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# WCBA Newsletter

Washington County Bar Association  
PO Box 912  
Hillsboro, Oregon 97124  
Phone: 503.648.0300  
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December 2013, Page 1 of 8  
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## President's Note

*Lawyers associated for justice, service, professionalism, education, mentoring, social interaction and leadership for our members and our community.*

The holidays are upon us. We look forward to seeing you all at our Winter Social on December 11<sup>th</sup>.

Please see the end of the newsletter for more information about the Social.

Our November CLE regarding forensics and mobile devices was very informative. A special "thank you" to our CLE presenter Joel D. Brillhart of iBridge.

Also, we are always appreciative of our circuit court judges, who come to join us for our CLEs and monthly dinners. Judge Letourneau, Judge Wipper, Judge Menchaca and Judge Rini all attended our November dinner. Our dinner is a great opportunity for young and/or new attorneys in the county to come and socialize with the bench.

Each dinner meeting we draw a winner for a free dinner at the next meeting. Our November winner was Alan Biedermann of Hillsboro Law Group.

Our next CLE and Dinner Meeting is January 8, 2014. Our CLE will be the State of the Court address by Presiding Judge Thompson. Important information is always presented at this CLE and we hope to see you there.

Have a safe and happy holiday season!

*Amy Velázquez*

## Washington County Bar Association 2013 Winter Social

Wednesday December 11<sup>th</sup> 2013  
Appetizers and Cocktails at 6pm  
Dinner at 6:30pm  
See additional details on page 7.



## Upcoming Events/CLEs

December 11, Winter Social  
January 8, 2014, Presiding Judge Thompson presents the State of the Court address  
February 12, TBD - Court of Appeals  
March 12, Search and Seizure - Oregon Supreme Court  
April 9, Family Law Bench-Bar & Staff Appreciation  
May 14, TBD  
June 11, End of Year Picnic



## WCBA Board Profile Sim Rapoport

by Jennifer Peckham

Simeon (Sim) Rapoport is a valued member of the WCBA Board of Directors. Appointed nearly a year ago, Sim brings a wealth of knowledge and expertise to the table with 25+ years of experience as an attorney. Sim is currently the Vice President and General Counsel of iBridge, an information management services provider in Beaverton, offering litigation and legal services in areas including eDiscovery, computer and mobile device forensics, forensic accounting, and data entry/coding.

Sim has worked for other well-known firms and companies such as Bullivant Houser and Standard Insurance Company and is actively involved in the legal community, as a speaker, an author for a number of legal publications, and a past member of other boards, such as St. Andrew Legal Clinic, Oregon State Board of Bar Examiners, and Multnomah Bar Association Board of Directors, to name a few.

An avid Cubs fan, Sim grew up in Chicago and made a habit of cutting school each year to attend opening day in April. He recalls paying 75 cents for bleacher seats when he first started attending games.

Sim credits his early training in the following professions as helping to build a solid foundation for his legal career: Hotel bellman, telephone solicitor, water slide constructor, ski bum, and hot dog slinger.

Outside of work, Sim enjoys spending time in the outdoors and with his family that includes two adult sons, Alex and Jesse. Sim's sister and her family live in Israel and have all served (or will serve) in the Israeli armed forces.

In addition to Chicago, Sim has lived in San Francisco, Boulder, Jackson Hole, Ft. Lauderdale, and San Diego. We are lucky that Renaissance man, Sim Rapoport, has settled in Oregon for this stage of his adventure-filled life!



## WCBA Board Profile Jennifer Peckham

by Sim Rapoport

The newest addition to the WCBA Board of Directors is Jennifer Peckham. Jennifer practices family law as a staff attorney at the Washington County office of the St. Andrew Legal Clinic (SALC). Prior to joining SALC, she was in solo practice with an emphasis on family and juvenile law. While attending Willamette Law School, Jennifer clerked at both the Department of Justice and CASA for Children.

Jennifer was apparently fond of words even prior to law school as she majored in English at the University of Wisconsin and was a high school English teacher for 13 years before enrolling in law school. Jennifer is a native Oregonian and graduated from Washington County's own Beaverton High School.

Some additional fun facts about Jennifer:

- Jennifer served in the Navy Reserve for six years as a Personnel Specialist.
- Since graduating from high school, Jennifer has lived in six states (including Oregon).
- In 2005, Jennifer managed to get a speeding ticket on Germany's autobahn.
- Jennifer has two step-sons, Taylor and Josh, as well as a crazy lab/husky mix named Logan.

