



# WASHINGTON COUNTY BAR ASSOCIATION

June/July 2008

NEWSLETTER

VOLUME 25 NUMBER 3

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## SOCIAL SECURITY ADMINISTRATION "NO-MATCH" LETTERS

### An Overview and General Advice for Employers

By Heidi Evans, Brisbee & Stockton LLC



The Immigration and Nationality Act as amended by the Immigration Reform and Control Act of 1986 and subsequent amendments passed in 1996 (INA)

requires employers to verify and document a worker's identity and authorization to work in the United States on a Form I-9. 8 USC. § 1324a(a)(1)(B). The law imposes penalties on employers who have actual or constructive knowledge of hiring or continuing to employ an individual who is not authorized to work in the United States. (*Id.* at § 1324a(a)(1)(A) & 1324a(a)(2).)

### SSN "No-Match" Letter Program

Each year, employers send the Social Security Administration (SSA) approximately 245 million wage reports on W-2 forms, covering approximately 153 million workers identifying the amount of social security deductions withheld from each employee's wages. Up to four percent of the names and numbers reported by employers do not match the SSA's records each year. In 1994, the SSA began comparing the names and

social security numbers submitted by employers to their own records. (See, 20 C.F.R. § 422.120(a).) The purpose of the letters is to obtain corrected information so the individual to whom the earnings belong is properly credited.

Prior to the changes in the regulations promulgated under the INA by the Department of Homeland Security (DHS), which are discussed in this article, the SSA sent no-match letters to all employers whose wages reports contained any name and number that did not match the same information in the SSA's records. Since the rule changes were first proposed in 2006, the SSA began sending no-match letters only to employers who submit more than 10 W-2s with no-match information and when the number of no-matches exceeds at least half of one percent of all W-2s included in the wage report.

### Federal Agencies' Positions Regarding the Letters

#### *The Social Security Administration*

The SSA position on the implications of a no-match letter with respect to a worker's immigration status or

*Continued next page*

authorization to work in the United States has been consistent and clear. The form letter provides it makes no statement about an employee's immigration status and informs the employer "You should not take any adverse action against the employee, such as laying off, suspending, firing, or discriminating against the individual. Doing so could, in fact, violate state and federal anti-discrimination law and subject you to legal consequences."

Under the INA, employers are subject to discrimination charges if they take adverse action against applicants and workers because they assume the worker is undocumented, if they perceive the worker is not a citizen or has a different national origin, or if they require more or different documents than the law requires for employment verification. (8 USC. §1324b.) Consequently, employers must not draw conclusions regarding an applicant or new employee's immigration or authorization to work status or even innocuously suggest what types of documentation the worker might present to satisfy the identification and authorization section of the Form I-9.

#### *The Former Immigration & Naturalization Services Agency*

An employer can be in violation of the INA if it has constructive knowledge that an employee is an unauthorized worker. (8 USC. §1324(a)(2), 8 C.F.R. 274A(a)(2).) The former Immigration and Naturalization Service (INS) standard for constructive knowledge was whether a reasonable person would infer from the facts that the employee was unauthorized. (8 C.F.R. 274a.1(1).) An inference could be found where: (1) the employer did not properly complete the Form I-9, including proper supporting documentation; (2) the employer had actual knowledge from other individuals or sources of information available that the employee was unauthorized to work in the United States; or (3) the employer acted with reckless and wanton disregard for the legal consequences of permitting an individual to introduce an unauthorized person into the employer's work force. (*Id.*)

Though Department of Justice and former INS officials had indicated that an employer who received an SSA no-match letter should take reasonable steps to resolve discrepancies, there had been no clear guidance on acceptable procedures for employers to follow. Moreover, there was little to no meaningful enforcement of the Form I-9 process. Between fiscal years 2003 and

2006, the highest total amount of annual administrative fines imposed on employers in any year was \$46,480. Krell, Eric, *Unmasking Illegal Workers* (December 2007).

