

# WASHINGTON COUNTY BAR ASSOCIATION

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NEWSLETTER

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## Washington County bids farewell to Three Judges



### Judge Nancy Campbell

By Keith Rogers

Circuit Court Judge Nancy Campbell is one of the three judges retiring this spring, officially leaving the bench on June 30th. Judge Campbell has the distinction of being Washington County's first female judge, appointed by Governor Barbara Roberts to the District Court in 1988.

Judge Campbell intends to ease the pain of her departure by traveling this summer to visit her son in London and to travel in Ireland. She, her husband, and their svelte 125 pound chocolate lab Moe also have plans for an inaugural voyage in their new (used) fifth wheel trailer to Zihuatanejo, Mexico where she'll suffer through sun, golf and well deserved relaxation.

Judge Campbell began her legal career by attending Northwestern School of Law at Lewis and Clark while simultaneously raising three kids. She maintained a private practice in Portland and dabbled in the democratic process before being appointed to the bench. As a District Court Judge, she served as President of the District Court Judges'

Association in 1994-95 and has served in the Circuit Court as the Juvenile Court Judge for a number of years and in all parts of the trial rotation since. She helped implement and then supervised the domestic violence diversion docket since its inception.

When pressed about the most memorable case she recalls in her tenure here, she mentions a manslaughter case involving a compelling and tragic glimpse into the problems of domestic violence in non-traditional relationships. The case helped propel her into further study and action in dealing with such issues. In 2005, she almost single handedly conceived and organized a groundbreaking symposium on the issues of domestic violence in the gay-lesbian-bisexual transgender community. The conference was the first of its kind in Oregon, featured nationally recognized speakers, and was attended by over 300 lawyers, judges, police officers, advocates, treatment providers and other professionals.

Judge Campbell has hinted that the thing she will miss least about the job is the Monday docket after her weekly commute from her home in Depot Bay. She will miss her great staff and the people of the courthouse and of the entire legal community the most. She plans to continue as a Plan B judge in the future and hopes The Powers That Be find it appropriate to let her return to Washington County on a regular basis.

Continued on page 4

## President's Message

By Michele Rini, WCBA President



Michelle Rini  
WCBA President

On March 27th I assumed my new position as Washington County's full time juvenile court-referee/judge pro tempore, and already I have learned a lot.

First, enforcing the lesson that my father taught me when I was very young, staff are invaluable. When I was growing up, my father worked for Portland Public Schools. He always told me that the most important people in the building were the staff in the front office and the cafeteria, and the custodians. He said that these were the people who really ran the show, the people who knew how to get things done. The longer I have worked, the more clear that becomes, especially in the law. Law school does not actually teach you how to practice law. When I first started out, it was my legal assistant who would (not so subtly) point out what I needed to file, and where. It was my assistant who kept track of the constant changes in the filing fees. And now it is the staff here at juvenile who help me figure out OJIN, find my files, and make sure that I have what I need. They are my "go to"

guys. They are the people who have the answers to my questions and really run the place, and I could not function without them.

Second, people are truly divided on the issue of judges wearing any robe color but black. As I reviewed a series of fabric swatches in a veritable kaleidoscope of colors, I encountered people who were happy to discuss the relative merits of the different colors, and people who looked askance at the mere suggestion that I would even consider anything but black. One attorney, who shall remain nameless but will recognize herself, stated that every time she sees a judge in a colored robe, she expects them to burst into song. I will admit that I ordered one colored robe along with the traditional black. You will have to come see me in court to see the color I ultimately chose.

Third, having the correct form can make all the difference. This seems particularly true in juvenile court. Fourth, it's hard to talk over a person yelling on speaker phone. Fifth, you can change your colors around on OJIN. Sixth, without your own coffee pot, you can spend an awful lot of money at Starbucks. My new pot can brew two cups at a time, directly into the accompanying travel mugs, and staff is always welcome.

## Washington County's Homegrown Judge

By Sue Hohbach

Most of us know her as Michele Rini, savvy and experienced attorney practicing at Karpstein & Verhulst. But now she's Judge Michele Rini, and began sitting as a Washington County juvenile court judge on March 27, 2006.

