philip Hornik

### Family Law Forms Clinic

Since 2022, Philip Hornik has volunteered at the downtown LASO office providing assistance to low-income clients through the Family Law Forms Clinic and as a consultant on immigration cases. Philip currently practices immigration law at the law firm Black Helterline, LLP. Philip brings much to LASO as a volunteer. In addition to his many years of experience as a skilled immigration attorney, Philip is a Spanish speaker, and uses his language skills and vast experience to help vulnerable clients navigate their way through our complex legal system. A focus of Philip’s pro bono work at LASO is assisting clients with filling out the court form pleadings required to initiate matters such as dissolution of marriage, child custody, and other matters. Most of the people he meets with are Spanish-speaking and have little or no familiarity with Oregon’s legal system. Philip kindly volunteers on a regular basis, often meeting with clients several times a month.

Philip recognizes the need for this type of volunteer work and the barriers people can face with completing what to many seem like simple forms. Reflecting on the importance of the clinic, Philip says, “before I went into private practice (first, as a solo practitioner, and now as an of-counsel attorney with Black Helterline, LLP), I worked with poverty-law programs in Seattle and Portland. From Day One as an attorney, I was well aware that our legal system is rarely accessible, let alone understandable for those without economic resources. This lack of access is compounded for people who do not speak English or come from countries with legal systems that are very different from what exists in the United States.”

Prior to volunteering with the LASO Family Law Clinic, Philip was a regular financial supporter of legal aid. “I have always considered myself an ally of LASO. I donate every year to the Campaign for Equal Justice. When I closed out my solo practice before joining Black Helterline, I was very happy to donate some of my furniture and equipment to LASO and related poverty-law organizations.” But Philip was called to do more and actively sought out the pro bono opportunities with the clinic by reaching out to the LASO pro bono team.

Working with clients though the family law clinic is a brief one-to-three-hour commitment that often makes a substantial difference for a self-represented litigant and can be very satisfying for pro bono attorneys as well. “I enjoy my volunteer work with LASO. I get to use and improve my Spanish-language skills and I have always enjoyed working with people from other cultures, which is why I have practiced immigration law since 1977. I find the time commitment I make to LASO is modest. Usually, in the course of one three-hour meeting with a LASO client, I can help them prepare all the documents they need to begin their case. LASO is always available [throughout the appointment] to answer additional questions the client has.”

Typically, attorneys who volunteer to assist with the forms clinic have little to no experience with family law. LASO provides initial training and ongoing CLE opportunities to volunteers. LASO attorneys provide regular support throughout the volunteer’s service. Philip points out that, “it has been many years since I practiced family law but that has not been an obstacle for my volunteer work with LASO. Whenever I meet with a LASO client, there are plenty of LASO staff to answer any questions I have.” LASO greatly appreciates Philip’s strong support of legal aid and the time he dedicates each month to help those unable to afford legal representation.



London Ballard

### Family Law Advice Clinic

Prior to filing or once a case has been initiated, self-represented litigants may have substantive questions about family law. Some examples may be how to divide property, how the court determines custody, what temporary orders may be appropriate, or more general questions about how to represent themselves in an upcoming hearing or mediation. Experienced family law practitioners can volunteer to meet with clients for 45 minutes to an hour at LASO’s office, their own office, or virtually to give brief advice on these more discrete topics.

London Ballard regularly volunteers time through the Family Law Clinic and the Domestic Violence Project. London is an associate at Morris, Stannard & Batalden Family Law PC, where her primary focus is family law. London represents clients in dissolutions, custody proceedings, restraining orders, stalking orders, and other family law related matters. London is a graduate of the University of Oregon School of Law and, prior to entering private practice, she clerked for the Honorable Patricia L. McGuire at Multnomah County Circuit Court.