Please welcome Jennifer!



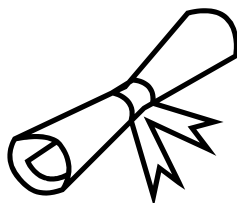
### Court Update

Due to the Christmas and New Years' Holidays, there will be no jury trials the weeks of 12/23 and 12/30.

There will be no case assignment on 12/20 and 12/27. There will be case assignment on 1/3 for the following full trial week, starting 1/7/14.

## A Look Back at the Washington County Bar Association

by Kathy Proctor



As the year 2013 comes to a close I am reminded of how quickly time really does fly. Current WCBA President, Amy Velazquez is well into her tenure and preparing for our upcoming Winter Social at the Glenn and Viola Walters Cultural Arts Center. (By the way, if you haven't attended the Winter Social, formerly called the Holiday Party, I recommend going. It is a lot of fun and as with all of our dinner meetings it is an opportunity to connect with colleagues in a relaxed setting.)

This is the article I should have written about six months ago. Then, I was thinking about where the bar association should go as an organization. I believe that as one looks to the future we should also review where we've been. To begin that process I asked our secretary Julie Viner to see if she had an historical record of past presidents. Here is the list we have so far.

1998-2001	Doug Gordon
2001-2002	Sue Hohbach
2002-2003	Laura Schantz
2003-2004	Peter Gillins
2004-2005	Kevin Luby
2005-2006	Michele Rini
2006-2007	Ken McNeil
June 2007-January 2008	Keith Rogers
January 2008-June 2009	Rebecca Mehringer
June 2009-June 2010	Elizabeth Lemoine
June 2010-June 2011	Sharon Brown
June 2011	Janelle Wipper
July 2011-June 2013	Kathy Proctor
June 2013 to present	Amy Velázquez

Unfortunately, we were not able to reach further back into our records or memories than about 1998. The oldest newsletter link on our website is January-February 2006. Michelle Rini, now Judge Rini, wrote a hopeful President's message. I noticed that in addition to Judge Rini as President, board members at that time included Matt Kehoe, Michael Stone, Oscar Garcia, also now Judge Garcia, and Bret Knewtonson. And there was Julie Viner, our constant.

I hope to have the opportunity to gather information from members who have been in Washington County long enough to remember things some of us never knew and maybe others have forgotten. The idea is a look back so we can stay on track towards the future. So, in addition to sharing

memories, our board would love to hear the ideas and thoughts from our members regarding where the Washington County Bar Association should go from here. I would also like to take this opportunity to say thank you! to the past presidents and board members and the current president and board members for volunteering their time to our legal community.

### Needed: Organ Donors

by Matthew McKean

Have you ever thought about being an organ donor? According to the U.S. Department of Health and Human Services, nearly 120,000 people are currently waiting for an organ and someone new is added to the list every 10 minutes. Each day, 18 people die while waiting for an organ.

But you can make a difference. One organ donor can save up to 8 lives and one tissue donor can save up to 50 lives. If you are interested, go to <https://www.donatelifenw.org/register-now> and sign up. Organs recovered are heart, liver, pancreas, kidneys, lungs, and small bowel. Examples of tissues that can save or enhance someone's life include eyes/corneas, heart valves, tendons, bones, and skin.

If you wish, you can limit what organs and tissue are used. You can also specify if you don't want your gift of organs, eyes and tissues to be used for medical research.

What if you have already registered through the DMV? The D on your license indicates that your consent will be documented in the online Oregon Donor Registry. However, you must directly register as a donor online or with a paper form to have the additional opportunity to indicate any specific organs or tissues which you do "not" want to donate.

Signing up on the donor registry does not grant permission for your body to be donated to medical schools. Organ, eye and tissue donation for transplant or research is not the same as willed body donation. If you are interested in whole body donation, many attorneys include a Directive Regarding Disposition of Remains as part of their basic estate-planning package.

If you do sign up, be sure to tell your family about your wishes. Tell your estate planning attorney as well.

## In My View

### Thought Control Within the Practice

by Nicholas Heydenrych

Recently the Oregon State Bar Board of Governors approved the following amendment to RPC 8.4:

“(a) It is professional misconduct for a lawyer to: .....(7) in the course of representing a client, knowingly engage in conduct that manifests bias or prejudice based upon race, color, national origin, religion, age, sex, gender identity, gender expression, sexual orientation, marital status, disability or socioeconomic status.....(c) Notwithstanding paragraph (a)(7), a lawyer shall not be prohibited from engaging in legitimate advocacy with respect to the bases set forth therein, or from declining, accepting, or withdrawing from representation of a client in accordance with Rule 1.16.”