#### *The Bureau of Immigration Control Enforcement (ICE)*

The Homeland Security Act of 2002, 6 USC, §101 et seq., was signed into law on November 25, 2002. The Act transferred the immigration service and enforcement functions of the INS to a new agency, Department of Homeland Security (DHS), under which different bureaus were established including the Bureau of Immigration Control and Enforcement (ICE). DHS quickly began pursuing a multi-faceted plan to prevent and enforce unauthorized employment of foreign workers. This focus is evident. For the period October 1, 2006 through July 31, 2007, ICE obtained fines, restitution and civil judgments from employers and executives totaling over \$30 million. Krell, *Unmasking Illegal Workers*. DHS also proposed amended rules published in final form in August 2007 which describe the employer's obligations triggered by receipt of a no-match letter from the SSA and, for the first time, tied an employer's receipt and response to a no-match letter to constructive knowledge of continued employment of an unauthorized worker.

Labor unions and employers joined in a rare collective-force and filed a lawsuit against the DHS to stop the regulations from taking effect. (*AFL-CIO, et al. v. Chertoff*, \_\_\_ F.Supp.2d \_\_\_, 2007 WL 2972952 (N.D. Cal).) The court granted plaintiffs' motion for preliminary injunction, thereby enjoining the agency from taking enforcement actions based on the regulations. Rather than appeal the decision, the DHS withdrew the regulations. In March, the agency re-published the proposed rules in identical form except with additional commentary and justification directed at three findings of the court. The supplemented proposed rules again provide that if the employer follows the guidance to rectify the no-match within 90 days of receiving the letter, the employer will have a safe harbor from the letter being used as evidence of constructive knowledge in any enforcement action.

In April, the SSA publically stated it does not plan to send the 2007 tax year letters before the litigation is resolved. It is unlikely, however, that the SSA will indefinitely suspend the letters, and in the meantime, there are actions employers can and should take to minimize the likelihood of receiving a no-match letter from the SSA or its equivalent from the DHS.

## Actions Employers Should Take Now

1. Irrespective of the outcome of the litigation and the related supplemental proposed rules, all employers should become well versed on their obligations to complete Form I-9s and how to do so properly. In a nutshell, all US employers are responsible for completing and retaining a Form I-9 for each individual they hire for employment in the United States. This includes citizens and noncitizens. On the form, the employer must verify the employment eligibility and identity documents presented by the employee and record the document information. There are several traps for the unwary when administering completion of the form. Some of the more common mistakes:

- Do not insist or even suggest specific documents (e.g., US passport, or valid driver's license and social security card). Rather, rely on the lists of acceptable documents printed on the Form I-9.
- Verify that the form being used is the 2007 version. The form finally has been updated and now provides the correct list of acceptable documents. The latest form (in English and Spanish) can be found on the DHS website. (<http://www.uscis.gov/portal/site/uscis>, internal search on "Form I-9.")
- Do not over-document or request more than the form requires, simply take one document listed in column A, or one from column B and one from column C.
- Create a calendar tickler system with respect to any employee providing documents indicating temporary work status. Provide the employee 90 days notice from the expiration date in order to minimize disruption of employment or problems with unauthorized work periods.
- Double-check the form to ensure the employee and the employer's agent completed all the necessary sections and boxes, including signing of the document.
- Know and follow the record retention rules (one year from termination or three years from date of hire, whichever is longer). If audited, the DHS may ask for all forms on file, even those that could have been discarded.

2. Consider signing up for and using the SSA e-verify program. The e-verify program is not without its own errors. But it is a free system available to employers

and can be performed at the time of hire to match a worker's name and social security number with the SSA database for US citizens and with the immigration database for workers not claiming US citizenship. The system cannot be used for current workers, but moving to this system will assist with identifying problems early and may limit an employer's exposure as turn-over occurs.

3. Be mindful and in compliance with the anti-discrimination provisions of the INA. While perhaps tempting, fear of receiving a no-match letter from the SSA or DHS should not motivate employers not to hire or continue to employ foreigners authorized to work in the country or to perceive an applicant or worker as being unauthorized. The Department of Justice, Office of Special Counsel (OSC), not DHS, has enforcement responsibility over INA's anti-discrimination provisions. OSC published a guidance notice in March reaffirming its position that an employer discriminating based on national origin or prohibited characteristics may be found to have engaged in unlawful discrimination.