Sitting as a judge is not a new experience for Rini. She has been hearing small claims trials, FED first appearances and various motions since August 2005. Her funniest experience as a pro tem judge was when she realized that one of the parties to a case she was about to hear was a relative. When she looked up, the relative waived, and Rini actually giggled from the bench.

Judge Rini is also the current President of the Washington County Bar Association, and has been involved in the local bar association since 2002. Rini sees this as an opportunity to bring attorneys together in an environment outside their practices and see the bigger picture – that we are all part of the same legal system. During her tenure, Rini has increased bar enrollment as well as CLE participation.

Rini grew up in Beaverton and attended Beaverton High School (class of '85), PSU (class of '89, BS in history) and Lewis & Clark (J.D., class of '92).

As for future plans, Rini hopes to eventually become a Washington County Circuit Court judge.

# Calendar of Events

## WCBA Newsletter Deadline

Please submit your information, articles, announcements, ads, etc. to our address or fax for publication in our next Newsletter by the following date:

- May/June 2006 Issue: May 26, 2006

## Schedule of Business Meetings/CLE's/Social Events

- WCBA May Dinner/CLE  
Wednesday, May 10, 2006, Rock Creek Country Club.  
CLE: Adoption, Soldier Relief Act, Parents Moving out of State.  
Dinner Speaker: WCBA Elections.  
CLE begins at 5 p.m., cocktails at 6:30 p.m., dinner at 7 p.m.
- WCBA Annual Barbeque, Wednesday, June 14, 2006.  
Rock Creek Country Club.  
WCBA Annual Awards will be presented.  
Dinner price is \$20.00.  
Cocktails at 5:30 p.m., dinner at 6 p.m.  
*Please Make Reservations.*
- Washington County Women Lawyers Brown Bag Lunch.  
The third Tuesday of every month.  
Room 208C – Washington County Courthouse – Noon to 1:00 p.m.

**Note:** All WCBA CLE programs are \$15.00 for those who register in advance and \$20.00 for those who register at the door. Charge for non-WCBA members is \$25.00. Please REGISTER so we know how many CLE packets we need to prepare.

## Multnomah Bar Association CLE Schedule

Registration deadlines are 5:00 p.m. the day before the CLE. If payment is not received by that time, the "at the door" registration fee will apply. For registration inquiries, please call the MBA at (503) 222-3275 or send an email to [mba@mbabar.org](mailto:mba@mbabar.org).

- Annual Probate and Guardianship Update  
Tuesday, May 2, 2006, 3:00 - 5:00 p.m.  
World Trade Center Auditorium, 26 SW Salmon; \$50
- Mandatory Arbitration  
Wednesday, May 24, 2006, 3:00 - 5:00 p.m.  
Standard Insurance Building Auditorium; \$40
- Recognizing and Handling the Impaired Attorney  
Wednesday, May 31, 2006, 3:00 - 5:00 p.m.  
World Trade Center Auditorium, 26 SW Salmon; \$50
- Serving on the Board of a Nonprofit Organization  
Tuesday, June 6, 2006, 3:00 - 5:00 p.m.  
World Trade Center Auditorium, 26 SW Salmon; \$50
- War Stories: Representing Enemy Combatants  
Wednesday, June 7, 2006, 3:00 - 5:00 p.m.  
World Trade Center Auditorium, 26 SW Salmon; \$50
- Charitable Giving and the Sale of the Closely Held Business  
Wednesday, June 14, 2006, 3:00 - 5:00 p.m.  
World Trade Center Auditorium, 26 SW Salmon; \$50

## Washington County Bar Association

### Board Members

Michele Rini, *President*  
Kenneth McNeil, *President Elect*  
Keith Rogers, *Treasurer*  
Sue Hohbach, *Secretary*

### Directors:

Matt Kehoe  
Michael Stone  
Oscar Garcia  
Bret Knewton

### Executive Secretary

Julie Viner

### Immediate Past President

Kevin W. Luby

*The Board of Directors meets the first Wednesday morning of the month*

## Newsletter Ad Rates:

Members/Non-Members

- Business card size  
(2" x 3 1/2") .....\$15/\$30
- 2 1/8" x 3 3/4" ..... \$20/\$35
- 4 1/4" x 7 1/2" .....\$60/\$90
- Half-page  
(5 1/2" x 8 1/2") ..... \$90/\$130

These ads will stand out and reach our county bar membership. Please send your ad one month prior to publication, along with payment, to WCBA, P.O. Box 912, Hillsboro, OR 97123. Any questions, call 503-648-0300.