LASO prioritizes serving domestic violence survivors, BIPOC, and other marginalized community members. This aligns with London’s values well, as London primarily provides volunteer services in family law cases for domestic violence survivors and LGBTQ+ folks. Her services span from helping individuals fill out court paperwork through full representation in court. London also volunteers her time with the Multnomah County Attorneys for Children program, with a special focus on representing queer children who may not have the most supportive parents.

Apart from her volunteer work with LASO, London is an active member of the bar in other capacities, serving on the MBA Court Liaison Committee, the American Constitution Society Oregon Lawyer Chapter Board, and on the OGALLA Board, with a focus on the Mentorship Committee via OGALLA.

Being a busy associate, London sees volunteering as a way to step away from the everyday grind for a fresh outlook. Working with people who have a lack of access

really changes her perspective on practicing law. London encourages other attorneys to volunteer by reminding us, “pro bono work is meant to provide services on a voluntary basis for the public good. It is easy to forget how even devoting 45 minutes can change a person’s day, perspective, and situation. Anytime you are feeling burnt out, frustrated, overwhelmed or ineffective, take a beat and volunteer.”

One single case can change a client’s whole outlook on life. A case London accepted through LASO really illustrated this point. “I met with this client who was in a really abusive situation. She was hunched over, quiet and would barely look at me directly. In fact, when she would try and look directly at me, she would shut down and start shaking. I took on her case and we began pulling together discovery, mapping out the case plan and going over testimony, while working on how to have her safely present her story to the judge. When we appeared at court, she told her story (which was *incredibly difficult*, but she persevered). At the close, the judge upheld her restraining order. When we walked out of that hearing, her entire demeanor had changed.

She was standing tall, speaking confidently, and looking at me directly. She walked in as though she were a shell of a human, and when she left, she walked out as an empowered woman ready to take control over her life again. That is why we provide pro bono services, and that is why I will continue to volunteer my time for those in need for the remainder of my career.”

Whether it is to work on forms with folks or provide more detailed family law advice, pro bono volunteers are needed more than ever for the family law clinic. “There will never be enough lawyers to meet all the legal needs of low-income people in Oregon,” reminds Philip Hornik. “I encourage other attorneys to volunteer with LASO. You can make a big difference in someone else’s life, even if you are not an expert in the field of law for which you volunteer. And you can control the amount of your time commitment in this role. Volunteering will be a big win for you, for LASO, and for [low-income] clients.”

To volunteer with the Family Law Clinic, please contact Shelby Smith, the clinic coordinator at [shelby.smith@lasoregon.org](mailto:shelby.smith@lasoregon.org).

## Meet Loretta How a Volunteer Attorney Provided Vital Legal Help

by Ayla Ercin  
Campaign for Equal Justice

Loretta is a grandmother in her 70’s who depends on Social Security income and a modest spousal support payment. Her monthly support was not a large sum, but with her low income, it was the difference between being able to pay her property taxes and losing her home.

When her ex-husband decided to stop paying Loretta’s court-ordered support, Loretta started down a long list of names to call. She tried to get legal advice anywhere she could - in quick, free, consultations; from court clerks; from lawyers who couldn’t take her case - but she was unable to resolve the matter with this piecemeal advice alone. Eventually, Loretta found legal aid, and they were able to connect her with a volunteer lawyer able to take her case.

As Loretta describes it, finding a legal aid volunteer was a whirlwind solution to her problem: “The next thing I knew [legal aid] had gotten me a volunteer attorney who was willing to take my case for free. It was a miracle.”

Once her volunteer attorney got in touch with Loretta, they were able to get right to work filing the necessary paperwork, attempting to negotiate a solution, and, eventually, garnishing her ex-husband’s bank account. Ultimately, Loretta received almost all of the back payments she was owed. Her pro bono lawyer promised she would continue to handle the case to find a permanent solution, and

they are now seeking a long-term income garnishment.

While Loretta and her volunteer attorney worked to get Loretta the money she was owed, legal aid was able to connect Loretta with other community services and assistance programs. Legal aid got Loretta help from local food pantries and through utility payment assistance programs while she waited for her support enforcement action to play out.

