

# WASHINGTON COUNTY BAR ASSOCIATION

January/February 2007

NEWSLETTER

VOLUME 25 NUMBER 1

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## Oregon Supreme Court to be Featured Guests at March 14, 2007 WCBA Dinner



The Oregon Supreme Court. From left to right: Justice W. Michael Gillette, Justice Rives Kistler, Chief Justice Paul J. DeMuniz, Justice Martha L. Walters, Justice Robert D. Durham, Justice Virginia L. Linder and Justice Thomas A. Balmer.

The March 2007 Washington County Bar Association dinner will be held on Wednesday, March 14, 2007, at the Rock Creek Country Club. The dinner will feature members of the Oregon Supreme Court as special guests.

The Court, as they have for the past few years, will be present for pre-dinner cocktails and for the dinner itself. Attendees will have an opportunity to mingle and converse with the justices in a casual and friendly atmosphere.

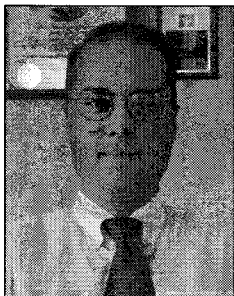
In addition, Justice Rives Kistler will present a CLE program prior to the Dinner on Search and Seizure law. The CLE will begin at 5:00 p.m. Cocktails will begin at 6:30 p.m., with Dinner at 7:00p.m.

For reservations for dinner and/or the CLE, contact Julie Viner at the WCBA offices at 503-648-0300.

## President's Message

### WCBA Membership Provides Many Benefits, including Free Blazer Tickets!

By WCBA President Ken W. McNeil



Ken W. McNeil

We are now several months into our new year, and we have much to look forward to. Of course, a new year means that it is time to renew your membership in the Washington County Bar Association. If you renew or join the WCBA in 2007, you can receive free premium tickets to an upcoming Portland Trail Blazers game. We have been able to secure an opportunity through Premium Seating at Global Spectrum for you and a guest to experience the brand new Lexus Club level at an upcoming Trail Blazers game absolutely free, with no strings attached. This private level includes exclusive access to luxury lounge areas, gourmet buffets (for a \$25 fee), LCD TVs, and two 60 foot long bars. You may choose from home games on March 11th or March 14th, but there may be additional games available. These tickets are subject to availability, and food and parking is not included. To secure your two tickets, please contact Bryce Yonker at [bryce.yonker@rosequater.com](mailto:bryce.yonker@rosequater.com), or by calling Bryce at (503) 963-3885. Make sure to tell Bryce that you are with the WCBA. Also, if you have not yet already done so, please complete your WCBA 2007 dues form located later in this newsletter, and return that form to us soon.

Our upcoming CLE and dinner meetings have a little bit of something for everyone. On March 14th, Supreme Court

Justice Rives Kistler will present an update on Oregon Search and Seizure law. For our March dinner meeting, we have a "2 for 1 special" where if a prosecutor and defense attorney come together, they will receive two dinners for the price of one. However, the prosecutor and defense lawyer must sit together in order to enjoy this benefit, so make plans now before your favorite prosecutor or defense attorney are already taken. Of course, all WCBA members (not just prosecutors and defense lawyers) are always welcome to our dinner meeting.

Future CLEs include how immigration law can affect your practice, and a presentation on elder law. Future dinners will include our annual staff appreciation dinner in April, our annual business meeting in May, and the always fun Barbeque and awards presentation in June.

It is with a bit of sadness that I must report the demise of our annual summer golf tournament. Participation was quite low in 2006, and it seems like the same people continue to win year-in and year-out. Furthermore, we lost quite a bit of money on the event, and there was little time for group mingling due to the staggered tee times of the tournament. However, if any of our members wish to spearhead a newly invigorated golf tournament this summer, please contact me.

So, as you can see, your hard working Washington County Bar Association continues to stay as busy as you probably are. I look forward to seeing you at our future events.

## INVESTITURE OF JUDGE CHARLIE BAILEY

By Ken W. McNeil

Friends, family, many prosecutors, other colleagues and special guests attended the formal investiture ceremony of Judge D. Charles Bailey on February 23, 2007 at the Huffman Auditorium of the Washington County Public Services Building. In addition to being attended by almost all of the county's Circuit Court Judges (Judge Knapp was vacationing out of the country), retired Judges Karl Freerksen and Al Bonebrake were present. One special guest included Senior Judge James Ellis from Multnomah County who administered the oath of office to new Judge Bailey.