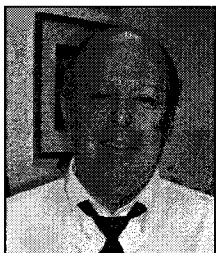
## WCBA

P.O. Box 912, Hillsboro, OR 97123  
Phone: 503-648-0300, Fax: 503-693-9304  
Contact Julie Viner, our Administrative Assistant, at the above address and/or number for any correspondence or information about membership, meeting reservations or Newsletter articles or classifieds. Leave a brief message (60 sec. limit) on our answering machine and she will get back to you as soon as possible.

*Letters, award and news items, and announcements are welcome. Articles by members are accepted. All submissions may be edited for length, clarity and style, are published on a space available basis, and at the editor's discretion. Views expressed in articles represent the author's opinion, not necessarily the WCBA's. The publication does not purport to offer legal advice. Newsletter articles and announcements may be sent by e-mail to Michael T. Stone at [law@brisbeeandstockton.com](mailto:law@brisbeeandstockton.com)*

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## Farewell to Three Judges



### Judge John Lewis

By Dawn M. LaGrone

When I arrived for our interview, the first thing Judge Lewis said was "85 days." "85 days" I asked. "Yes, until my last day." This is the first question that everyone asks. I wonder why. . . is it because we are going to miss Judge Lewis? Judge Lewis has been on the Washington County Bench since 1993; and the family law bench since its creation. As a member of the Washington County Circuit Court, he has provided the county with consistent, even-handed and thoughtful rulings. He has always gone the extra mile and attempted to provide families with solutions.

Judge Lewis was born and raised in Washington County and has served Washington County for 30-plus years as a lawyer, judge, teacher, and professional committed to the community. First, working for the health department in the early 1970's after obtaining his bachelors and masters in biology from Portland State University. He later decided to attend law school and graduated from Northwestern College of Law in 1975. Upon graduating from law school, Judge Lewis established his law office in Washington County and began practicing family, civil, real estate and criminal law.

I, myself, was fortunate enough recently to watch his gentle guidance of a pro se in a highly contested custody case. We settled. The resolution that addressed most concerns of both parties and the children, and eliminated the other concerns, was in part due to Judge Lewis taking the time to explain his role and the power the litigants relinquish to the court when they cannot settle on their own. This case has yet to be back in court.

And what he will miss the most is, "the people." Watching the young lawyers grow and develop into competent trial attorneys. Watching the pro se and less fortunate individuals successfully navigate the court system and end with a working judgment addressing their debts, money,

and most importantly, their children. It is not surprising that what he will not miss is the cases that do not belong in his courtroom. The cases in which the personalities or history impede the ability to find a working solution.

Judge Lewis and his wife, Linda, of 36 years have two children, Mollie and Evan, both of whom will be attending graduate school in New York City. Judge Lewis is modifying his retirement plans and intends to offer his services in mediation and arbitration of domestic relations cases, and possibly as a private reference judge. Even in retirement, Judge Lewis will continue his commitment to the resolution of cases in which the emotions run the highest. In addition, Judge Lewis has also requested that he serve his Plan B time by providing 2 days a month as a settlement judge in Washington County with an additional day working in the Juvenile Court. However, Judge Lewis is committed to traveling with his wife and visiting the children. So I would call to set your dates as soon as possible.



### Judge Michael J. McElligott

By Ken McNeil

Circuit Court Judge Michael J. McElligott's official last day on the job is May 19th, but he is hardly retiring. We will likely see him again after May 19th, depending on the outcome of the three-way election for his gavel. In addition, we may see him for up to an additional 35 days a year for the next five years as part of the Senior Judge indentured servitude program.