Additionally, employers should become familiar with and follow the supplemental proposed final rules' recommended actions in the event a no-match letter is received once the SSA begins sending them. Compliance with the following actions will provide safe harbor protection from a DHS enforcement action based on constructive knowledge under the current proposed rules:

- Check the employer's records

Check to determine if the letter is a result of a clerical error on the part of the employer, and if so, correct the records and verify the correction with all relevant federal agencies within 30 days of receipt of the no-match letter.

This requires the employer to verify with the SSA or DHS that the employee's name matches the name in the SSA's records assigned to the related SSN, *and* that the number is valid for employment, with or without DHS authorization. Because of the short deadline and the need to interface with at least one if not more federal agencies, employers should not delay in taking action.

- Check with the employee

If it does not appear that the employer made an error, the employer must contact the employee and request confirmation that the information is correct. If it is incorrect, the employer must correct the employee information in its records, inform the relevant agencies

of the corrected information (as noted above) and match the new information with the agency's records.

□ Ask the employee to follow-up with the SSA

If the employee states the existing records are correct then the employer must ask the employee to pursue the matter individually with the SSA. Here, as well, the employer who acts within 30 days of receipt of the SSN no-match letter will be deemed by DHS to have acted reasonably and within the safe harbor.

□ Complete a new Form I-9 if unresolved - If the discrepancy is not resolved within 90 days of receipt of the SSN no-match letter, the employer and employee must then complete a new Form I-9 with the following additional restrictions:

- Section 1 must be completed within the 93<sup>rd</sup> day of receipt of the no-match letter;
- The employer may not accept any document that was the subject of the SSN no-match letter to establish employment; and
- The employer may only accept documents that contain a photo of the employee, which vastly limits the types of documents an employer can accept.

In its recent notice of guidance the OCS stated, "if an employer follows all of the safe harbor procedures outlined in DHS's no-match rule but cannot determine that an employee is authorized to work in the United States, and therefore terminates that employee, and if that employer applied the same procedures to all employees referenced in the no-match letter(s) uniformly and without the purpose or intent to discriminate on the basis of actual or perceived citizenship status or national origin, then OSC will not find reasonable cause to believe that the employer has violated section 1324b's anti-discrimination provision, and that employer will not be subject to suit by the United States under that provision."

Employers should be careful in relying on this statement. First, affected workers or their legal counsel will almost always raise an issue of discriminatory intent. Second, agency guidelines, like administrations, are subject to change. A better practice, in this lawyer's opinion, is for the employer to have in place a job abandonment policy and to terminate under that policy rather than based on the safe harbor or no-match letter.

## Conclusion

The final rules have many negative practical impacts on businesses. Administratively, the final rules create risk for all employers, including those dedicated to compliance. Under the old rules, employers were in compliance with the Form I-9 rules as long as they completed the form timely and correctly based on facially valid documents presented by the employee. No longer. In addition, the new rules shrink the fine line employers were already required to observe between the INA compliance provisions and the anti-discrimination provisions. Until the legal battle with regard to the proposed rules is resolved, it will be difficult to provide employers clear direction. However, there are best practices that can and should be put into place that can mitigate the employer's risk with both the prohibition of hiring and continuing to employ unauthorized workers and the anti-discrimination rules.