Legal aid is able to make these incredible connections between clients in need, volunteer lawyers able to help, and wider assistance services because of the robust community of volunteers in Oregon. Oregon volunteer lawyers provide direct legal services to those in need, but also support legal aid through donations to the Campaign for Equal Justice, and through volunteering for the general good at organizations like the food pantry that helped Loretta.

Without the help of her volunteer lawyer, Loretta tells us that she would probably still be in front of her computer, looking for legal help, and downloading the wrong documents. “I was at the end of my rope. I am used to living in poverty, but I couldn’t live on this.”

The support legal aid and her pro bono lawyer were able to give Loretta allowed her to afford her medical treatments and maintain her housing, and that is a huge relief.



# Stoll Berne



We are pleased to announce that **Erin Roycroft** has joined our team.

Erin is an associate in the firm’s litigation group where she focuses on complex litigation matters.

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# Beginning Bridge of Friendship

On August 29, members of the bench and bar met with Consul General Yoshioka Yuzo, Cónsul Titular Carlos Quesnel Meléndez and high-level representatives from the Consular Office of Japan in Portland, the Consulate of Mexico in Portland, the Japanese American Society of Oregon, Japanese Women’s Association, Business Oregon, Partners in Diversity, and Senator Kayse Jama’s office for a guided tour of the Central Courthouse, followed by an opportunity to get acquainted and build relationships over lunch.

This MBF CourtConnect opportunity was the inspiration

of Judge Chanpone Sinlapasai and would not have been possible without the participation of MBF Public Outreach Committee members Judge Sinlapasai, Judge Angela Franco Lucero, Judge Amy Holmes Hehn, David Bean, Chair, and Pilar French; as well as Victoria Blachly, MBF Immediate Past President, MBA President Theresa (Terry) Wright, Tanya Durkee Urbach, Attorney at Law, Jollee Patterson, Miller Nash LLP, Nathan Vasquez, Multnomah County District Attorney’s Office, and tour guides Barbara Marcille and Sgt. Juan Roldan, Multnomah County Circuit Court.

Thank you, Partners in Diversity, for joining the MBF in providing lunch for this event. Our thanks to all involved. As Judge Sinlapasai said in her closing remarks, we look at this event as “the beginning bridge of friendship,” and look forward to future opportunities to work together to support one another and for the benefit of the communities served by our organizations.

For more information about CourtConnect, visit [www.mbabar.org/courtconnect](http://www.mbabar.org/courtconnect) or contact Pamela Hubbs (503.854.5237, [pamela@mbabar.org](mailto:pamela@mbabar.org)).






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# Why I Volunteer



“I volunteer with LASO to defend my pro bono clients against injustices and legal wrongs they otherwise would have little recourse against. As members of the Oregon bar, we have the privilege and duty to help create an equitable community for all Oregonians. Through partnerships with LASO’s Night Clinic and direct representation request programs, I am able to accomplish this necessary work - because all Oregonians deserve access to quality representation.”

**Julie Preciado, Dunn Carney LLP**



“As a native Oregonian, I am driven by the value that access to justice is a fundamental right that should be available to all Oregonians. My value aligns closely with LASO’s mission to achieve justice and remove barriers for low-income communities. By volunteering legal services to LASO’s clients, I aspire to make a meaningful impact, fostering a more equitable and compassionate legal system for everyone.”

**John Clark, Miller Nash LLP**

“Volunteering with LASO has expanded my bankruptcy and creditor-rights skills by applying them in new contexts, such as collecting judgments for farmworkers, negotiating workouts for seniors, or filing “no asset” bankruptcy cases to resolve single parents’ otherwise overwhelming medical debts. But the best part is being able to make a meaningful difference in my clients’ lives - as well as their sweet expressions of gratitude... Heart-warming and soul-affirming!”


**Justin D. Leonard, Leonard Law Group LLC**



“I volunteer with LASO through the Domestic Violence Project. The legal process is confusing and intimidating for most litigants, especially for survivors of domestic violence. I hope my representation helps to reduce the anxiety survivors experience when appearing in court.”