When not serving as a Senior Judge, one might catch Judge McElligott at an archeological dig somewhere in North America. He intends to take classes on archeology, which has been a long time passion and hobby, and also plans to do a fair amount of traveling with friends and his soon-to-be retiring wife.

Judge McElligott grew up in Southwest Portland, attending both Jesuit and Wilson High Schools. He received his Bachelor's Degree from Portland State

University in 1968, and his JD from Georgetown in 1973. His first legal job was clerking for Oregon Chief Justice O'Connell, followed by three and a half years as a public defender. After that, he worked briefly in private practice with attorneys Paul Reeder and Wayne Rapp, followed by a six year partnership in private practice with attorney Chuck Fryer.

Judge McElligott became a District Court Judge in 1983 after a contested race where he defeated the incumbent. He believes that is the only time an incumbent judge lost a race in Washington County history. In 1988, Governor Neil Goldschmidt appointed Judge McElligott to the Circuit Court. Throughout his four terms on the bench, no one ever ran against him.

So, after twenty-three and a half years on the bench, why retire now? Judge McElligott provides two answers; "it made the most sense financially with my pension" and he knew it was "just time to go".

In giving advice to his elected replacement, Judge McElligott suggests that it is important to "be yourself and be consistent." He explains that a good judge should be straight with people and be at peace with the decisions made. He is proud that he doesn't take cases under advisement, which he attributes to being well prepared prior to taking the bench. "You do what the job requires. This job serves the public, and judges must do what is good for them, not for us." This helps explain his reputation for starting hearings at the exact time scheduled, and why he is often impatient with lawyers who appear less efficient or poorly prepared.

A retirement party will be held on May 19th at 4:30 pm, at the Longbottom Coffeehouse and Roasting Company on NW 235th Avenue in Hillsboro. Everyone is welcome to attend.

## Two New Public Defenders Hired

**James D. Hennings**, Executive Director of the Metropolitan Public Defender Services, Inc. announced the hiring of two new staff attorneys, Timothy C. Chiang-Lin and Rachel M. Philips.

**Timothy C. Chaing-Lin** joined the Metropolitan Public Defender February 13, 2006, and will be working in the Multnomah County Office. Mr. Chaing-Lin received his undergraduate degree from New York University with a B.S. in finance and economics and attended The University of Washington Law School, graduating in 2003. Mr. Chaing-Lin was admitted to the Washington State Bar in 2005 and to the Oregon State Bar in 2005. Prior to joining the Metropolitan Public Defender, Mr. Chaing-Lin worked as law clerk for the Tulalip Tribal Court, and as Bail Intern at the Alaska Public Defender Agency.

Rachel M. Philips joined the Metropolitan Public Defender March 6, 2006, and will be working in the Multnomah County Office. Ms. Philips received her undergraduate degree from the College of Santa Fe, New Mexico and attended Lewis & Clark Law School, graduating in 2005. Ms. Philips was admitted to the Oregon State Bar in 2005. Prior to joining the Metropolitan Public Defender, Ms. Philips worked as an Associate Attorney with Brindle, McCaslin & Lee, P.C. in Hillsboro, Oregon.

### ABA Young Lawyers' Division Spring Conference Set For Portland

The Young Lawyers Division of the American Bar Association is holding its 2006 Spring Conference right here in Portland, Oregon, May 18 through the 21st, 2006. There is no charge for the event itself.

There will be free CLEs and many social events to provide attorneys from across the United States an opportunity to meet in a casual setting. A schedule of events is available online on the ABA website [www.abanet.org/yld/spring06/home.html](http://www.abanet.org/yld/spring06/home.html). Additional information will be added as the conference date nears. If you have any questions, you can contact Willard Chi, Treasurer of the Oregon New Lawyer's Division, at 505-345-9720.

# Hearsay from Around the Bar

By Prudence J. Uris

For those of you who are having a difficult time keeping up, I'll recap the latest series of moves at the Garland firm. Mark Lay has gone on to the Attorney General's office in the civil torts division, John Davis has accepted a position with the Internal Revenue Service, and Sarah Brown-Heimbucher has accepted a position with Yates, Matthews & Associates P.C. She will be doing exclusively domestic relations. Suzanne Suwada had her baby on February 22, 2006. John Andrew Perini weighed in at 8 lbs, 2ozs and was 21 inches long. Joining the firm are Wallace "Wally" Terry, Arlo Varri, and Kevin Ellis. Kevin is from New Orleans (pre-hurricane), and his girlfriend is an immigration attorney in Portland. Wally, who has worked from one end of the state to the other, from Umatilla County to Tillamook County, has been practicing law since 1972, and will be taking on criminal cases at this time. Arlo was in private practice in Portland and previously worked for Intermountain Public Defenders, and will be handling criminal cases as well.

