

WASHINGTON COUNTY BAR ASSOCIATION

November/December 2006

NEWSLETTER

VOLUME 24 NUMBER 4

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Investiture Held For New Judges Cobb And Fun

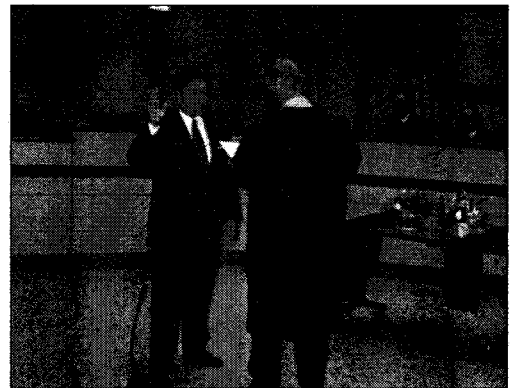
A standing room only crowd of luminaries, colleagues, friends and family attended the formal investiture ceremony of new judges Rita Batz Cobb and James Lee Fun, Jr. on November 3, 2006 at the Hillsboro Civic Center Auditorium. Presiding Judge Thomas Kohl welcomed the audience and introduced his fellow Circuit Court Judges. Retired Judge Karl Freerksen and Senior Judge Nancy Campbell were also in attendance. The oath of office was administered to Judge Cobb by Senior Judge Nancy Campbell, and to Judge Fun by Judge Rick Knapp.

In a nod to tradition, current Washington County Bar President Ken McNeil presented robes to both Judge Cobb and Fun, who then took a seat next to the other Circuit Court Judges.

Many words of encouragement and advice were shared by the elder judges. There was consensus among the judges that new Judges Cobb and Fun will do a great job.

Judges Cobb and Fun introduced their families and other special guests in attendance, and each gave some remarks on their background, experience, and judicial philosophies.

The ceremony ended with a nice reception in the Auditorium lobby with cake and refreshments supplied by your Washington County Bar Association.



Complementary articles featuring Judges Cobb and Fun can be found on Page 4



President's Message

WCBA Membership Provides Many Benefits

By Ken W. McNeil



Ken W. McNeil

At the November 3rd Investiture of Judges Jim Fun and Rita Cobb, Judge Fun spoke eloquently about how important it is for lawyers to remember that they are part of a profession, in the truest sense of the word. His point is that, all too often, lawyers forget about being professional, and engage in behaviors and practices that you might see in an elementary school yard rather than in a court of law. Judge Fun explained that persuasive, zealous, and effective advocacy is absolutely possible without sacrificing decency and civility.

In a somewhat different, yet related theme, I have been thinking recently how, as each of us chooses our path in the law, we become more entrenched in our specialty and have little contact with lawyers outside of our particular area of expertise. I have come to realize that while I am familiar with many other family law and criminal defense practitioners, I can count on one hand the number of corporate or labor law attorneys I know. Perhaps the attorneys out there who practice "door" law (anything that walks through the door) have made more contacts across the different specialties, but these general practitioners are scarce. So, where can an attorney meet colleagues outside of his or her specialty?

One mechanism that helps meet Judge Fun's goal of consistent professionalism, and my hope to broaden my contacts with other lawyers, is through membership and participation in the Washington County Bar Association. While annual conferences for family law, criminal law, or some other specialty are absolutely invaluable for networking and individual growth, only your monthly county bar meetings offer an opportunity to meet and mingle with a wide variety of colleagues across all the different specialties. (OK, the annual Oregon State Bar convention is open to all lawyers, but I have yet to meet anyone who has actually admitted to attending that conference.)

In my personal practice, my clients and I have benefited by knowing about lawyers who practice in areas foreign to me. Sometimes I need to know about immigration law and how a conviction might impact a client accused of a crime. Sometimes I need to consult with a tax attorney regarding

implications of a complicated untangling of marital assets. Often I receive calls from potential clients who have legal needs beyond my abilities, necessitating me making a referral. Since I like to make referrals to people I like and trust, I have always sent these nice folks to other members of our Washington County Bar Association.