**Trisha Meyhew, Trisha Meyhew Law**





“I volunteer because others need help and I benefit personally and professionally from helping them. What’s a modest task for me can be a big deal for clients who don’t know the system or have the resources to protect their rights, interests and families. *Service Above Self* is a guiding principle for me and pro bono work is a way to serve our community.”

**David J. Malcolm, Malcolm Law LLC**



“I enjoy helping people, solving problems, and providing clarity. When we resolve a client’s issue, it’s the best of all worlds. Yet, even if we cannot, we can at least explain why and provide some closure.”

**Kevin Sasse, Dunn Carney LLP**

“Everyone here at my office is passionate about helping our community. Specifically, at this office, we focus on doing what we can to help families and persons generally impacted by domestic violence. Every time we can make time for a pro bono case, we also get something back from this work too. For example, volunteering gives each of us a feeling of purpose that we are doing something meaningful by attempting to level the playing field for some of the many persons who could not otherwise afford legal representation.”

**Natalie Hedman, Hedman Family Law LLC**





“It is an extraordinary honor and privilege to be a lawyer. I believe that confers a sacred duty upon me to help those less fortunate than I have been.

As a bankruptcy lawyer representing debtors, people come to see me when they have reached a financial, emotional and spiritual bottom. Many of them are ashamed - because they intended to pay - and can’t for whatever reason. Some of them have never dealt with a lawyer before and aren’t sure what to expect. Meeting them where they are - and reassuring them they did their best - while guiding them through the legal process in a way that allows them to regain their dignity is but one small way I can restore hope to a fellow traveler.

Thanks to all that makes the Bankruptcy Clinic possible. Our work is honorable!”

**Ann Chapman, Vanden Bos & Chapman LLP**





“I began volunteering with the Housing Clinic at Legal Aid because the end of the eviction moratorium was creating a need for more tenant advocates. I continue volunteering because I feel that my work keeping people in their homes is a part of the solution to the growing issue of people experiencing homelessness in our community.”

**John Sutter, Attorney at Law**



“LASO plays a pivotal role in ensuring that individuals and families facing financial hardship have the opportunity to secure their rights and navigate the legal system. LASO attorneys are catalysts for change, advocating for vulnerable populations, promoting fairness, and reinforcing the idea that everyone, regardless of their financial circumstances, deserves a chance to receive the protection and support of the law. I believe every attorney in our community should volunteer to support LASO and help bridge the justice gap.”

**Mick Harris, Tonkon Torp LLP**





“I like to volunteer as it gives me a great personal satisfaction to provide legal services to individuals and communities who ordinarily would not be able to afford legal representation. Additionally, I personally experienced many misfortunes, (a civil war, poverty, etc.); I was given help, shelter and other services when I needed them the most, so giving back to those in need is a life mission.”

**Vanessa Pancic, Pancic Law**



“Volunteering with LASO’s Domestic Violence Project has been a uniquely rewarding way to use my legal skills for a good cause while also honing my courtroom skills. I’m grateful for the opportunity to make a meaningful difference in the life of a survivor of domestic violence and to have a positive impact in our community.”

**Dr. Ryan L. Frei, Klarquist Sparkman LLP**

“I like helping LASO clients secure their unemployment insurance benefits in hearings and written appeals. These are great people who need help in what is sometimes a desperate situation for them and their families. Seeing our clients succeed in obtaining the benefits they truly deserve is fulfilling for me. Celebrating these victories is a testament to the impactful work pro bono lawyers do, reinforcing our commitment to making a positive difference in the lives of vulnerable people.”

**Dallas DeLuca, Markowitz Herbold PC**



“LASO’s services are critically important! I love volunteering with LASO and am honored to think that the time and information I provide assists, even a little bit, the incredible LASO attorneys and staff and those they help throughout the state of Oregon. LASO is an amazing organization and I look forward to more volunteer opportunities in the future!”