Arthur "These are not the 'droids you're looking for" Saito, finally left St. Andrew's. Although his departure was originally announced over one year ago, he really took his time actually doing it. However his ultimate destination did in fact change. Arthur has gone on to join the Stahancyk firm. Sandra Naranjo has replaced Arthur. Well wait, no one can really replace Arthur, so it is probably better to say that Ms. Naranjo has joined St. Andrew's. She was formerly working in Eugene practicing family law. Also, for those of you who have not stopped by their office recently, you should go see all the changes. A new paint job with a modern color palate have really made the place look great.

Over at the Metropolitan Public Defender's Office, otherwise known as the "PD's office," there have been no changes. And after repeatedly losing attorneys to domestic relations firms, Ron Ridehalgh's office has, gasp, not had any changes! However, Pillar Parra's daughter has joined the staff. She is interested in attending law school and is getting a feel for things.

Michele Rini has left the firm of Karpstein & Verhulst, where she had been for almost eight years. Stanton Shelby will be attempting to fill Michele's shoes, preferably black pumps. Greg is hoping that unlike Michele, Stanton will never throw his shoes at Greg. Anyone who knows Greg knows that sometimes, he just asks for it. During law school, Stanton worked for Multnomah Defenders, and has recently been clerking in Multnomah County. He is interested in practicing criminal law and he is an Eagle

Scout. Also, speaking of Scouts, Rick Carman survived his climb of Mt. Kilimanjaro. It appears that my attempts to pay off the guide to arrange an unfortunate rhino attack have failed.

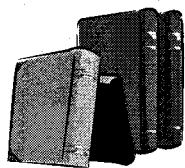
Sean Lemoine has left the District Attorney's Office for bigger and better things. In other words, he is going into private practice with the same firm that Becky Gallagher works for, Garrettson, Goldberg, Fenrich & Makler P.C., and can set his own calendar. (For those of you who do not remember, Becky used to work for the District Attorney's office.) He looked annoyingly happy and about 10 years younger those last few days. Roger Wong has moved over from Support Enforcement to take Sean's place. Word on the street is that he is just about as taciturn as Sean.

And of course, we will sorely miss Judges Cambell, Lewis and McElligott (listed in alphabetical order and the chronological order of their respective events). Please come join them and wish them well in their retirement. Judges Campbells and Lewis' gathering will be on May 18th, from 5:00p.m. to 9:00p.m. at the McMenamins Grand Lodge, and Judge McElligott's will be the following afternoon, May 19th, from 4:30 p.m. to 6:30 p.m. at the Longbottom Coffeehouse and Roasting Company.

Good luck to all those attorneys and judges who are stepping out into new careers, and welcome all newcomers to Washington County. And for all of you who are working with them, please take them around for introductions. It's always nice to put a face with a name.

## CALL FOR 2007 WASHINGTON COUNTY SUPPLEMENTAL LOCAL RULES (SLR) PROPOSALS

The Washington County Supplemental Local Rules (SLR) Committee invites you to propose 2007 SLRs. Committee members include: Judges John Lewis and Gayle Nachtigal; Attorneys Mary Bruington, Jamie Daigle, Jeff MacLean and Leslea Smith; and Court Managers Richard Moellmer and Andy Sells. Proposals should be sent to Trial Court Administrator Richard Moellmer at [richard.e.moellmer@ojd.state.or.us](mailto:richard.e.moellmer@ojd.state.or.us) or 150 N. 1st Avenue, MS37, Hillsboro, OR 97124 by June 2, 2006.