I have also found that getting to know other lawyers outside of the courtroom, even if only for a few hours per month at our meetings, helps temper any urge to act unprofessional during the heat of battle. It is much easier to keep my mood and attitude in check when I have made some kind of personal connection with opposing counsel. Again, I see this person as a colleague, and not simply as the person whose name appears at the bottom of a counterproposal. Much more often than not, I have found that my dealings with fellow attorneys with whom I have come to know, even just a little bit, ultimately results in a more satisfying process for all parties involved.

As an added bonus, I have enjoyed getting to know our Judges a bit better at our monthly meetings. Believe it or not, many young attorneys are in awe of most Judges. The newbies often forget that Judges are people, too. While I am sure that some Judges enjoy their profound impact on young lawyers, I believe the majority of Judges enjoy interacting with the younger members of our bar and perhaps remembering that they were once less experienced and on the bottom end of a steep learning curve.

It is with the above two thoughts in mind that I hope you will consider renewing your Washington County Bar Association membership for 2007. Annual membership dues are still only \$60, and new members to our association receive their first year for free.

WCBA Newsletter Seeks Submissions and Story Ideas

The WCBA newsletter is always looking for submissions that would be helpful or useful to the local bar members, along with interesting stories regarding its members. If you have a submission, or an idea for something that might make a good or important story, please contact Michael. T. Stone of *Brisbee & Stockton* at 503-648-6677 or e-mail at law@brisbeeandstockton.com.

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:

- January/February 2007 Issue: January 26, 2007

Schedule of Business Meetings/CLE's/Social Events

- WCBA January Dinner/CLE
Wednesday, January 10, 2007/Rock Creek Country Club
CLE: Unwritten Rules of Washington County
Dinner Speaker: Judge Kohl; OSB President Albert Menashe
CLE begins at 5:00 p.m., Cocktails at 6:00 p.m., Dinner at 6:30 p.m. Price is \$20.00 for WCBA members, and \$25.00 for non-members. Please make reservations
- WCBA February Dinner/CLE
Wednesday, February 14, 2007
Rock Creek Country Club
CLE: Domestic Relations
Dinner Speaker: Court of Appeals Judges
CLE begins at 5:00 p.m., Cocktails at 6:00 p.m., Dinner at 6:30 p.m. Price is \$20.00 for WCBA members, and \$25.00 for non-members. 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.

* 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.

- Litigating Elder Abuse Cases
Wednesday, January 24, 2007, 3:00 - 5:00 p.m.
World Trade Center Auditorium
26 SW Salmon; \$50
- Forensic Accounting - What To Do When the Deal Goes Bad
Thursday, February 1, 2007, 3:00 - 5:00 p.m.
World Trade Center Auditorium
26 SW Salmon; \$50
- Enforcing Judgments in Family Law Cases
So You Received Your Judgment - Now What?
Tuesday, February 6, 2007, 3:00 - 5:00 p.m.
World Trade Center Auditorium
26 SW Salmon; \$50

Washington County Bar Association

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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@brisbecandstockton.com

Honorable Jim L. Fun

By Dawn LaGrone

Judge Fun grew up in rural Rock Springs, Wyoming. He knew in high school that he wanted to be a lawyer, although never a District Attorney or a Judge. After high school, he entered the University of Wyoming in 1979, graduating with his degree in 1983. Judge Fun knew he wanted to move someplace a little more urban than Wyoming and he began to set his sights west. He traveled to Oregon and decided to attend law school at Willamette University College of Law.

Having never considered criminal law or the District Attorney's Office, Judge Fun started his legal career in insurance defense with Joe Rieke, but the call of the courtroom rang out to him. In 1990 he joined the Washington County District Attorney's Office. Judge Fun spent the next several years in Juvenile Court and later prosecuting child abuse cases. For the last five years he was a senior District Attorney. After sixteen years as a District Attorney, Judge Fun was looking forward to a new challenge. For Judge Fun, the bench was now calling. It was now time for Judge Fun to again challenge himself personally as well as professionally. It was time to become a Judge and in September of 2006, he did just that.

Looking around his office, I noticed the pictures of his beautiful daughter. Judge Fun was quick to tell me of his promise to his daughter to never just drop her off at her desired activities, but to stay and be involved in what was

important to her. He doesn't use this time to run errands; this is his time with his daughter. Judge Fun's free time is family time. He and his wife have been married for fifteen years after dating for four years. Marriage became an option only after they had stable jobs. Stable they are: his wife has been a dental hygienist for almost twenty years for Kaiser. Judge Fun and his wife together see that their daughter has it all, including time with her parents without interference.