**Erin Greenawald, Greenawald Law**



“I volunteer with LASO as I believe it is vital as attorneys to assist in matters for clients who may not be able to afford our services but desperately need the help.

This provides invaluable services to LASO’s clients while building the reputation of the legal community as a whole. I am fortunate to have made it to a career in law and with that privilege comes the need and opportunity to help in ways that are not always tied to a financial benefit.

LASO is a true asset to our community and I am fortunate to be in a position where I can assist in certain matters from time to time without having to worry about if the client can afford my services.”

**Alexzander Adams, Law Offices of Alexzander CJ Adams PC**



“I volunteer with LASO because it allows me to feel more connected with my community. Expanding access to justice and addressing domestic violence are two causes that are important to me, so it’s rewarding to contribute to both simultaneously. The cases I’ve worked on through LASO’s Domestic Violence Project have certainly helped me grow as a person and as a new attorney!”

**Casey Shook, Attorney at Law**

“I volunteer with LASO’s Expungement Clinic because there is an overwhelming need for legal services that is not fulfilled in the way the business of practicing Law is currently conducted. It also gives me a sense of purpose.”

**Micheline D’Angelis, Attorney at Law**



“I volunteer with LASO because justice should be available to everyone, and pro bono representation provides vital access to those most in need.”

**Stephen Galloway, Stoel Rives LLP**



“I volunteer with LASO DVP because I know the legal service they provide survivors of domestic violence is invaluable. I grew up in a home where domestic violence was present, and we were forced to navigate renewing a restraining order year after year without legal counsel because we couldn’t afford it. I know the process can be scary and intimidating and it’s why using my law license now, to do some good, when I can, to a family in need, is an easy YES!”

**Amanda Dalton, Dalton Advocacy Inc.**





# Civics Learning Project Announces New Executive Director

Sam Kang was appointed as Civics Learning Project’s (formerly known as Classroom Law Project) new executive director this summer. After an extensive national search, he was selected to become CLP’s third executive director in the organization’s 40-year history. Sam joins the Oregon legal community after a long career in multi-ethnic organizing and advocating for the rights of under-served communities as a civil rights and consumer protection attorney in California.

The CLP board shared that Sam’s passion for the CLP mission, his extensive experience in leadership, strategic planning and fundraising, and his creative energy and enthusiasm, made him the clear choice to be the organization’s next leader.

“Oregon has always stood out as a unique and innovative laboratory of the great American experiment. For 40 years, CLP has played an indelible part of



Sam Kang

that history by inspiring and fostering the next generation of leaders in the pursuit of a more perfect union. I am humbled to take the helm of such an incredible organization, and I’m excited to steward the engagement of our young leaders in the living laboratory of Oregon’s great democratic experiment.”

Sam Kang, Executive Director  
Civics Learning Project

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# Justice in the Making Law Students and Pro Bono Service

by Alice Emerson, JD  
Lewis & Clark Law School Career Services

Lewis & Clark Law School's Pro Bono & Community Service Program has been helping students find volunteer opportunities at nonprofit organizations, courts, and government offices since 1998. Law school is an ideal time to explore different pro bono opportunities, as they broaden students' knowledge of practice areas and permit law students to gain important legal skills while giving back to their community. Students earn the Pro Bono Award for each year that they contribute and report 30 or more hours - many students far surpass the required hours. Pro bono service is also a requirement for the Public Interest Certificate.

While maintaining busy academic schedules, Lewis & Clark Law School (L&C) students reported more than

**"I am passionate about pro bono work because everyone deserves access to legal services regardless of their resources."**

- Leona Yazdidoust

15,000 hours of volunteer work during the 2022-23 reporting period. Students gained experience in practice areas including: environmental law, criminal law, animal law, immigration law, landlord-tenant law, and more. This range of

experiences came from volunteer work with a wide array of organizations, a few of which are highlighted below.