*Heidi Evans focuses her practice on employment and labor law advice, preventive consulting services and defense of claims.*

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## PRESIDENT'S MESSAGE

By WCBA President Rebecca Mehringer

What kind of leader are you? I have been attending some leadership seminars (courtesy of the state bar) and one of the first questions they asked was, what characteristics we thought made a good leader. Most responses revolved around trustworthiness, charisma and good communication skills. The willingness to lead by example was also high on the list. But what I found more interesting was the next question - what kind of leader are you? The example was simple: You are driving along the roadway and you see a car that needs to pull into your lane. Do you move back and signal it to come on in, or do you inch closer to the car in front of you, so that there is no question that your lane is unavailable? Of course, most people in the group (whether answering honestly or not) eagerly raised their hands indicating they were the type that would gladly let the person in. I was proud to say I was one of those waving my hand. The next question floored me: How do you feel if the car then moves into your lane and the driver does not wave back or somehow acknowledge your generosity? I realized that I was one of those people, that if I didn't see a wave or some acknowledgement, I often got mad. I would usually (loudly) respond, "you're welcome" - or mutter under my breath about the lack of manners. In other words, I wasn't acting because it was the right thing to do - I was acting because I wanted the other driver to know I was a good person.

What motivates your actions? Do you hold the door open for someone because you should, or to get his or her approval of your actions? Do you perform random acts of kindness just to brag to your coworkers about how much you have done? I admit, I am one of these people. I enjoy doing things for people - Scouts, picking up trash, bar stuff, but I want people to know I am doing it. So, since that seminar, I have made a concerted effort not to look for the acknowledgment, and to enjoy the act of kindness for what it is - and not for the pat on the back afterward. It makes a difference.

## Washington County Bar Association

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

## WCBA

PO Box 912, Hillsboro, OR 97123

Phone: 503.648.0300, Fax: 503.693.9304

Please contact Julie Viner, our Administrative Assistant, with any questions regarding membership, meeting reservations, newsletter articles or classified ads. Leave a brief message (60 second limit) on our answering machine and she will get back to you as soon as possible.

Articles for the newsletter may be emailed directly to Carol Hawkins at [wcbanews@comcast.net](mailto:wcbanews@comcast.net).

*Letters, awards and other news items, and announcements are welcome. Articles by members are accepted. All submissions are edited for length, clarity and style, and are published on a space-available basis, at the editor's discretion. Views expressed in articles are not necessarily those of the association. This publication does not purport to offer legal advice.*

## Newsletter Ad Rates Per Issue:

### 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, PO Box 912, Hillsboro, OR 97123.

Any questions, call 503.648.0300

## FAMILY LAW BENCH/BAR COMMITTEE REPORT

The Family Law Bench Bar Committee met on April 24. Members present were Judges Raines, Thompson, Cobb and Hochman, along with committee chair Mike Fearl and members Michelle Prosser, Sue Gerhardt, JoAnn Reynolds and Rebecca Mehringer. Special guest was Layla Zand, the Arbitration Clerk for Washington County Circuit Court. The main discussion centered around answering questions proposed by committee member Connie Terwilliger regarding arbitration in Washington County. The discussion/questions were presented as follows:

In Washington County, arbitration must be completed before a status conference is held in family law cases. Arbitration cannot be used in cases involving spousal or child support, child custody or visitation, or cases involving property over \$50,000. In those cases, the parties must seek the services of a reference judge, a mediator, or may request a settlement conference.

1. *How many arbitration cases are appealed to circuit court?*

The local arbitration office gets about 5-6 requests per week and about two appeals per month.

2. *During an appeal to the circuit court, does the judge read the arbitrator's decision?*

The arbitrator's decision is sealed in the court file until after the judge makes a decision. In most cases, the judge's decision is very close to the arbitrator's decision.

3. *Can arbitration be used for cases of spousal support?*

It can be done on a voluntary basis outside of court arbitration. If assigned to a reference judge, it is then appealed directly to the court of appeals, if necessary

4. *How are arbitrators paid?*

If they qualify, litigants can have their arbitration fees paid through the Indigent Defense Fund. If they do not qualify, the parties must pay for the arbitrator privately. Even though arbitrators get paid based upon submitted bills, often they spend a great deal more time than anticipated. We realize that much of their service is pro bono in nature and we are going to try to especially recognize our arbitrators in the *Washington County Bar Newsletter*.