Judge Fun reminds the legal community to always be grateful that people trust the legal system and come to the system to resolve their problems. They hire lawyers, commit to the court process, and accept the outcome. It is apparent that Judge Fun brings his values as a father and husband to his courtroom. He promises to have an open heart and just mind, but also the thick skin needed to do the job. Judge Fun welcomes the challenge of his position in Juvenile Court. In Juvenile Court, he understands that the judges are required to be active from the bench. The statutes require that the judges stay with the case and reach in to help the family before the court. There are few places in our legal system that a judge has the authority and the obligation to truly motivate people to get better and the means to follow up. Judge Fun is grateful to the community for trusting him to be the final gatekeeper for the most precious of all relationships, the relationship of parent to child.

Honorable Rita Cobb

By Elizabeth Lemoine

When Judge Rita Cobb was told in her seventh grade class that "girls aren't lawyers," the tenacious young woman from rural Indiana set her sights on proving that girls can be successful lawyers, as well as successful wives, mothers and even judges.

Judge Cobb attended Purdue for undergraduate studies and took a year off between college and law school to work in a social services agency in Indiana. Working with disadvantaged families and psychologists gave her glimpses of the needs of dysfunctional families, which were in contrast to her own upbringing.

Judge Cobb and her husband moved to Oregon in the late seventies where they both attended Lewis and Clark

Law School. She attended during the day program and her husband worked and attended the four year night program. She muses that it was probably very helpful to their marriage that they didn't take the bar exam at the same time.

After graduating, Judge Cobb spent a year performing indigent defense work for Multnomah County. She came to Washington County after that to set up the jury pooling system and was introduced to Judge Lund, who in 1982 hired her to be the probate commissioner for Washington County Courts. She calls Judge Lund "a truly amazing person" and credits him for allowing her to work part-time while she raised her family, "even though it probably wasn't the norm back then." Judge Cobb also credits Judge Lund

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Hearsay from Around the Bar

By Prudence J. Uris

Have I mentioned before how confusing it is to keep track of all these attorneys moving from one office to another? So, as I mentioned in the last article, I first thought that with Ken McNeil hiring a mystery person, and Virginia Petersen leaving for a mystery job, that two and two had to equal four. I was totally wrong. Virginia Petersen is now working at the Marble Law Office in Forest Grove. She will continue to practice in the areas of domestic relations and criminal law.

Ken has lured away Len Ostrow, formerly of Nachtigal, Eisenstein and Associates. Len will continue focusing on criminal law and appellate work. Rumor has it he is also a prosecuting attorney for the City of Hillsboro. Talk about working both sides of the fence!

In an acknowledgment that Len can never be replaced, Nachtigal's office has moved in a new direction, hiring attorney Matthew McKean. Mr. McKean worked for Boeing for around 20 years, before basically deciding on a career

change. His practice is tentatively set to focus on estate planning and a civil practice.

In other moves, by the time you read this article, Sara Snyder will have moved over and joined Garland, Burton & McCaffrey. Rob Harris is looking for Virginia's replacement, Ron Ridehalgh has yet to replace Jennifer Davis, and the DA's office is hiring. And yes, I am aware that by the time you read this article that most of these positions may be filled.

Mary Bruington has her real engagement ring, though I kind of liked her temporary sparkler she had been sporting. And no Mr. McNair, she is not pregnant yet.

And of course, we all know the outcome of the judicial elections. Charlie Bailey will officially cease being a Deputy DA on December 1, 2006, and if the governor comes through, will start on December 4, 2006. Make sure to stop by and welcome Charlie in his new office. I believe his courtroom is the only one in the original courthouse that still has a functioning window.

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Hon. Rita Cobb

for being a wonderful teacher and mentor and encouraging her to apply for a pro tem judge position—a position she has held since 1989.

Judge Cobb was elected to full time status in May 2006 and says her role has changed to include such additional duties as criminal law, but that her heart still belongs to the Probate Department. She credits her staff as being the "best in the state" although she admits she may be a bit biased.