WCBA President Ken McNeil presented a robe to Judge Bailey, whereupon Judge Bailey took a seat with the other Circuit Court Judges. Each of the Circuit Court Judges then had an opportunity to convey words of wisdom and encouragement upon Judge Bailey. Judge Bailey then thanked his family and friends for their hard work in the recent election, and he shared some thoughts about his philosophies about being a Circuit Court Judge and the enthusiasm he brings to the position.

A nice reception followed the ceremony with cake and refreshments.

# 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:

- March/April 2007 Issue: March 30, 2007

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

- WCBA March Dinner/CLE  
Wednesday, March 14, 2007/Rock Creek Country Club  
CLE: Search and Seizure with Justice Kistler  
Dinner Speaker: Oregon Supreme Court  
CLE begins at 5:00 p.m., Cocktails at 6:30 p.m., Dinner at 7:00 p.m. Price is \$20.00 for WCBA members, and \$25.00 for non-members. Please make reservations
- WCBA April Dinner/CLE  
Wednesday, April 11, 2007  
Rock Creek Country Club  
CLE: How immigration law can affect your practice  
Dinner Speaker: Oregon Supreme Court  
CLE begins at 5:00 p.m., Cocktails at 6:30 p.m., Dinner at 7:00 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.

- HIPAA Meets the Oregon Rules of Civil Procedure  
Tuesday, March 6, 2007, 3:00 - 5:00 p.m.  
World Trade Center Auditorium  
26 SW Salmon; \$50
- Annual Family Law Update  
Thursday, March 8, 2007, 3:00 - 5:00 p.m.  
World Trade Center Auditorium  
26 SW Salmon; \$50
- Common Errors to Avoid In Charitable Giving  
Wednesday, March 21, 2007, 3:00 - 5:00 p.m.  
World Trade Center Auditorium  
26 SW Salmon; \$50

- Intellectual Property Law Tips for the Non-Specialist  
Thursday, March 22, 2007, 3:00 - 5:00 p.m.  
World Trade Center Auditorium  
26 SW Salmon; \$50
- Presiding Courts Update for Washington, Clackamas and Clark Counties  
Tuesday, April 10, 2007, 3:00 - 5:00 p.m.  
World Trade Center Auditorium  
26 SW Salmon; \$50

## Washington County Bar Association

### Board Members

Ken McNeil, *President*  
Keith Rogers, *President-Elect*  
Becky Mehringer, *Treasurer*  
Sue Hohbach, *Secretary*

### Directors:

Elizabeth Lemoine  
Michael Stone  
Dawn LaGrone  
Oscar Garcia  
Bret Knewtson

### Administrative Assistant:

Julie Viner

### Immediate Past President

Michele Rini

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

## 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

# Top 10 Websites for Amateur Sleuths

By Becky Mehringer

For some of us, we have grown up in the computer age and “googling” and web “surfing” is something we can do in our sleep. But for those of us who grew up in the age of carbon paper and White Out, here are a few websites that might help you out if you can't find what you are looking for. Note: For the true novices, point your cursor to the large white box at the top of your screen and type in the following:

1. [www.Infospace.com](http://www.infospace.com) - Look up any business, type of business or person in the United States. Even if you don't know a town, it will list all persons by that name in the state. It's like a Yellow Pages Book for the entire country, and your fingers don't get tired.
2. [www.Google.com](http://www.Google.com) - No explanation needed. Just type in a person's name or phone number. You can get lots of information on the person or use the system as a reverse directory for everything from phone numbers to addresses. This also works when you can't figure out the lyrics of a song - just type in the words you know, put them in “quotes” and hit “enter” - or if you can't remember the fifth member of the Partridge Family and the office can't get back to normal without the answer.
3. [www.Zillow.com](http://www.Zillow.com) - For property location and current values. Type in the property address and you'll get a map and a value, but not the owner information. Some of the rural areas are not covered, but most urban areas are - again, throughout the United States. Just don't look up the house you “just” sold. You'll be sick if you find out how much it's worth now!
4. [www.co.washington.or.us](http://www.co.washington.or.us) - Everything from tomorrow's court calendar to inclement weather to a great list of Frequently Asked Questions. The website also includes the 2/1/06 Supplemental Local Rules if you click on “departments” and then “circuit courts.” Click on “departments” and then “sheriff” to get the Washington County Sheriff's Department website. Find out if your client is still in jail or if he's just been released! It has an up-to-date jail log, including crimes charged and projected release dates.
5. <http://landru.leg.state.or.us/ors> - Oregon State Bar Director. Note: The only glitch of this site is that disbarred members are not listed as such. They are just not listed. If you need specific information such as date of disbarment, reasons, etc., you need to contact the bar directly, by phone or e-mail.
7. <http://dcs.state.or.us> - Oregon Division of Child Support - rules, manual and calculators. It's always a good idea to run the numbers before hand, just in case the child support is going up, when you told your client it should go down.
8. [www.ojd.state.or.us](http://www.ojd.state.or.us) - Oregon Judicial District - includes state court holidays.
9. <http://www.sos.state.or.us> - This is a great website for Oregon Blue Book and Administrative Rules (under the Archives Division) or if you click on Corporate Division you can search for everything from business names to looking up old stock certificates to UCC record searches.
10. [www.zabasearch.com](http://www.zabasearch.com) - Be careful with this one. If you type in zappa (instead of zaba) you get a floating head of Frank Zappa on your screen! I am a new convert to this website. It is almost scary how much information is on there. While Infospace gives you a most recent address, zaba gives you the person's previous addresses and their nearest relatives, for further verification. I plugged in my own name just to test it. After 25 years of moving around the country (courtesy of the military), it had at least five of my previous addresses. Birthday was wrong (I'm only 29), but the rest was correct. Even for people with “unlisted” numbers in the regular phone books, this site will have the info. You have to play with the site a little bit, and finally it will stop giving you information for free and show you “special reports” you can purchase. At that point, just click out!

Best of luck sleuthing.

## 2 for 1 Special!

**Prosecutors and Defense Attorneys: Come to the March 2007 WCBA Dinner together and receive 2 dinners for the price of 1!**

See Presidents Message for details

# January 2007 CLE/Dinner Provides State of the Courts and Much More

By Sue Hohbach

The January 2007 WCBA CLE and dinner were well-attended with many past and present Washington County judges in attendance. Several were present to honor Retired Judge Al Musick in celebrating his 95th birthday.

Speakers at the CLE program were Judge Keith Raines, current head of the Family Law judges, Judge Gayle Nachtigal, who is currently presiding criminal judge, and Judge Tom Kohl, standing in for Judge Mark Gardner, head of the civil bench. The following summarizes the information imparted by each, as supplemented by further investigation.

## Criminal Cases

Washington County is working on the finishing touches of an early case resolution program, currently scheduled to begin on March 7, 2007. As part of this program, defendants will be required to arrive for arraignment at 8:30 am, which will provide time for court staff to complete paperwork, court-appointed attorneys to review police reports and discuss with eligible defendants their options in regard to the program, and defendants to consider whether to enroll in the program by the time Judge Knapp takes the bench at LEC at 10:00. There will be assigned, dedicated positions as part of this program, to include the judge, the representative from the District Attorney's office, and the defense bar. Currently the identified judge is Rick Knapp and the identified Senior Deputy District Attorney is Tom Tintera. The District Attorney's office has put together a tentative list of charges and criteria that will be used to determine eligibility for this program, which includes most misdemeanor and many class C felony crimes. The program is slated to begin March 7, 2007.

Those defendants who do not qualify for court-appointed counsel will be given a new arraignment date and time so that they might also be afforded an opportunity to make an informed decision as to whether or not to participate in the early case resolution program.

## DUII Sentencing

The judges have come out with a new set of advisory sentencing guidelines to which each judge has agreed. It is important to remember that these are guidelines only, and that other factors may influence the actual sentence given in any particular case, such as whether the defendant has previously participated in a diversion program and how long ago, and whether they also have recent drug convictions, for example.

- First DUII conviction: enhanced bench probation + 2 days jail or 80 hours of community service.
- Second DUII conviction: enhanced bench probation + 30-60 days jail and programs specific to defendant.