# What's New at the Washington County Law Library

By Laura Orr, Law Librarian

## LOST (OR STOLEN?)

The course materials for the following CLEs have disappeared from the Law Library. Please look to see if you inadvertently picked them up while checking out other library materials:

- OSB DUII and DRE Essentials (course book and tape), KB 92 .D8
- OLI Estate Planning: Fixing the Common Problems (course book), KB 155 .E8 2004
- OLI Fundamentals of Probate Practice (course book), KB 155 .F8 2003

Pages are also disappearing from our loose-leaves. Once they have been miss-filed, they are very hard to locate. Please feel free to ask us to re-file any pages you have removed for copying.

## NEW CLEs

- Avoiding Legal Malpractice Claims, 2005 (OSB/PLF)
- Avoiding Malpractice When Filing and Serving a Defendant, 2005 (OSB/PLF)
- Avoiding Malpractice with Your Computer, 2005 (OSB/PLF)
- Bankruptcy Abuse & Consumer Protection, 2005 (OSB/PLF)
- David v. Goliath: How Solo's or Small Firms Can Take on Big Firms in the Complex Case, 2005 (OSB/PLF)
- Ethical and Practical Considerations for Sole Practitioners, 2002 (OSB/PLF)
- Everything You Always Wanted to Know About Juvenile Law But Were Afraid to Ask, 2006 (OSB)
- Rebuilding Your Practice After Disaster Strikes, 2005 (OSB/PLF)
- Satisfying Clients Ethically with Roy Ginsburg, 2005 (OSB)
- Strategies for Balancing Work and the Rest of Your Life, 2004 (OSB/OAAP)
- The Road to Office Organization: How to Stay on Course, 2005 (OSB/PLF)
- Time Master: 69 Ways to Maximize Your Productivity & Satisfaction, 2006 (OSB)
- Tips for Managing Your Practice, 2005 (OSB/PLF)

- Trust Accounting, 2005 (OSB/PLF)
- What Do We Do Now? Answers to Frequently Asked Questions About Practice in and Leaving a Firm, 2004 (OSB/PLF)

## WESTLAW: We now have West Legal Forms online!

I recently upgraded our Westlaw subscription and our attorney patrons now have 24/7 access to all state and federal primary law, ALR, Am Jur publications and forms from Am Jur 2nd, West Legal Forms, Proof of Facts, Trials, Causes of Action, and much more.

## HEINONLINE from any computer anywhere

What is HeinOnline? It is a legal database of primary and secondary legal materials, many of which you won't find elsewhere. HeinOnline has the full run from 1936 forward of the Federal Register, the full-run of hundreds of law journals and law reviews, federal legislative histories, and much more. If you haven't logged onto HeinOnline, you've missed something that may save you a lot of time.

You have access to HeinOnline from any computer anywhere in the world that has uncensored Internet access – as long as you have a Washington County public library card. We do not issue the cards here in the Law Library, but any public library in Washington County can. The library card will give you access to the databases the Washington County library system (Wilinet) subscribes to, including HeinOnline. So log onto Wilinet, select the Government/Law database option, click on HeinOnline, type in your library card number, and enjoy.

## WHERE DO CLIENTS COME FROM?

Do you have any idea just how many people go to their local public library when they need legal information? I've been working with local public librarians and explaining to them the importance (to put it mildly) of making referrals to attorneys rather than trying to answer legal questions or giving them links to online forms.

In addition to training our own county's public librarians on how reference staff should respond to a request for legal information, at the 2006 Oregon Library Association (OLA) annual meeting I presented a program on how to provide legal reference service to the public. I'll be



presenting a similar program to Multnomah County public library reference staff in June. In addition to handing out our own business cards to program participants, my fellow county law librarians and I handed out OSB Information and Referral Service cards.

### VAN NATTA

We rescued a set of Van Natta's Workman's Compensation Reporter (vols. 1-45) from certain landfill death. I'm not sure where we'll find room for it, but we do get requests periodically so we will try to keep it around for a while.