5. *How can we get more information to pro se litigants?*

It has been suggested that a pamphlet be created to be available at the Family Law Facilitator's office. However, there are all kinds of resources already available there. You may refer any interested parties to the Family Law Facilitator's office for more information or you can call the Arbitration Clerk at the Washington County Courthouse.

6. *Multnomah County requires each arbitrator to take a short course to be on the list. What about Washington County?*

This fall, the Washington County Bar Association plans to present a CLE on arbitration, which would include the training necessary for all prospective arbitrators. Please watch for an announcement this summer if you are interested in becoming an arbitrator, or just want to learn more about the program. The program will be free for all those persons signing up to be an arbitrator.

*Coming next issue - the answers (hopefully) to all the questions you have about health care coverage and cash medical under DEFRA, including what constitutes an order and what triggers the requirement of a new modification! Stay tuned.*

### Wenyi Jia, D.D.S., M.S.

#### Prosthodontist

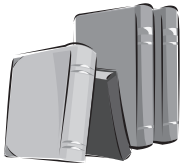
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# WHAT'S NEW AT THE WASHINGTON COUNTY LAW LIBRARY

By *Laura Orr*, Law Librarian

## NEW BOOKS

- 2008 District of Oregon Local Rules of Civil Practice Annotated, by Kathryn Mary Pratt
- National Survey of State Laws, 6th ed., Richard A. Leiter, ed., Gale Group, 2008

## NEW CLES

- A Day with the Oregon Court of Appeals, OLI 2008
- Constitutional Law (and History) 2007, OSB 2007
- Family Law 2008, OSB 2008
- Gain the Edge! Negotiation Strategies for Lawyers and Business Professionals with Marty Latz, OSB 2007
- High-Tech Ethics: Law Firm Risk Management on the Digital Frontier, OSB 2007
- Intellectual Property Law: A Year in Review, OSB 2008
- Juvenile Law 2008: Eyes on the Child, OSB 2008
- Negotiation Ethics: Winning Without Selling Your Soul with Marty Latz, OSB 2007
- Probate Primer, OLI 2008
- Problem Employee Discipline, Documentation and Discharge, OSB 2008
- Representing Family and Closely Held Businesses, OLI 2008
- The Latest in Probate Practice, OLI 2008
- Veterans Law: Representing Former Service Members and Their Disability Claims, OSB 2008
- Working with Difficult People: How to Communicate with Judges, Clients, and Other Lawyers with Simon D'Arcy, OSB 2007

## Low-Cost Legal Research Databases: A Free Trial

In June, I will begin a series of database trials (aka pilot projects) to try out low-cost legal research databases that have remote access search potential. We will start with the Fastcase® legal research database (www.

fastcase.com). I spoke about our free Fastcase® database trial at the Washington County Bar Association's May meeting and handed out applications to those interested in participating in the trial. Additional information will be sent via email or you may contact me directly if you have other questions.

There are many reasons to use a low-cost or free (or virtually free, e.g. Casemaker®) legal research database for your day-to-day legal research needs. The following free and low-cost legal research database names may already be familiar to you: LexisOne®, Versuslaw®, Fastcase®, Findlaw®, LoisLaw®, National Law Library®, TheLaw.net®, Casemaker®. Most of these will give you a free or low-cost trial, so take them for a spin and find the one that's right for you.

Lawyers and law librarians know that one way to keep their Westlaw® and Lexis® full-service legal research database service costs under control is to use them only when absolutely necessary and as efficiently as possible. Flat-rate service contracts are only as "flat-rate" as your previous year's use. If the amount of time you spend on them each year doesn't increase very much, your yearly contract cost increases will remain relatively flat. If you use the full-service databases for increasing amounts of legal research, your annual database cost increases will follow that same upward trajectory.

Westlaw® and Lexis® are invaluable, and almost irreplaceable, research tools, but use them only when you need that full service.

## Low-Cost Legal Research Databases

An annotated list is available at the University of Washington Gallagher Law Library (<http://lib.law.washington.edu/ref/lowcostcalr.html>) and I link to this guide from the Oregon Legal Research blog (<http://oregonlegalresearch.blogspot.com/>), where I also link to free legal research databases.