The next step is for the Oregon Supreme Court to review the proposed amendment and vote on its adoption. The Court will consider the proposed rule change at its public meeting on December 3, 1:30 p.m. at the Wallace Carson conference room on the second floor of the Supreme Court Building in Salem (through the library) and is expected to vote on the proposed amendment at that meeting.

Proponents argue the amendment is necessary to reduce existing harassment and discrimination by members of the bar. They caution that opposition to the amendment may not be well received by the legislature or the public at large. They argue that opposing the amendment is tantamount to advocating for bias or discrimination.

Opponents of the amendment caution that the rule as written is dangerous to the practice of law for a number of reasons. I am proud to say that I am one of those opponents.

First, the amendment is an infringement on the First Amendment rights of lawyers and their clients. All people, including lawyers, should be free to hold to their own views and values regardless of how unpopular or commercially damaging. Let the market decide the consequences, not a committee.

Second, the amendment stands for the disturbing proposition that regulatory bodies are now asserting the authority to control what constitutes acceptable personal beliefs and thoughts. It invites a dangerous slippery slope for the bar and other authorities to further increase their power to con-

trol and define acceptable opinion.

Third, the amendment is overbroad and provides no guidance as to what the bar will later consider “legitimate advocacy.” Consequently it presents a substantial risk of a “chilling effect.” If adopted, the rule will require lawyers to constantly consider whether and how their personal beliefs and thoughts may be expressed during the course of their practice.

I am urging members of the bar who oppose this measure to appear at the December 3 meeting and express their concerns.

I am frankly disappointed that this idea of controlling people’s thoughts and biases has gained any traction within the bar whatsoever. I firmly believe lawyers have a solemn and sacred duty to be vigilant about any attempt to curtail civil liberties, especially when those attempts are cloaked in good intentions. My own admittedly unpopular belief is that it is we lawyers who are the guardians of liberty in this society, not the self-proclaimed authority figures.

## Sherwood Charter School Seeks Volunteer Attorney Board Member General Responsibilities

Responsible for ensuring that the academic program of Sherwood Charter School is successful, that the school's program and operation are faithful to the terms of its charter. For specific details,  
email [washingtoncountybarnews@gmail.com](mailto:washingtoncountybarnews@gmail.com).

## WCBA Contacts

**President** Amy Velázquez  
**President Elect** Rebecca Guptill  
**Immediate Past President** Kathy Proctor  
**Treasurer** Arthur Saito  
**Secretary** Rebecca Pihl-Mehring  
**Director** Elizabeth Lemoine  
**Director** Nicholas Heydenrych  
**Director** Nicole Schneider  
**Director** Matthew McKean  
**Director** Simeon Rapoport  
**Director** Jennifer Peckham

**WCBA Administrative Assistant:** Julie Viner,  
[wcb.association@frontier.com](mailto:wcb.association@frontier.com)

**Newsletter Editor:** Carol Hawkins,  
[washingtoncountybarnews@gmail.com](mailto:washingtoncountybarnews@gmail.com)



The Washington County Bar Association was pleased to host a CLE in October presented by Washington County Sheriff Pat Garrett and Jail Commander Mike Lenahan. We want to thank them for taking the time to let us know current trends involving Washington County.

The Washington County Sheriff's Office currently employs 540 employees, taking care of the safety of over half a million people, and about 230,000 of them in the unincorporated, rural areas of the county.

**Jail:** Of primary concern to the Sheriff's Office, and to public safety, is the 572 bed jail. The jail's operating budget for 2012/13 is \$23.2 million, out of an \$81 million budget for the entire sheriff's office. Revenue includes the county general fund, a voter approved policing service district (Enhanced Sheriff's Patrol District) and the voter approved county-wide Public Safety Levy. With a staff of 193 employees, the Jail processes and cares for approximately 50 new inmates each day, and supervises 572 beds. Being the only jail in the county, interaction involves all municipalities. The jail houses inmates from booking, through pre-trial, and those with sentences for a year or less, the main concern is "safety and security" for citizens, the inmates and the staff. Since many inmates come to the jail "at their worst" (addiction, mental health concerns, medical concerns, homeless) the deputies want to make sure they are treating the inmates using core values such as "treating people how they would want to be treated." Stabilization is key at the jail, as there may be issues with addition and/or mental health. There is generally one deputy per 60 inmates and this direct supervision works well, allowing most inmates to spend 6-7 hours per day out of their cell and in programs, visitation and outdoor time. Some of the classes available involve anger management, education, resume building, parenting time, and cognitive restructuring. Many inmates have earned their high school diploma and GED while housed at the jail.