She believes that her biggest task as a judge is to raise awareness of the aging of America, which is happening at a rapid pace and will have an immense impact on all areas of the law, including criminal law and probate, guardianships and conservatorships. She states that currently one in ten people in their sixties have dementia,

and the number jumps dramatically for persons in their eighties where statistics show one of every two people has dementia. She believes that by raising awareness, the public will be better informed and the court will be able to implement better policies to assist and address issues of caregivers and the elderly in Washington County. Her efforts were recently recognized by the Chief Justice of the Oregon Supreme Court, who appointed her as our state delegate to the National Probate Judges College. Judge Cobb sees this honor as a prime opportunity to learn of other states' successful programs and introduce them to the Oregon Courts.

When she does have spare time, Judge Cobb loves to spend time with her husband and two wonderful children, one of whom is now in college and the other in high school. She recently traveled to China and Thailand in May and suggests that she

would like to participate in more trips such as these. At this point, however the sparkle and excitement in her voice tell me that she is probably too busy to travel much, as she has clearly committed her time, efforts and most importantly, her heart to her work as a Washington County Circuit Court judge.

Third Annual Pro Bono Fair

April 4, 2007

Marriott Portland Downtown Waterfront
1401 SW Naito Parkway
Portland, OR 97201

Sponsored by:

OSB New Lawyers Division
OSB Pro Bono Committee
MBA Young Lawyers Section
Legal Aid Services of Oregon & Oregon
Law Center Pro Bono Committee

Progress Made on Washington County “Specialty Courts” Initiatives

By Keith Rogers

The Circuit Court for Washington County has been actively engaged in a process over the last two years towards the implementation of at least three “specialty courts”. There is the expectation that all three, the Drug Court, a “mental health” court and an “early disposition” court will be up and running as early as next spring, 2007.

In 2004, Judge Kohl and Community Corrections Director John Hartner led a team which included representatives of Court Administration, the DA’s office, the Public Defender’s Office, the Washington County Sheriff’s Office, and Washington County Mental Health in the planning and implementation of a drug court. The court commenced in March of 2005 and has been running and growing successfully since that date.

The court is designed to channel criminal defendants with non-violent criminal charges and histories and whose criminal activities appear to be closely related to serious drug abuse into a post conviction program of intensive treatment and supervision. The program is open to residents of Washington County who are facing current new criminal charges or probation violation allegations. The eligible charges are not limited to drug charges, but include non-violent property crimes, including felonies, if drug abuse is a substantial factor in the defendant’s criminal conduct. Most entering drug court are facing charges which could result in substantial prison terms due to their status as repeat property offenders.

The drug court process consists of a plea agreement and the entry of guilty pleas upon entry into the program followed by a probationary term and intensive supervision. Participants live in drug-free housing, are required to seek employment and pay restitution, to undergo UA tests and attend counseling and group meetings regularly and to appear in court weekly before Judge Kohl in Courtroom 202. Violations of these terms normally result in an immediate, but “therapeutic,” sanction which might include community service or short jail sentences. The drug court concept emphasizes reformation and positive reinforcement for pro social behavior and recognizes that the recovery from drug dependence or addiction is not an easy road.

The program lasts from one year to 18 months, depending upon the individual’s progress. Upon completion, the charges of most participants are dropped and the person is able to start fresh with no additional record, no probation, a job, a home and no addiction to drugs or alcohol. To date,

eight participants have graduated from the program and others are approaching that goal.

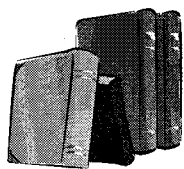
If you have inquiries about the court or if you have clients who you think may be eligible for the program, you can contact Lisa Nichols, the Drug Court Coordinator at Community Corrections, Deputy District Attorney Jason Short at the DA’s office or Keith Rogers at the Public Defender’s Office.

Also in progress is a team led by Judge Marco Hernandez focused on the establishment of a mental health court. The team has visited courts in this state and in Reno and Seattle to observe other systems in operation. With the substantial decline in the resources at the state level available to treat and house the mentally ill in this state over the last decade, more and more mentally ill persons in this county have inevitably ended up in the facility of last resort, the Washington County Jail, often for relatively minor criminal conduct directly related to their mental illness. What we have heard about such courts is: “If you’ve seen one mental health court, you’ve seen one mental health court”. Nevertheless, the general concept is to provide an intensive post-conviction supervision court to help mentally ill criminal defendants stay out of trouble, out of jail, and moving towards a safer and better life. It is hoped that this court may be implemented sometime early next year.