- Third DUII conviction: formal probation + 90-180 days in jail and programs specific to defendant.

Judge Price will continue to require defendants to read the book *Under the Influence* by Dr. James Milam and Kathryn Ketcham. The book is available at Barnes & Noble and the jail library.

## Traffic Crimes

Arraignments on traffic crimes (DUII, hit and run, DWS, for example) will no longer be done on the Position 1 traffic arraignment docket. Instead, those cases will be absorbed into the regular arraignment docket that takes place at LEC. The few remaining traffic violation cases will continue to be scheduled for arraignment on the Position 1 traffic docket.

## Probation Violations

The "didn't do" probation violation matters – failed to pay fines, failed to complete community service, failed to attend theft talk – will be scheduled at 1:30 pm before Judge Cobb on Tuesdays, Thursdays and Fridays. Defendants will be given a new date by which the probation condition(s) must be completed and if they again fail to complete, they will be scheduled to appear for a probation violation hearing.

## Probate Court

Judge Cobb will have dedicated days on which she will handle probate matters. Those days will primarily be Mondays and Wednesdays, with some flexibility to accommodate multi-day trials. She will continue to perform adoption ceremonies, and those will occur during the dedicated probate times.

On days that the probate matters settle, Judge Cobb will be available to hear criminal matters.

## Family Law

Please see page 9 of this newsletter.

## Civil Docket

Judge Gardner has set aside Fridays for settlement conferences. Of the 66 cases that have gone to settlement conference, 56 have actually been settled. One of those cases was a very large construction defect case that included approximately 51 parties and their related lawyers and witnesses. Judge Gardner made full use of the courthouse and even contributed coffee and donuts in order to resolve a \$5,000,000 case that would have taken weeks if not months and would have been a logistical nightmare to try.

Under Judge Gardner's new program, once both parties

*Continued on page 6*

have appeared in the case, the parties will be sent a notice from the calendaring office that they must confer and provide the court with a proposed trial date nine months from the date the case was filed, as well as deadlines for the completion of motion practice, discovery and settlement negotiations. If the parties fail to provide those dates to Layla Zand in the calendaring office within 15 days of the date of the notice or the first court appearance, whichever is first, a hearing will be set for 8:30 am on an emergency basis and the parties will be required to appear. The parties are also required to confirm with Layla that each benchmark has been met along the way.

For cases that do continue on to trial, Judge Gardner's staff will contact the parties to determine how long the trial is expected to last, how many jurors will be required, the number of witnesses in the case, and whether any special accommodations are needed. Court staff will also provide further instruction at that time with regard to trial memoranda, jury instructions, and the trial start time.

For motion hearings, motion praecipes are not required, and all motions will be immediately set for hearing upon being received by Layla.

## State of the Court

Judge Kohl was one of the featured dinner speakers and gave the annual "State of the Court" address. The following is a summary of his comments.

Judge Gardner will continue to be the chief civil court judge. Judge Nachtigal will continue to handle the criminal docket. Judge Raines will continue to head up the family law department. Judge Letourneau will split his time evenly between the family law and criminal dockets. He will be assigned to the criminal docket during odd-numbered months and the family law docket during even-numbered months. Judge Upton and her staff will continue to handle the DUII diversion docket. Judge Cobb will provide consistency with the PV docket. Judge Price will continue to handle the post-conviction relief matters as well as the domestic violence docket on Mondays. Judge Knapp will continue to take charge of the LEC docket and will head up the early case resolution program. Judge Hernandez is currently working to establish a mental health court and is hoping to start a pilot program at the end of January 2007 that can accommodate up to 150 people. Judge Kohl will continue to oversee the drug court program, which will be increasing its capacity due to additional funding. A new referee position is being created to handle traffic arraignments, small claims and FED matters. This position is expected to begin March or April 2007.

## Oregon State Bar

Incoming Oregon State Bar President Al Menashe also attended the dinner meeting, along with Karen Garst from the OSB. Mr. Menashe updated WCBA members as to the current happenings with the Oregon State Bar.