## Oregon Legislative Updates

1) Publication of the 2005 Oregon House and Senate Journals has been delayed but we expect our copies to arrive soon.

*Continued next page*

2) We have received the 2007 and 2008 Oregon Laws. These are also online at the Legislature's webpage ([www.leg.state.or.us](http://www.leg.state.or.us)).

3) A reminder: the online legislative history Minutes you are used to finding on the Oregon State Archives' web page, courtesy of the Oregon State Legislature and the Legislative Administrative Committee, will no longer be online; just the tape logs and audio files will be online. You can still request copies of documents in the bill files, from either the Legislature or from Archives, depending on where the bill file is located at the time of the request. Contact the Legislative Liaisons (503.986.1000) or the Archives (503.373.0701) for more information.

The good news is that the Legislature will soon convert to digital recording, from the current analog recording equipment. The digital recording will be very welcome – and much easier to navigate than the analog. This change may happen by the 2009 Legislative Session, but a delay is possible.

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**MATTHEW H. KEHOE, LLC**  
Announces **PATRICK G. CADIZ**  
*formerly of Brisbee & Stockton, LLC*

has become Of Counsel to the firm. Mr. Cadiz will utilize his extensive trial experience to assist plaintiffs in recovering compensation for their injuries.

330 N.E. Lincoln, Suite 200      Telephone  
Hillsboro, Oregon 97124      503.648.0766  
Facsimile 503.648.0760

## PROFILE – SETH WHITE

*By Shelley L. Fuller, Shelley L. Fuller and Associates*

The Washington County Bar Association would like to welcome newcomer attorney, Seth White, to our legal community. Seth has been working at Ridehalgh & Associates as a paralegal for the last two years and became an associate attorney in September 2007.

He currently represents clients in criminal and juvenile matters and is hoping to expand his practice areas to include domestic relations in the next few years.

Seth was born and raised in Oregon. His parents remain married after 31 years and he has two older siblings and a twin brother. Seth is the only remaining bachelor in his family. He has three nieces and three nephews thus far.

Being an attorney is his second career. Seth graduated from the University of Oregon with an accounting degree in approximately 2002. He worked as an accountant for five years before deciding to go to law school. He graduated from Willamette University College of Law in 2007.

After speaking with Seth, I was left with an impression that he's a genuinely nice, approachable and easy-to-talk-to guy. He truly wants to do a good job for his clients and is eager to learn. I think he'll make a positive contribution to our legal community for many years to come.

### ASSOCIATE ATTORNEY

Brindle McCaslin & Lee, P.C., an established 18-attorney, two-office law firm seeks an associate attorney with emphasis in bankruptcy, business transactions, employment, or family law in its downtown Portland office. Experienced attorney with a current book of business preferred. We offer a collegial work environment and are dedicated to quality representation. Please send cover letter and resume to:

Mike McCaslin  
101 SW Main St., Suite 950,  
Portland OR 97206



## MEET THE ROYAL ROSARIAN PRIME MINISTER

Each year, one of the highlights of Rose Festival is the Honorary Knighting Ceremony presented by the Royal Rosarians in the beautiful Rose Garden Amphitheater at Washington Park. This year, with attorney Peter Glazer as Prime Minister of the Royal Rosarians, there are some great honorary knights who just happen to be lawyers themselves.

Rose Festival Queen Elizabeth and the Royal Rosarians will confer honorary knighthood on Chief Justice of the Oregon Supreme Court, Paul J. De Muniz; the first woman on the Oregon Court of Appeals and then on the Oregon Supreme Court, Senior Judge Betty Roberts; Senior US District Judge Robert E. Jones; Multnomah County District Attorney Mike Schrunck; Clackamas County District Attorney John Foote; Clatsop County District Attorney Josh Marquis; and Senior Judges Sid Brockley and Ray Bagley.