The PCC Legal Resource Center/CLEAR Clinic is a popular choice for students because it allows them to assist with expungements early in their law school career and immediately put their training and skills to work to help members of the Portland community. In addition to expungements, the CLEAR Clinic also has opportunities to help with DACA renewal applications, eviction expungements, and legal name and gender-marker changes. Molly Orchid, JD Candidate '24, is an advocate for student pro bono work. "Volunteering at the CLEAR Clinic has been the biggest source of growth for me during law school. Being able to work one-on-one with hundreds of clients (under attorney supervision) has provided me the opportunity to work with individuals from all walks of life, and has allowed me to gain experience in trauma-informed care, while learning to navigate a wide breadth of legal scenarios." Molly additionally values the connections she has developed within the Oregon legal community through her work, as well as being excited to be a part of the mission of the clinic in "striving to reduce barriers to housing, jobs, education, and stability." Clinic director Leni Tupper provides this advice to students, but it is a reminder to

all of us of the impact that can be made: "Your time in law school is a unique opportunity for you to explore pro bono interests while acquiring expertise in the areas of greatest legal need for your community members. I encourage you to take opportunities to provide as many legal services to people that need them as possible while you are in law school." While lauding pro bono efforts, Ms. Tupper encourages the legal community to think bigger. "Although pro bono efforts are critical to providing legal services to the specific individuals who can access them, they are not

**"I complete pro bono work because it enables me to use my education and experience to serve my community in a meaningful way."**

- Connor Lasken

effective nor reliable in building large-scale bridges over the access to justice gap."

Already a popular choice for pro bono work with L&C students, the Metropolitan Public Defender's Community Law Division (MPD CLD) is expanding their opportunities for students. West Aron, JD Candidate '25, recognized that first year law students had relatively few opportunities to support their community through pro bono work and gain legal experience. West reports that, when he became the Community Outreach Coordinator for the Public Interest Law Project (PILP) at L&C, "I saw Community Law and the incoming 1Ls as two

groups with complementary strengths and aligned goals, separated by logistical obstacles." In response, West, in conjunction with the MPD CLD, developed a pilot program directly aimed at providing 1L students with a new pro bono opportunity. The pilot program began this fall. West recruited 1L students who will receive training and supervision from the MPD CLD, and those students will subsequently volunteer their time to complete expungement paperwork for underserved populations in Portland. MPD CLD was an ideal partner because of their established relationship with the school, the significant need of their clientele, and the existing foundation that their team has from their internship program. Leslie Nelson, MPD CLD Chief Attorney, explained that they have been working with law students from L&C, and are excited to expand that work with the new program. "We have been working with L&C law students since the inception of the Community Law Department, however this is the first time we will be working with a group of 1L students. We are eager to introduce the students to our work and give them some practical experience early in their law school careers. It will be wonderful for us to have some extra hands at our legal clinics and at the office, and we give our students real hands-on experience." West is already thinking bigger and hopes to expand the opportunity to more students, increasing the benefit to the community: "As we pilot the program this fall, we will be exploring ways to improve next year. Ideally, we can get expanded capacity at Community Law, additional

community partners, or funding for a stipend award." With L&C's strong environmental law programs, the Northwest Environmental Defense Center (NEDC) is a natural draw for students. Housed at L&C, a central focus of NEDC's mission since its inception in 1969, has been to

**"My personal mission is to do everything I can to make the inequitable more equitable for those who have been traditionally marginalized."**

- Stephanie Grayce

provide training, supervision, and advocacy opportunities to students preparing for a career in environmental law. NEDC staff oversee as many as 60 student volunteers each year, providing them with practical environmental law experience. These students get a genuine taste of what it means to practice environmental law. Student volunteers expand the capacity of NEDC staff, while providing students with opportunities to perform meaningful environmental advocacy.

The diverse opportunities available to law students provide not only immediate benefits to the students and the community, but increase awareness of the significant need for pro bono work and the gaps in access to justice that are prevalent in our community.