The bar has signed a contract for a new building to be located just off I-5, one exit south of the current building. The current building cost OSB members \$2,000,000 originally and is now valued and expected to be sold for \$7,000,000 - \$8,000,000. The new building will cost \$19,000,000 and should be paid for and owned free and clear and worth substantially more money in 15 years. The projected completion date for the new building is February 2008.

The Board of Governors has forwarded a resolution to the Oregon Supreme Court to allow for on-line filing in state court, similar to that currently being done in the federal court system.

Mr. Menashe noted that for the first time ever there are now more women judges than men in Multnomah County, and there are more women partners than men in his family law firm, Gevurtz, Menashe. He also stated that in his experience, no state enjoys a better relationship between the bench, the bar and the law schools than does Oregon.

## Miscellaneous

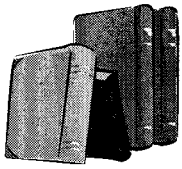
Judge Ashmanskas, formerly of the Washington County bench, now aiming to retire next year from the U.S. District Court, was also present and encouraged WCBA members to consider filling his seat.

Retired Washington County Judge Musick thanked the WCBA membership for the accolade that was presented to him in absentia last year. He has hanged the plaque on his living room wall and enjoys bragging about it to friends.

Trial Court Administrator Richard Moellmer was present and invited the membership to use the new media carts that are now available to attorneys. There is one media cart, consisting of an overhead projector, a large screen, a DVD / CD player, VCR, and a laptop plug-in in the courthouse, and another like setup in the Justice Services Building. To reserve the carts, contact Richard Moellmer at 503-846-8767.

Judge Thompson and Referee Michele Rini, who were also present, recently received honors from the Oregon Juvenile Department Director's Association recognizing them for "service in the Juvenile Court and for commitment to the youth, families, and communities of Oregon."

Attorney Susana Alba implored attorneys to volunteer their time on Wednesday evenings to assist St. Andrews Legal Clinic with completing intake sessions with low-income members of the community. For those who don't normally practice in the area of family law, there is always a staff attorney present during the intake hours to assist with questions. If you are interested in volunteering, contact Susana Alba at 503-648-1600.



# What's New at the Washington County Law Library

By Laura Orr, Law Librarian

## OSB BarBooks: Online CLE Manuals

Have you read about the OSB BarBooks service? The Bar has created a subscription database that gives you remote access from your desktop to all CLE Manuals (aka desk-books, practice manuals, or looseleaves). Your Washington County Law Library has not yet subscribed to the OSB BarBooks service. But we will be watching the development of the database and listening to feedback from attorneys who use it. We will continue to subscribe to the print CLE practice manuals. You can find more information about BarBooks at: [www.osbar.org/cle/pubs/BarBooks.html](http://www.osbar.org/cle/pubs/BarBooks.html)

## HeinOnline from Your Desktop PC

*HeinOnline* is a database of primary and secondary legal materials, many of which you won't find elsewhere. *HeinOnline* has the Federal Register from 1936 to the present, the full-runs 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 and maybe even some fun (especially if you're a legal history buff).

You have access to *HeinOnline* from any computer with Internet access – as long as you have a Washington County public library card. We do not issue the public library cards here in the Law Library, but just about any public library in Washington County can. The library card will give you access to the databases the Washington County library system subscribes to, including *HeinOnline*. So log onto Wilinet ([www.wilinet.wccls.lib.or.us/](http://www.wilinet.wccls.lib.or.us/)), select the Government/Law database option, click on *HeinOnline*, type in your library card number, and enjoy.

## Fastcase from Your Desktop PC (coming in the Spring)

I have been looking for an online legal database that I could make available to Washington County attorneys and pro se litigants through the Washington County public library Wilinet service, the same way I make *HeinOnline* available. *Fastcase* ([www.fastcase.com](http://www.fastcase.com)) is willing to work on this with us. This will be another *First in the Country* trial for us, just as *HeinOnline* was (and still is). Most legal database companies are not willing to make their databases available through public libraries. When the *Fastcase* trial begins, I will announce it on the Oregon Legal Research

blog (<http://oregonlegalresearch.blogspot.com/>) and in the next newsletter. I am planning a 4-month trial that will begin in March or April so you should have plenty of time to take it for a spin.