Finally, a team led by Judge Nachtigal and Judge Knapp have been working on the establishment of an “early disposition” court. The hope is that such a court may be up and running” in the LEC court as early as January.

The goal of an early disposition court is to provide “the same justice sooner.” As you can imagine, all parties to the process may have different concepts of what this entails, but representatives of the criminal defense bar and the DA’s office have been working through this issue and on the new procedures which may be implemented at LEC to allow appropriate cases to be resolved at arraignment. The ultimate goal is to streamline the system so that when it makes sense for all parties, cases can be concluded quickly to the advantage of all parties and the system as a whole.

If you have questions about any of these initiatives or how to provide any input you may wish to add, you can contact Keith Rogers at the Metropolitan Public Defender at 503-846-3413 for more information.



What's New at the Washington County Law Library

By Laura Orr, Law Librarian

ANOTHER STOLEN BOOK

As reported in the last issue of the WCBA Newsletter, several books on estate planning have been stolen recently from the Law Library. We add the following title to that list of stolen books: Foonberg, How to Start and Build a Law Practice, 5th edition. (Do you know anyone who is starting up an estate planning practice?)

BOOK THEFT AND THE BLAWGOSPHERE

From Oregon Legal Research Blog (<http://oregonlegalsresearch.blogspot.com/>)

For bibliophiles, the loss of a book is a source of much sadness (though in the scheme of all things that could possibly be lost in a lifetime, not so much): First there is denial: "What do you mean it's silly to look for the book in the silverware drawer? I know it's here somewhere!" Second is anger: "Why should I trust anyone who comes into my library ever again? Lock up all the books – now and forever!!" Third is bargaining: "I won't charge you any fines if you bring it back – pleeeze." Fourth is depression: "It's never coming home again, is it?" [Insert here moans and sighs.] Fifth is acceptance: "Just buy a new copy already! It's only a book, not your dog, your partner, your house, your city."

NEW TITLES IN THE LAW LIBRARY

CLEs

- "A Day with the Supremes - Crossroads: The Oregon Supreme Court & Appellate Practice in the 21st Century," OLI 2006
- "Elections Today: Initiative, Referendum, Recall, and Ethics," OSB 2006
- "Fact Investigation in Personal Injury Cases," OSB, 2006
- "Handling Domestic Relations Cases," (2 volumes), OSB, 2006
- "19th Annual Family Law Seminar," OLI 2006
- "Oregon Government Law 2006: The Latest Chapters in Public Law," OLI 2006
- "Oregon Workers' Compensation Law 2006: Essentials & Ethics," OLI 2006

- "Preparing Your Witnesses for Trial: The Key to Winning a Close Case," OLI 2006
- "Taking & Defending Depositions & Using Depositions at Trial," OSB 2006
- "The Contested Estate Plan (book only)," OSB 2006 (donated)
- "Understanding Psychological Evaluations," MBA, 2006
- "What You Need to Know: Basic Skills for Real Estate & Land Use Practice," OSB 2006

NEW BOOKS and JOURNALS

- U.S. Bank Will and Trust Forms, 4th edition, by Joseph Hanna, Jr. and Campbell Richardson
- "Rights of Children & Adolescents," by Leslie J. Harris, OSB, 2006.

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CLE Credit Approved

For those of you who attended the DOC presentation titled "Programs, AIP and Court Judgments" in room 202 of the Hillsboro courthouse back on March 7, 2006, you are in luck. The Bar has agreed to approve one general CLE credit.

Please record it in the following manner:

Date:	03/07/06
Sponsor:	DOC
Title:	Programs, AIP & Court Judgments
Location:	Hillsboro, Oregon
Credits:	1 General

ADVERTISE

WCBA Newsletter
Contact Julie Viner

Phone : 503-648-0300 /Fax : 503-693-9304
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WESTLAW IN THE LAW LIBRARY - MUNICIPAL LAW

In addition to forms, law journals, and other legal materials, our latest Westlaw contract allows you to search in the Municipal Law collection, which includes Matthews Municipal Ordinances, McQuillin's Municipal Law Report, McQuillin's Law of Municipal Corporations, McQuillin's Land Use and Zoning Practice, and Municipal Legal Forms.