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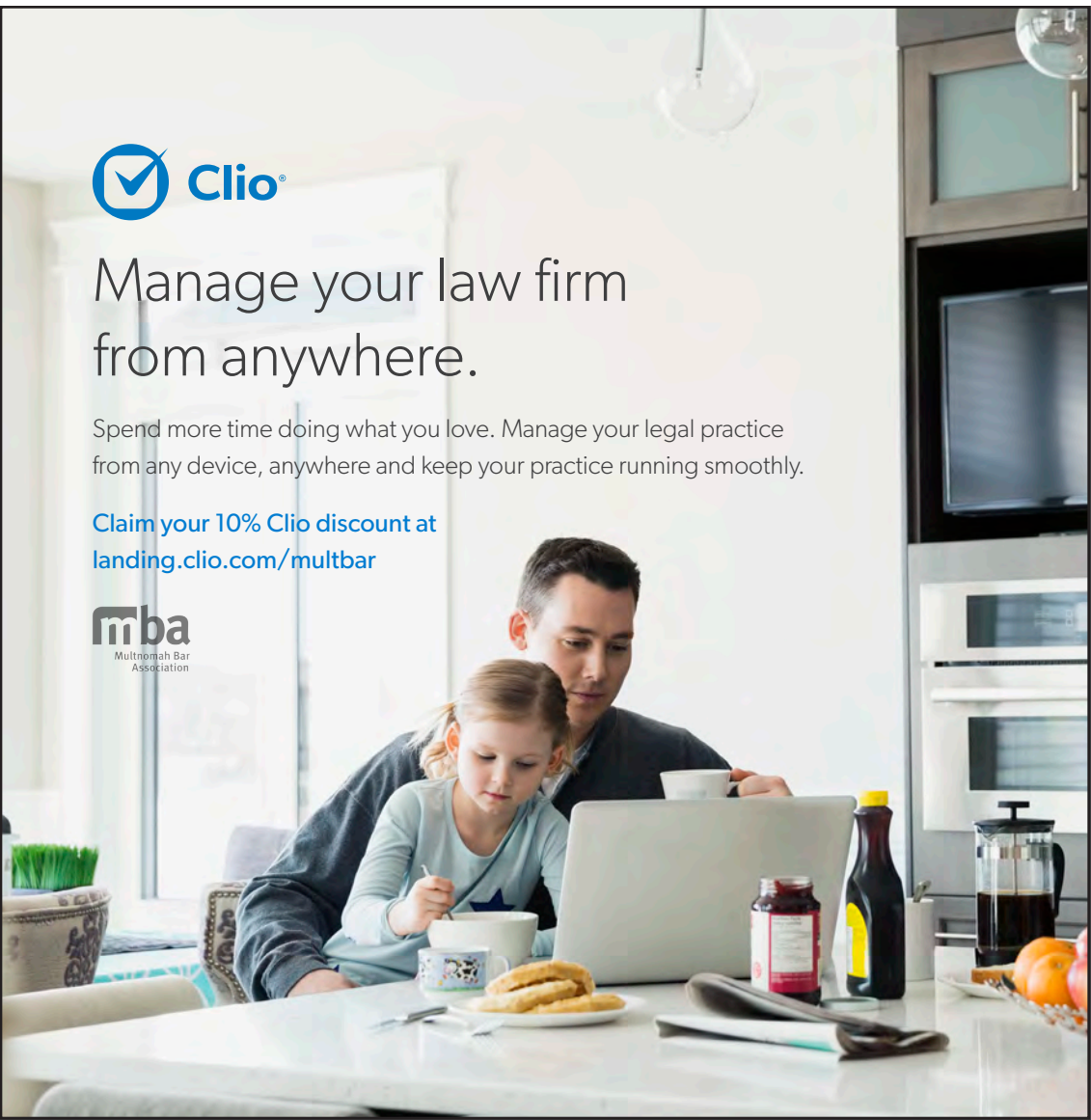
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