Glazer, 55, has not only selected lawyers for the honor of knighthood. Scheduled to be knighted are musicians Michael Allen Harrison, Aaron Meyer, Johnny Limbo (of the Lugnuts), and two original members of the Kingsmen - the rock group whose song, "Louie Louie," put Portland on the Rock'n'Roll map in the early 60s; Brigadier General Susan Helms, a former astronaut and graduate of Parkrose High School; orthopedic surgeon Dr. John Tongue; several American military leaders; TV anchor Jeff Gianola; Oscar Award-winning animator Will Vinton; Army football coach Stan Brock; and PSU football coach Jerry Glanville.

### OREGON LAW CENTER

We are pleased to announce that the Oregon Law Center has opened an office in Hillsboro to serve migrant and seasonal agricultural workers. The office is located at 328 W Main St Ste A 200, Hillsboro OR 97123. All staff speak Spanish and English, one person also speaks Mixteco Bajo and another person also speaks Mixteco Alto. For more information about the office, please contact Julie Samples, Managing Attorney, at 503.726.4381 or juliesamps@yahoo.com.

## PROBATE COURT REPORT

The Washington County Probate Court manages more than 2,000 active probate, guardianship and conservatorship cases at any given time. Practitioners with questions or comments about probate, guardianships and conservatorships in Washington County are invited to contact the newly formed Washington County Probate Court Bench/Bar Committee.

The members of the committee are:

Anne Thompson (chair)

anne@anthompsonlawfirm.com

Rodney Adams rodadams@verizon.net

James Berrien jdberrien@aol.com

Jerold Hilary hilary@hilaryl原因.com

Stephanie Lommen

stephanie@stephanielommen.com

Michael Schmidt syaloha@gte.net

Circuit Court Judge Rita Batz Cobb and

Probate Commissioner, Patricia Webb.

The purpose of the committee is to enhance communications between the bench and bar. At its initial meeting in April, Judge Cobb and Probate Commissioner Webb provided the committee with an update of the probate department. New staff members include: Probate Commissioner Assistant Pepper Dillinger; Probate Clerk Tanya Avila, and Probate Clerk Kerry Colette.

THE HOHBACH LAW FIRM LLC is proud to announce the addition of Mandi Philpott (formerly Mandi Logelin) as an associate attorney. Practice areas include victims rights, family law and now all levels of criminal law

Referrals welcome:

HOHBACH LAW FIRM LLC

4000 Kruse Way Place, Building 2 Suite 340

Lake Oswego, Oregon 97035

**503.697.7755**

## CALENDAR OF EVENTS

### WCBA Newsletter Deadline is the 15th of the month

Please submit your articles, calendar items and other news copy by the deadline to Carol Hawkins by email to [wcbnews@comcast.net](mailto:wcbnews@comcast.net) by the deadline.

Please submit all ads and announcements to Julie Viner, by fax to 503.693.9304, or by mail to PO Box 912, Hillsboro OR 97123.

□ August/September 2008 Issue Deadline: July 15, 2008

#### Publication Schedule Note:

The WCBA will be publishing a newsletter every other month. The deadline for the August/September issue is July 15. Our aim is to mail that issue of the newsletter by August 5. All newsletter articles may be directly emailed to [wcbnews@comcast.net](mailto:wcbnews@comcast.net), preferably in Word format. Please consider writing an article for your newsletter.

### SCHEDULE OF BUSINESS MEETINGS, CLE'S, AND SOCIAL EVENTS

#### Washington County Bar Association

\* All WCBA CLE programs are \$15 for those who register in advance and \$20 for those who register at the door. Charge for non-WCBA members is \$25. Please register so we know how many CLE packets we need to prepare.

#### WCBA Meeting Schedule

- June 11 (no CLE)  
6 p.m. cocktails, 6:30 p.m. dinner. Annual Summer Bar-b-q at Rock Creek Country Club. Presentation of Professionalism/Lifetime Achievement Award.
- September 10, CLE\* and meeting  
CLE will be free training for potential arbitrators and the dinner speaker will discuss the current arbitration program.

#### Multnomah Bar Association - Upcoming Events

Visit [www.mbabar.org](http://www.mbabar.org) for information or to register.