Westlaw is available in the Law Library for no charge during and after regular business hours. At the public workstation, just click on Start and then Westlaw Patron Access. We do not offer formal Westlaw training, but are happy to help users with searching and navigation. The Westlaw reference attorney help line telephone number is posted if you need search assistance after-hours.

A FEW OREGON BLAWGS

(Note: A BLAWG is a LAW BLOG.)

- David Rossmiller's insurance blawg, here's the link:
www.insurancecoverageblog.com/

Washington County Law Library

111 NE Lincoln

Hillsboro, OR 97124

Phone: 503-846-8880

Fax: 503-846-3515

Email: lawlibrary@co.washington.or.us

URL: www.co.washington.or.us/lawlibrary

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

BRISBEE & STOCKTON LLC Attorneys at Law

The attorneys at Brisbee & Stockton, LLC are recognized as being among the top trial and appellate lawyers in the state.

While the firm remains committed to its long-time practice of defending civil litigation matters, the firm is pleased to announce its availability for referrals, associations, and consultation in all types of civil and commercial litigation in Oregon and Washington and in the federal courts, including appellate work at all levels.

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Changes Noted at the Juvenile Court

By the Honorable Jim Fun

Labor Day is intended to be a day of barbecues, unfinished yard work and shopping. For the Juvenile Court however, it was also a day to prepare for Judge Thompson's transition to the Domestic Relations Docket. In that regard, Judge Rini and I will continue to build on the collaborative relationships Judge Thompson and her staff have established with the Bar to improve the efficiency of the Juvenile Court.

Michelle Thoeny, my Judicial Assistant, is new to the Juvenile Court, but will be familiar to those of you who personally visited court calendaring. Ms. Thoeny is a

graduate of Gonzaga University, and as a Gresham Police Department Community Safety Specialist worked to implement Gresham's Daytime Curfew Ordinance. Judge Rini, Ms. Thoeny and I invite recommendations to improve your practice in our court.

In the coming weeks we will be working with DHS to provide Court Letters and 147B documentation to all parties prior to the permanency hearing. We appreciate that receiving current parent and child information prior to the hearing gives attorneys the opportunity to review

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Notes from the Courthouse

Case and evidence presentation equipment now available for attorney use in Washington County

The Washington County Circuit Court now has courtroom case and evidence presentation equipment that may be used by attorneys. Two mobile audio/video equipment carts and projection screens may be used by attorneys in courtrooms located in the courthouse and Justice Services Building. Each cart contains a projector, document camera, combination VCR/DVD/CD player, and audio speakers. Attorneys may plug their laptop computer into the cart to display images (e.g., power point, documents, graphics, pictures and videos) on the projection screen and amplify audio. Attorneys interested in reserving a cart and/or screen should contact Trial Court Administrator Richard Moellmer, 503-846-8787, richard.e.moellmer@ojd.state.or.us. A short orientation on how to use the equipment is recommended before the day of trial. Court personnel will deliver the equipment to the courtroom; attorneys are responsible for its operation.

Attorney Workroom Available

Judge Kohl and Richard Moellmer have kindly made arrangements for Washington County contract indigent defense attorneys to soon begin using room 309C as an "Attorney Workroom." This space will be available for these attorneys for telephone calls (long distance will be at their own expense) and even computer connection (dial up internet access at their own expense) to their offices. This room is not to be used for attorney-client conferences.

The court reserves the right to reclaim the room for other court purposes.

Reminders from Judge Gardner

These are for Civil Cases only:

Monday Morning Motion Hearings

- There is a \$39 hearing fee for civil hearings. It must be paid by the moving party prior to their hearing or it will not be heard.

General Filing Information

- Unless the judge specifically requests that a filing be sent directly to him, please send ALL civil documents Attn: Civil Clerk's office. They will log them in and send them directly to the appropriate judge.
- Please DO NOT send courtesy copies or judge copies to the judge's office for your case. He/she will have your originals to look at as he/she is given the entire file. We will request a copy from you if it becomes necessary.
- Do not fax filings to the judge's office. Please have them delivered by a service if it is imperative that they arrived yesterday.