## Avail: Conf Rm w/Vu 4 Mtgs, Arbs, Deps

Roughly translated, this reads: *Available: Conference Room with View for Meetings, Arbitrations and Depositions*. Did you know that you may reserve the Law Library's conference room for an hour, a day, or even for a week? There is no charge. The conference room accommodates 8-10 comfortably for meetings, depositions and arbitrations. We do not yet have wireless (though we may have it by the time this makes it to print). We can provide a speaker phone. You may consume food and beverages in the Conference Room, but Law Library staff cannot provide refreshments, office supplies or secretarial services.

## Ofc 4 rent, w/LawLib

Speaking of conference rooms ... When you see an ad in a bar association newsletter or in the OSB Bulletin for law office rental space in Hillsboro, near the Washington County Courthouse, don't forget that you get a Law Library with your rental package. The Washington County Law Library is across the street from the Courthouse. Washington County attorneys may request a key for 24/7 access, use our on-site, no-charge Westlaw and Shepard's searching privileges, reserve the conference room, and of course have access to trained law library staff.

## NEW TITLES IN THE LAW LIBRARY

### CLE Course Books and Tapes/CDs

We took a break last fall from ordering new CLEs to free up time to spend with you while you checked out CLEs for your reporting year. Congratulations on completing your MCLE requirements! We will begin ordering CLE course books again in early spring



## DONATIONS

Please give special thanks to Attorney Karen Wilson for donating to the Law Library a copy of Jay Foonberg's "How to Start & Build a Law Practice." You may remember that the Law Library's copy had been stolen. Thank you, Karen!

And, give another special thanks to Attorney Kevin Harker, who donated a copy of the Northwest HOA Law Center's *Official HOA Handbook*. Thank you, Kevin!

## NEW BOOKS and JOURNALS

- "Bill of Rights for Homeowners in Associations: Basic Principles of Consumer Protection and Sample Model Statute," by David A. Kahne, AARP, 2006. (This publication is also available at [www.aarp.org/ppi](http://www.aarp.org/ppi)).
- "Oregon Appellate Almanac," vol. 1, 2006, OSB Appellate Practice Section.
- "Official HOA Handbook, Oregon 2003," by Vial, A. Richard, Northwest HOA Law Center.

- "Termination of Parental Rights," OCDLA 2006 (course book only, not CLE audio).
- "Wage & Hour Laws: A Handbook for Oregon Employers" BOLI, 2006 ed.
- In addition to our subscriptions to Oregon law reviews, we also now have current subscriptions to the ABA Family Law Quarterly and Family Advocate and to Lewis & Clark Law School's Animal Law. You may check out these journals.

## 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/>

## Classifieds

### ■ LOCATION, LOCATION, LOCATION! NEW PROFESSIONAL OFFICE BUILDING FOR LEASE

At 4975 SW Watson Street, Beaverton, Oregon. 2,211 Sq. Ft. with 7 parking spaces, 7 offices, reception area, conference room, file storage, work room and kitchen area. Asking \$3150 per/mo NNN. Contact Mele, Taylor & Westerdahl Real Estate at (503) 223-2588 or online at [www.mtwre.com](http://www.mtwre.com).

### ■ HILLSBORO OFFICE SPACE

Large office and first class accommodations in Lincoln Street Professional Center, 330 N. E. Lincoln Street, Hillsboro. Available Now. Rent \$975 includes office, telephone (except for long distance charges), large staff area, use of three conference rooms, kitchen, shower, some on-site file storage, and off-street parking. Other available amenities include DSL, internet connection, on line legal research, copier, scanner, fax, and intra office network. Contact Andrew Rich at (503) 693-3633 or [Arich@AndrewRich.com](mailto:Arich@AndrewRich.com).

### ■ HILLSBORO, NEW OFFICE BUILDING

Newly constructed building with space for lease in City Center near Courthouse with off street parking. 3 Levels, up to 5,977sf each. Lease rate is \$18.00/Sq. Ft.. Full Service. Will improve to suit; improvements negotiable. Contact David Green at (503) 201-5837.

### ■ LARGE OFFICE ON 2ND STREET

Available immediately. \$450.00/mo includes office, telephone (except for long distance charges), staff area, use of conference room, kitchen, shower, on-site file storage, DSL, internet connection, copier, scanner, and fax. Contact Ray Bassel or Hope at (503) 693-8725 or [ray@bassellaw.com](mailto:ray@bassellaw.com).