- **Education:** The Hillsboro School District provides one fulltime teacher to the jail - 20 hours each week to the jail and 20 hours per week to Harkins House.
- **Kiosks:** New to the jail are kiosks in the Pods as of May, 2013. These Kiosks allow video visitation with family. Jail staff is working with attorneys and staff to expand that option for lawyers. A 30 minutes visit costs \$9.90 and messages can be sent for

25 cents. Messages and video visits can be monitored for content for safety and security reasons (making self-harm statements or contacting a victim).

- **Electronic Home Detention:** Involves an ankle bracelet with GPS. Cost is \$15-20 per day (as compared to approximately \$100 per day for an inmate in jail). The cost is paid for by the inmate and allows one deputy to monitor 25 inmates. The program includes frequent home visits and, as required, visits to work sites.
- **Work in Lieu of Jail** is a sentencing option that allows offenders to perform community service instead of a jail stay. This option depends on specific sentencing orders that allow it.

The kitchen is responsible for 2400 meals per day - including meals for Harkins House and the WCCC.

**Other Programs:** One of the biggest concerns of the Sheriff's Office is appropriately responding to Mental Health issues. The Sheriff reported that these types of situations are up exponentially that stretched the capability of law enforcement response. In addition, the sheriff's office committed to improve their response to this challenge through training and partnering with mental health organizations. They have instituted a pilot program where they have a mental health clinician ride along with a specially trained Mental Health Response Team (MHRT) deputy to respond to persons in mental health crisis. **Specialized Response Teams:** Involve narcotics, gangs, and SWAT and accident reconstruction. **Courthouse Security:** The Sheriff's office is responsible for 16 courtrooms, with one sergeant and 15 deputies, including transport of the inmates. **ECR:** Early Case Resolution along with other justice system wide changes helped lower the very high force release number in years past. Last year there was only 1 forced release, but 633 so far in 2013. **Drug Court:** 38 current participants and 19 graduates. This is a about 15 months program and has provided \$15,358 in restitution so far. **Transport Deputies:** Transport custodies from other municipalities, allowing officers from Tigard, Tualatin, Beaverton, etc., to stay in their cities, instead of spending their time transporting inmates to jail. **Canine Unit:** Helps with narcotics and tracking. Canine Teams have helped recover over \$60,000 in cash; 79 fleeing persons; 1,000 drunk drivers; and 8,000 pieces of evidence.



## LAW LIBRARY NEWS

Washington County Law Library

111 NE Lincoln

Hillsboro OR 97124

Phone: 503.846.8880

Email:

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

Website: [http://www.co.washington.or.us/](http://www.co.washington.or.us/LawLibrary/)

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



### Is this your OSB MCLE Reporting Year?

The following Oregon county law libraries purchase and lend current OSB and OLI CLE course materials for independent study (and MCLE credit): Clackamas, Lane, Marion, Multnomah, and Washington.

You can find more information at the Oregon Legal Research blog: <http://is.gd/5f0a50>

You can also visit the CLE Information pages on our website:

<http://www.co.washington.or.us/LawLibrary/cle-information.cfm>

### State of the Law Library: Five Year Plan

In 2014 the Law Library will update its strategic plan. We will review our websites and blogs and our budget and collections. We will compile lists of services, training programs, CLEs, and databases that might be of value to our primary patrons: attorneys, self-represented litigants, students, and small business owners.

We'll also ask you a lot of questions, so think about programs and services you would like to see at your Law Library. For example:

1. Would you be interested in attending training or a CLE on "Compiling an Oregon Legislative History" or on iPad Applications?
2. Would you like the Law Library to offer training programs for your support staff, e.g. legal research, skip tracing, blogging, legislative history, etc.?
3. Would you support "Lawyer in the Law Library" types of programs that we could coordinate with local legal service organizations and the county bar association? (Quite a few public and public law libraries around the country host these. You can Google these words to see examples: lawyer in the library programs.)

Stay tuned!