### DIGITAL OREGON APPELLATE COURT BRIEFS

We now have the following briefs in our database and can email them to you:

- 138 Or App to 200 Or App: selected briefs
- 179 Or App and 201 Or App to the present
- 315 Or to 336 Or: selected briefs
- 332 Or and 337 Or to present

### LAW LIBRARY NEWS

Washington County Law Library

111 NE Lincoln

Hillsboro, OR 97124

Phone: 503-846-8880

Fax: 503-846-3515

Email: [lawlibrary@co.washington.or.us](mailto:lawlibrary@co.washington.or.us)

URL: [www.co.washington.or.us/lawlibrary](http://www.co.washington.or.us/lawlibrary)

BLOG: <http://oregonlegalresearch.blogspot.com/>

## HOHBACH LAW FIRM LLC

THE HOHBACH LAW FIRM LLC announces the addition of attorney Craig M. Hopkins, of Counsel. The Hohbach Law Firm LLC continues to specialize in victims rights, personal injury, juvenile law and family law. Now also specializing in DUII defense.



### HOHBACH LAW FIRM LLC

4000 Kruse Way Place, Building 2 Suite 340  
Lake Oswego, Oregon 97035

**503-697-7755**

## WCBA ANNUAL BARBEQUE SET FOR JUNE 14

The WCBA annual barbeque will be held on Wednesday, June 14, 2006. Cocktails will be served at 5:30 p.m. and dinner at 6:00 p.m. at the Rock Creek Country Club. The 2006 Washington County Bar Association annual awards will be presented.

This evening will also be an opportunity to say goodbye to last year's Board of Directors and welcome next year's Board of Directors.



The cost of the barbeque is \$20 per person for WCBA members and \$25 per person for non-WCBA members.

The cost includes a buffet dinner, beer and a dessert.

Call **Julie Viner** at 503-648-0300 for further information.



### STAHANCYK, KENT, JOHNSON & HOOK, PC Attorneys at Law



Stahancyk, Kent, Johnson & Hook, P.C. is proud to announce that **ARTHUR K. SAITO** has joined their Portland Family Law and Estate Planning team.

*Creative Solutions for Difficult Times*  
[www.oregondivorce.com](http://www.oregondivorce.com)

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fax (503) 222-4037

225 NW Franklin Ave, Ste 3  
Bend, Oregon 97701  
(541) 318-9115  
fax (541) 318-9116

105 SW Beaver  
Prineville, Oregon 97754  
(541) 447-9115

400 West 11th St.  
Vancouver, WA 98660  
(360) 750-9115

552 Commercial Street  
Astoria, Oregon 97103

*SKJ&H is the 2005 Better Business Bureau Large Business of the Year for Oregon and Southwest Washington*



## WCBA Newsletter Seeks Story Submissions

The WCBA Newsletter always welcomes submissions from bar members. In particular, we're looking for stories on fellow bar members, practice tips, war stories and the like. This is a great opportunity to share your experiences as a lawyer and to get your name out there! Send your submission via e-mail to Michael Stone at [law@brisbeeandstockton.com](mailto:law@brisbeeandstockton.com).



## Mark Your Calendar for Annual Golf Tournament

The Washington County Bar Association annual golf tournament will be held at Quail Valley Golf Course on July 12, 2006. Tee times start at noon. Keep this date on your calendar. This year's event promises to be bigger and better than ever. Yes, we will have Holy tape and St. Mulligans from St. Andrew's Legal Clinic and a barbeque dinner will follow the event. If you have questions, contact Matt Kehoe at 503-648-0766.



## Criminal Defense Conference Set

The Oregon Criminal Defense Lawyers Association's 27th Annual Conference will be held on June 15-17 at the Seventh Mountain Resort in Bend. This year's conference, "Zealous Defense: A to Z," will feature speakers from around the country including Steven Harmon, a capital defender from Riverside, California, Martin Sabelli, a San Francisco Public Defender, and Lisa Monet Wayne, a Professor from the University of Colorado and former public defender, and top notch presentations from leaders in Oregon's defense community. The conference features several social events, a benefit auction, and vacation raffle. This program is open to anyone involved in a defense function.

For further information, contact the OCDLA at 541-686-2319 or [www.ocdla.org](http://www.ocdla.org).