### ■ BEAVERTON

For rent: spacious 12'x16' office with large windows, plus secretarial space. Building has 8 total offices occupied by a congenial group of solo practitioners of various legal backgrounds. Shared copy machine, fax machine, DSL, law library and conference room. Free parking. Easy access to Hwy 26 and 217. Call Charlie Ringo at (503) 643-7500. \$700/mo

## OREGON STATE BAR

### Pro Bono Roll Call

Help Us Spread the News about the Great Things Lawyers Do for their Community

Participate in the 2006 Pro Bono Roll Call and the Pro Bono Challenge by reporting your hours at [www.osbar.org/probono](http://www.osbar.org/probono)





# News and Notes From Family Law Court

By Hon. Keith Raines, Washington County Circuit Court Judge

## 1. Team Assignments:

- A Judge Thompson
- B Judge Bailey
- C Judge Raines
- D Judge Letourneau Every 7th case  
Juvenile Judge Fun & Pro Tem Judge Rini

Judge Letourneau is sharing duties between the criminal and family law teams. He will be assigned criminal team cases in odd numbered months and have visitation with the family law team in even numbered months. He will not be assigned FAPA applications or DA/SED rotations. He will do criminal pretrials on Mondays. He will make himself available for dom rel emergency hearings in odd numbered months.

If the parties have a pending dependency juvenile court case and a family law case, they will be consolidated and referred to Judge Fun for assignment. If juvenile court issues dominate, the consolidated cases will likely stay in juvenile court.

2. **Ex Parte:** Now at 8:30 am and 1:30 pm. Afternoon ex parte occurs after FAPA contested hearings and FAPA applications, leading to some delays. The Court doing FAPA applications may have ex parte go to a different judge or wait outside to reduce noise during courtroom presentations.
3. **FAPA:** Contested hearings presumptively go to our rotating panel of volunteer Pro Tems who hear the cases on Thursday: Dick Barton, Tom Rask, Greg Soriano and Connie Terwilliger. A fifth attorney will be joining the pool and is awaiting appointment.  
If there is a pending family law case at the time of the request for hearing, the hearing is assigned to the department handling the family law case. If the family law case is filed after the hearing request, you may ask for a reassignment of the contested hearing to the respective department. Contact Sue Gerhardt, who does assignments.
4. **Mediation:** We are developing more friendly forms for mediation dealing with telephone mediation and waivers of orientation. If you have a Spanish speaker, use the regular mediation process; Spanish speakers are called at the beginning of orientation to meet with a Spanish speaking mediator. Mediation services are currently available for dom rel cases in which there is

a FAPA; we are examining how to make provisions in the event of a stalking order. We will also be requesting information about the existence of FAPA TROs and stalking orders on our new forms.

5. **Kids Turn:** Registration materials for Kids Turn are available at our website: [www.ojd.state.or.us/wsh/famlaw1.htm](http://www.ojd.state.or.us/wsh/famlaw1.htm). Rather than having your client call the KT number to get this, please print these up and give them to your clients so they can take advantage of this gateway to other resources.
6. **Status:** Status conference notices will be accompanied by an order requiring the parties to complete Kids' Turn (if there are children) and mediation (if the parties don't agree on terms) before the status conference. Judge Letourneau is experimenting with holding status conferences 2 weeks before trial.
7. **Supervision:** We currently have no effective agency providing supervised parenting time. Judge Letourneau is heading up a committee seeking VAWA funding for a program. There is no way of predicting success.
8. **Bench/Bar:** The bench/bar family law committee has been inactive recently. The judges welcome the opportunity to convene with interested counsel on an organized basis.
9. **Custody:** The team has determined to continue its policy that no post-judgment emergency temporary custody orders will be issued without a separate modification show cause order.
10. **Dismissals:** The court will routinely grant orders to vacate dismissal judgments only if accompanied by a stipulated judgment. Otherwise, a party must refile the case or seek relief under ORCP 71 with notice to the other party, even if the other party is in default.