## CLASSIFIEDS

**FAMILY LAW ASSOCIATE POSITION:** Yates, Matthews & Eaton, P.C., an AV rated Portland firm seeks an attorney with at least 5-7 years' experience in family law. Competitive salary, full benefits and bonus potential. Send resume, with writing sample Attn: Office Administrator, Cecelia Connolly, [cconnolly@yatesmatthews.com](mailto:cconnolly@yatesmatthews.com). All inquiries will remain strictly confidential.

### CONTRACT ATTORNEY

Fifteen years of civil litigation experience with Portland firms, including appellate - active licenses in OR & WA - PLF coverage - responsive, professional, detail-oriented. I can assist with legal research, briefing, trial prep/support, document reviews, witness interviews, hearing/deposition coverage, etc. - references available upon request.

[www.gradelegal.com](http://www.gradelegal.com) Contact Andrew Grade [503.502.8946](tel:503.502.8946), [ag@gradelegal.com](mailto:ag@gradelegal.com)

**DOWNTOWN PORTLAND-1 OFFICE-CLASS A SPACE-RIVER VIEW: \$1,200/Monthly:** Class A office space, 18<sup>th</sup> floor of Umpqua Bank Building, at One SW Columbia. One exterior office with panoramic view of mountains, riverfront and downtown. AV family law practice will share two conference rooms, receptionist services, and kitchen. Copier, fax, telephones and email provided at cost. Building amenities include conference rooms, private gym and bank in building. Approximate room size 10 x 15. Call Cecelia Connolly at 503.224.7077.

### Classified advertising rates:

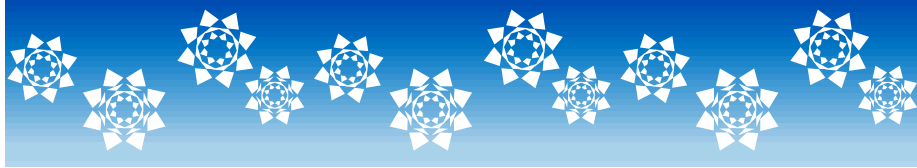
\$20 for the first 50 or fewer words, and \$.50 per word thereafter. Classified ads must be prepaid.

To obtain a quote, send the proposed text to: [washingtoncountybarnews@gmail.com](mailto:washingtoncountybarnews@gmail.com).

### Display advertising rates:

Business card size (2" x 3.5")	\$30
1/4 page	\$50
1/2 page	\$90

Please submit your ad in JPEG format to: [washingtoncountybarnews@gmail.com](mailto:washingtoncountybarnews@gmail.com).



## Washington County Bar Association 2013 Winter Social

Wednesday December 11<sup>th</sup> 2013  
Appetizers and Cocktails at 6pm.  
Dinner at 6:30pm

Glenn and Viola Walters Cultural Arts Center  
527 E Main St, Hillsboro OR 97123  
Catered by Claeys Catering

Dinner includes one drink ticket, dessert, coffee and non-alcoholic beverage  
All for \$35 per person (includes gratuity!)  
Bring that special guest! We'll have presents!

### Menu

Roast Tri-Tip of Beef and Roast Turkey Breast Carved to Order  
Horseradish and Cranberry Orange Relish on the side  
Spinach and Romaine Salad with Cranberries  
Crisp Won Ton Strips and Raspberry Vinaigrette dressing  
Basket of Rustic Breads and Butter  
Yukon Gold Mashed Potatoes with Turkey Gravy  
Chocolate Brownie Mousse Cake and Apple Strudel with Fresh Whipped Cream

**PLEASE CONTACT JULIE VINER TO RSVP**

Please send your reservation and prepayment by  
Friday, December 6th, 2013 to:  
Julie Viner, WCBA, PO Box 912, Hillsboro OR 97123  
Phone 503.648.0300 or Fax 503.693.9304

Please make checks payable to WCBA  
Or pay online through our PAYPAL account at [www.wcbabar.org](http://www.wcbabar.org)

## WASHINGTON COUNTY BAR ASSOCIATION 2014 DUES

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: \$75 per year (September 2013 to August 2014)

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

**Payable to:**                    **Washington County Bar Association**

PO Box 912

Hillsboro OR 97124

Phone: 503.648.0300, Fax:503.693.9304

\*You can also pay by credit card with our PayPal account

by visiting our website at [www.wcbabar.org](http://www.wcbabar.org)

Name: \_\_\_\_\_ OSB #: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone/Fax/Email: \_\_\_\_\_

One application per attorney, please.

Please return this form\* with your payment to the above address and indicate:

\_\_\_\_\_ New Member      Referred by: \_\_\_\_\_

Renewing Member: \_\_\_\_\_