- June 10, MBA Golf Outing at Riverside Golf Club
- June 12-14, OCDLA Conference at Seventh Mountain Resort  
Visit [www.ocdla.org](http://www.ocdla.org) for details.
- June 19-22, OADC Annual Convention  
Visit [www.oadc.com](http://www.oadc.com) for details.
- June 21, SALC Race for Justice  
Visit [www.salcgroup.org](http://www.salcgroup.org) for details.

- July 24, MBA Golf Outing at Edgfield Pub Course
- July 31, OMLA Summer Social/Auction at World Trade Center  
Visit [omla.homestead.com](http://omla.homestead.com) for details.
- August 13, MBA Golf Outing at OGA Members' Course

## CLASSIFIEDS

#### □ TIGARD

For rent: Spacious large office with opening windows and secretarial space. Building has six (6) total lawyer offices plus staff. Rent will include use of two (2) conference rooms, lunch room, shower, FIOS internet connection, copier, scanner, and fax. Easy access to I-5 and Hwy 217. Call Kevin Luby at 503.620.3342.

#### □ ASSOCIATE ATTORNEY, PORTLAND

The law firm of Zimmer & Bunch LLC is seeking an associate with a minimum of two years of domestic relations experience. This is a career opportunity for a candidate with a desire to practice family law in a small, busy, high-quality firm. Please send cover letter with resume and references to Hiring Partner, Zimmer & Bunch LLC, One SW Columbia St Ste 680, Portland OR 97258. No phone calls please.

Lilian Bier is pleased to announce the opening of her new practice, Bier Family Law, located in Peterkort Centre. The firm specializes in domestic relations law, including adoption, divorce, custody, support issues, restraining orders and pre-marital agreements. Ms. Bier welcomes new clients in her offices at:

Bier Family Law  
9755 SW Barnes Road,  
Portland, OR 97225.

She may be contacted by phone at 503.595.4141, by email at [lbier@bierfamilylaw.com](mailto:lbier@bierfamilylaw.com) and by FAX at 503.228.5950.

Ms. Bier thanks Beth Mason for all the years she was privileged to work with Ms. Mason at Mason & Associates.

# WANTED:

## VOLUNTEER RECEPTIONIST

### ST. ANDREW LEGAL CLINIC

232 NE Lincoln St., Suite H  
Hillsboro OR 97124

Volunteer receptionists needed to assist with intake process for prospective clients of nonprofit legal clinic. Wednesday evenings from 6 to 9:30 p.m. Volunteer once or as many evenings as you wish. No experience necessary. We will train. Free dinner included.

Please contact Rose at 503.648.1600.

Office hours are 9 a.m.-5 p.m.  
(or leave a message).

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## WASHINGTON COUNTY BAR ASSOCIATION

### JANUARY – DECEMBER 2008 MEMBERSHIP APPLICATION/DUES FORM

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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 and 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.
- \$ Discount on monthly dinner meetings with speakers or opportunities to express your views and become informed directly from local practitioners.
- \$ Events and committees for relaxation, networking and socializing with your colleagues.
- \$ Leadership opportunities and community service.

Membership Dues: \$60 per year (January to December 2008)  
(Note: new members have this fee waived for the first year!)

**Payable to:**  
Washington County Bar Association  
P.O. Box 912  
Hillsboro, OR 97124  
Phone: 503.648.0300, Fax: 503.693.9304

Name: \_\_\_\_\_ OSB # \_\_\_\_\_  
 Firm: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone/Fax/E-mail: \_\_\_\_\_

One application per attorney, please.  
 Please return this form with your payment to the above address and indicate:  
 \_\_\_\_\_ New Member Referred by: \_\_\_\_\_  
 \_\_\_\_\_ Renewing Member

For internal use only:  
 Date received: \_\_\_\_\_  
 Check deposited: \_\_\_\_\_  
  
 Form revised 3/08  
  
 Added to mailing list:  
 \_\_\_\_\_

Washington County Bar Association  
P.O. Box 912  
Hillsboro, Oregon 97123

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