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## Hearsay From Around the Bar

By Prudence J. Uris

For those of you who have not heard, Patrick McCarty is leaving Ridehalgh's and is heading to the Lone Star State. Upon hearing that he passed the Texas bar exam last year, I had to ask him: why the Texas exam? I mean, I know it's a border state, but not with Oregon! Well, it appears that Texas is where the family is, so he's heading home. Andrew McLain, not to be confused with Matthew McKean of Nachtigal's office or with Jeff MacLean with the DA's office, for the time being will be taking over Patrick's caseload. Jude Kassar will be moving to a part-time position, handling most of the termination of parental rights cases. Previously, Andrew was practicing criminal defense in Multnomah County with Jeff Silver.

Shelley L. Fuller & Associates has been joined by Clark Deichler, who was formerly a practitioner in Beaverton. His practice is currently focusing on criminal defense and family law. Also, Fuller & Associates have moved into bigger digs just downstairs from their previous location.

The District Attorney's office has seen a great deal of change. Carrie Lyons has moved from support enforcement

to misdemeanors; Barbara Frisella moved from juvenile to support enforcement; Dustin Staten moved from felonies to juvenile; Matt Hall, Chris Lewman and Gina Skinner moved from misdemeanors to felonies; Beth Roberts is coordinating the misdemeanor unit; and they have hired Amanda Villa, Nadya Martin, Erin Kollar and Kevin Barton as new misdemeanor DDAs. I apologize if I missed anyone. This has been very confusing for me.

Sandra Naranjo, who replaced Arthur Saito at St. Andrew's, has joined the Harris Law Firm. She will continue to practice domestic relations. And Rob, how did that open house go? Susana Alba is leaving St. Andrew's as well, although not until August. You can't say that she does not give ample notice.

The Christmas Party had a nice turnout (Ms. Alba did not throw a single brownie) and we were joined by some honored guests. In alphabetical order, by Judges Ashmanskas, Freerkson, Musick and Pihl. Santa's helpers helped with the gift raffle. Santa deemed it unwise to hand out the gifts based upon the naughty and nice list. After all,

*Continued on back cover*

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The WCBA is a local association of lawyers serving Washington County practitioners. It provides a forum for the exchange of ideas and for local bar members to voice their views on matters of importance to their everyday practice. Consider the benefits of low-cost membership:

- \$ You will receive the WCBA Newsletter which keeps you informed (and sometimes entertained) on updated information from Washington County Judges, various bar committees, monthly CLE Programs, social dinners & activities, the law library, etc. The Newsletter is also an excellent and inexpensive place for advertising and classifieds.
- \$ Discount on monthly CLE programs and materials.
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Act now, and for a limited time you will receive two free premium private level tickets to an upcoming Portland Trail Blazer basketball game when you renew or join the WCBA! You and a guest can experience the brand new Lexus Club Level through an arrangement with our friends at Global Spectrum, with no strings attached! Simply contact Bryce Yonker at [bryce.yonker@rosequarter.com](mailto:bryce.yonker@rosequarter.com), or at (503) 963-3885, and tell him that you are with the WCBA!

Membership Dues: \$60.00 per year (January to December 2007)

(Note: new members have this fee waived for the first year!)

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P.O. Box 912  
Hillsboro, OR 97124  
Phone: (503) 648-0300, Fax: (503) 693-9304

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Form revised 2/07

Added to mailing list: \_\_\_\_\_

this was a room full of lawyers and he was worried that his designations would most certainly be challenged all the way up to the Supreme Court and then next year it would have been coal for everyone. The most widely stolen gifts were not the candies or the candles, but the bottle of vodka and the bottle of Crown Royal. Kudos to Judge Kohl's wife for snagging the pooping penguin.

On the baby front, Bik-Na Han had her baby in December, a little boy they named Justin Parker Hahn. Melissa Garcia had her baby girl on February 8th. Charlotte Elizabeth Garcia weighed in at 7 lbs, 6 ounces, 21 inches long, and has a full head of hair. Both mother and daughter are doing fine. How Oscar is doing remains to be seen.

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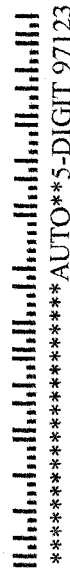
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Contact Julie Viner, our Administrative Assistant, at the above address and/or number for any correspondence or information about membership, meeting reservations or Newsletter articles or classifieds. Leave a brief message (60 sec. limit) on our answering 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)*



S2 P2

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