Settlement

- Judge Mark Gardner has each Friday set aside to facilitate settlement conferences. If you would like to schedule a settlement conference for your civil case: please call Robbin Lake at (503) 846-4417.

Conciliation Services at a Glance

By Wendy Hull, JD Senior Program Coordinator Conciliation Services

As most of the family law practitioners in Washington County know, we provide free custody and parenting time mediation services to clients involved in a domestic relations action and perform low cost custody and parenting time evaluations when mediation has been unsuccessful. Our main goal is to assist parents in reducing conflict by providing services in a manner that is respectful and focuses on their strengths and the needs of their children. To that end, we provide additional services and assistance to clients that attorneys may not be aware of.

- We provide free mediation to parents who are not involved in a court process. Parties are not required to participate in mediation orientation or Kids' Turn to utilize this service. They only need to agree to come. We encourage clients to utilize this service prior to filing matters in court and to help resolve parenting time/parenting conflicts sooner rather than later.
- We provide free short-term marriage/ couples counseling to Washington County residents with children. We also provide what we term "co-parenting counseling" for separated parents, who live in Washington County, and have a common desire to communicate better for the benefit of their children.
- We provide mediation to clients who have Family Abuse Prevention Act restraining orders in place, and have a concurrent domestic relations case filed. Our FAPA protocols were developed in conjunction with the court and local advocates for victims of domestic violence to insure safety for all parties and reduce the risk of legal consequences while parents have contact at our offices. When any client presents for mediation and expresses a concern about safety, we make every effort to make them feel safe and to give them options in the mediation process.
- We provide interpreters for clients who request them. Alex Vidal, LCSW is our bilingual counselor in English and Spanish, and is always helping Spanish-speaking clients receive services in our office.
- We have an Advisory Board which meets bi-annually. Your colleagues Barbara McFarland and Laura Schantz serve on this board. We meet to discuss issues related to our services and any concerns from you, the judges and other community partners.
- We are involved in the community. Many of the counselors at Conciliation Services are members of local boards and committees to stay connected with the

community and learn how others are providing services to our clients. We are also available to come and meet with community partners to provide more specific information about the services we do and do not provide.

- We are always available to answer questions about our services and encourage parents and attorneys to call us, or stop by our offices, particularly if there are any questions or special circumstances involving the family (one or both parents live out of the area, interpreter services are needed, child welfare is involved with the family, etc). We serve clients best when we know what they need before they come to our offices for services. Conciliation Services' phone number is (503) 846-3428. Clients who speak Spanish can reach Alex at (503) 846-8852.

We hope this information is helpful to you and your clients. We appreciate the support local attorneys have for our program and their clients as they utilize our services.

Wendy Hull, JD
Senior Program Coordinator
Conciliation Services

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Juvenile Court

updated information with their clients before the hearing, and enables attorneys to use court time to the advantage of their clients.

We will continue work to reduce the length of time to jurisdiction and require all motions for reset to be submitted in writing. Judge Rini and myself will continue to hear both delinquency and dependency cases to ensure cases set for trial are resolved timely. We will also be making a greater effort to resolve termination cases in Juvenile Court. When a termination is set for a best interests/settlement conference we will continue to ask all attorneys to provide a confidential written statement regarding case issues directly to the court. The settlement statement is for the court's benefit to assist the parties in a meaningful discussion of resolution. Information provided to the court in the settlement statement will not be disclosed to other parties in the case,

or the subsequent trial judge. The settlement statement should be submitted directly to the Juvenile Judge who is conducting the best interests/settlement conference. It will be my practice to destroy the settlement statement at the conclusion of the settlement hearing, absent an agreement by the submitting party that the court retain the settlement statement for further negotiations at the pretrial hearing. The settlement statement should not be filed with the clerk's office

If the termination case cannot be resolved in Juvenile Court, we will resolve all discovery, pretrial evidence and scheduling issues for the parties and trial court at the pretrial conference. Given the complexity and gravity of the issues involved, it is our expectation that attorneys will take full advantage of the opportunity to resolve all pretrial issues before trial.

Thank you for the courtesies extended to us. Once again, we invite suggestions that will help improve your practice in Juvenile Court.

Classifieds

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