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& ASSOCIATES, P.C.  
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Kristin VL Eaton  
Jeffrey S. Matthews  
Michael A. Yates

JoAnn B. Reynolds  
(Of Counsel)

### YATES, MATTHEWS & ASSOCIATES, P.C.

*We are pleased to welcome as an associate*

#### Sarah Brown-Heimbucher

Former associate of Garland Law Offices, P.C.  
and former Judicial Clerk to  
The Honorable Thomas J. Rastetter

Practice limited to family law  
[www.yatesmatthews.com](http://www.yatesmatthews.com)

# A Few Suggestions for Trial Court

By *The Honorable Donald R. Letourneau*

## 1. The Easel Is Your Friend.

A picture is worth a thousand words.

This is definitely true when a trier of fact is attempting to discern a witness' descriptions. For example, the relationship of the pantry to the garage or the juxtaposition of the police vehicles to the suspect's can easily be lost upon the listener. But when the same witness draws a diagram ["I am sorry. I am not an artist."], even the unartistic scratchings demystify the evidence.

When is the last time you 1) had the witness draw their rough diagram without the pressure of the peering gazes of twelve strangers; or 2) at least had the courtesy to let the witness know you were going to ask them to draw a picture? Either would be good.

## 2. Every Witness Is Good For Something, and Every Witness Is Bad For Something.

A judge's day can sometimes be tedious: umpteenth DUII (or was that a DV) in the month, voir dire (enough said), repetitive witnesses, long-winded attorneys, cigarette smokers on the jury. In that context, it is more painstaking to listen to the ambivalent articulations of a business owner more or less guessing at his or her corporate activities when the company accountant is the next witness and knows the stuff by chapter and verse. Or trying to follow security manager/IT guy attempting to identify the stolen steel when the production manager who ordered, wielded, and apparently sleeps with the stainless product is waiting in the wings.

You get the drift.

By the way, the corollary that I used to instruct my staff at the public defender when I worked for a living was that every judge is good for something, and every judge is bad for something. But that is a different essay.

## 3. You Can Beat A Dead Horse, But You Can't Make It A Trick Pony.

Just because you do not like the answer a witness gave does not mean repeating the question ad nauseam will make the record any better or the trier of fact any more enlightened.

## 4. Pavlov's Lawyer.

My freshman Latin instructor drilled into the class that repetition est mater studiorum – repetition is the mother of studies. It also turns out that repetition est mater bordimus – repetition is the mother of boredom.

If lawyers could only hear the evidence as it unfolds. (Oh yeah, they are supposed to be listening, but they have so many other things to do such as asking questions, objecting, keeping the client at bay, and figuring out where to go for lunch that listening can be a harder task than one might think.) They would realize what the jury already knows - the same answer has been elicited four times, twice by each counsel.

This is where Pavlov's lawyer comes in. I dream of attaching an SPCA approved electrode to each attorney's ankle. Being a kindly jurist, I would let the cross-examiner rehash all the exact same testimony as elicited on direct. But alas, when the identical evidence is advanced for the third time, I would send a small shock to the offending counsel. And with each subsequent transgression the voltage will be increased.

I am confident that in a matter of weeks I could produce efficient, on-point practitioners that would make Clarence Darrow proud.

But I am not sure the mountains of saliva would be worth it.

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The Washington County Circuit Court Judges  
invite you to attend a retirement gathering for  
Judges

Nancy Campbell & John Lewis



Thursday, May 18, 2006  
for 5:00 p.m. to 7:00 p.m. at  
McMenamins Grand Lodge  
3505 Pacific Avenue, Forest Grove.

Hors d'oeuvres & appetizers will be served.  
No host bar.

# **To Wish Him Well in Retirement...**

*Please join us for a casual get together honoring*

## **Judge Michael McElligott**

Friday, May 19, 2006

4:30 p.m. – 6:30 p.m.

Longbottom CoffeeHouse and Roasting Company

4893 NW 235th Avenue

Hillsboro, OR 97124

503-924-4470

### **Directions:**

#### *From Hillsboro*

East on Evergreen to 235th (just past Shute Rd.)

Left on 235th to Longbottom on left.

#### *From Portland*

West on Hwy. 26 to Shute Rd. Shute Rd. to Evergreen.

Left on Evergreen. Left on 235th to Longbottom

**Hors d'oeuvres, Beer, Wine, Coffee Drinks**