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WCBA Newsletter

Washington County Bar Association
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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.*

Happy Fall! We have had a great start to our dinners and CLE's this season. Sheriff Pat Garret and

Jail Commander Lenehan provided us with an overview and important information last month regarding the Washington County Jail operations. A summary of the CLE information is contained in the newsletter. The November CLE is on Analysis and Data Recovery for Civil Litigation. Registration information is on page .

Planning is underway for our Holiday Party in December. We will be at the same location and using the same great caterer this year. We had a great turnout last year and hope to see everyone there this year.

Our court has applied for a grant through

the State Justice Institute to allow for a year-long study to be conducted by the National Center for State Courts. The focus would be on calendaring and docketing management. The WCBA has submitted a letter in support of the grant application and we are hopeful that the funds will be approved. Results from the study will allow our court to further improve efficiency and accessibility to court consumers.

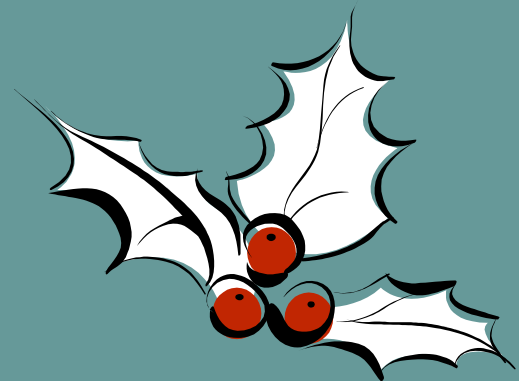
As always, we encourage our members to provide us with feedback and information for inclusion in our newsletter. Please do not hesitate to contact me, or any other member of the board directly.

*Sincerely,
Amy Velázquez*

Upcoming Events/CLEs

November 13, Analysis & Data Recovery for Civil Litigation
December 11, Winter Social
January 8, 2014, Updates from the Court & dinner speaker State of the Court
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

The WCBA Winter Social is Wednesday,
December 11, 2013
Cocktails at 6pm and Dinner at 6:30pm
Glen and Viola Walters Cultural Arts
Center in Hillsboro



The WCBA uses email to promote its programs and services to members only and does not share its email list with third parties. If you would like to be removed from our email list, please reply to this message with the word "remove" in the subject line.

Ricardo J. Menchaca Washington County Judge

by Nicole Schneider

WCBA welcomes Judge Ricardo J. Menchaca who was appointed to the court to fill the unexpired term resulting from Judge Gayle Nachtigal's retirement. Judge Menchaca's first date on the bench was September 3, and he hit the ground running, with a full docket of dependency proceedings in the Juvenile Court.

Judge Menchaca has had a varied legal career and will bring to the court a wide range of legal experience. He was an previously an attorney with the Metropolitan Public Defender, the Department of Justice, an associate lawyer at Smith Freed, and an in-house counsel doing insurance defense. Most recently, he was in private practice in Hillsboro, with a focus on juvenile law and personal injury.

Judge Menchaca received his Bachelor's degree from Oregon State University in Political Science. He is a graduate of Thomas M. Cooley Law School and was admitted to the Oregon State Bar in 2000. When asked about his appointment and his first day in the Juvenile Court, he responded that he's honored to serve and "it's a dream come true." Judge Menchaca believes the court has the ability to improve people's lives. He stated, "You're not going to make everyone's life better but if everything falls into place, you can make some people's lives better." Judge Menchaca believes a judge has the ability to help solve conflict. His understanding of people and the need for a resolution of problems is a challenge he welcomes. He believes in the judicial process and he's dedicated to the fair administration of justice. He is looking forward to a collegial relationship both with the other judges and the bar.

Judge Menchaca wants lawyers appearing before him to be comfortable. He opines that lawyers are likely to do their best work when the judge is cordial. He wants his courtroom to be "a user-friendly environment." Being assigned to the Washington County Juvenile Court is a blessing for both the court and Judge Menchaca. He feels that even with the Juvenile Court's busy docket, his team can all strive toward the goal of making a positive influence and change in young people's and parents' lives. He has a wonderful staff, and is most appreciative of their commitment. He works closely with Marsha, Vera, Cassandra, Sara, Natalie, and Lisa. He's also appreciative of Judge Michele Rini's accessibility and her patience with the

questions he asks of her.

Judge Menchaca has an active judicial docket and in his free time he enjoys spending family time with his wife and his three-year-old son. He enjoys sports and is an avid fan of the Trail Blazers and the Oregon State Beavers.

The WCBA looks forward to an active and participating relationship with Judge Ricardo Menchaca.



WCBA Contacts

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Family Law Bench/Bar Report

by Sue Lain

On Monday, September 23, the Washington County Family Law Bench/Bar Committee held its annual open meeting at the Venetian in Hillsboro. The meeting was well attended by family law practitioners from the tri-county area. Outgoing President Laura Schantz officiated the meeting, welcoming incoming President Lauren Walchli. Presenters included the Honorable Donald R. Letourneau, the Honorable Kirsten E. Thompson, Sue Gerhardt, Wendy Peterson, and Lauren Walchli. The following is intended as a synopsis for those who were unable to attend.

Judge Letourneau

Representing Children: The Oregon Judicial Department's website has been updated to add a video designed to educate and assist attorneys in representing children. The video can be found at <http://courts.oregon.gov/Washington/Pages/Attorney411.aspx>. This link is not to be cited or disseminated outside OSB membership. Those who have volunteered to represent children for free or at a reduced rate are required to both watch the video and read the ABA rules related to representation of children, as well as to certify to the court both have been done. The court will presumptively, for a child 12 years of age or older, appoint the attorney as a traditional advocate rather than a "best interest" attorney. If the attorney, after appointment, believes the form of representation should be modified, that designation can be changed. The court has developed a form of Order Appointing Legal Counsel for Child(ren) and prefers to use that form, although counsel may draft a form that is substantially similar. You may contact your assigned judge to obtain a copy of the form, which will also be available in the next revision of the Washington County Supplemental Local Rules. [Note: this committee has completed its mission and is now disbanded.]

Safety First: The program has been accepting clients for approximately one year. Washington County currently has eight slots available; six of those are currently filled. In order to qualify for

this program, there must be a history of domestic violence, defined as physical abuse, between the parents. The domestic violence need not be documented via police reports or FAPA filings; self-report is sufficient. The program is currently free to participants, but the hours are limited to Tuesday and Wednesday evenings. This supervised parenting program takes place at the Washington County courthouse. Participants are pre-screened for eligibility and suitability. Safety First has recently begun facilitating safe exchanges, also Tuesday and Wednesday evenings at the courthouse. Applications for services (both supervised parenting time and safe exchanges) are available through Judge Letourneau, and can be requested via email: donald.r.letourneau@ojd.state.or.us.

Gun dispossession / prohibition protocol:

The courts have expanded their gun dispossession/gun prohibition protocols in Family Abuse Prevention Act restraining orders. The main change is that compliance hearings are now scheduled. If an Order of Surrender is signed, the compliance hearing date is entered on the front page of the Restraining Order. The civil deputy serves a written description of the protocols on the Respondent when the Restraining Order is served.

Judge Thompson

Judge Thompson welcomed Judge Jim Fun to the Family Law bench for what is a commitment of no less than four years. This position is available due to Judge Cobb's requested reassignment to the general civil / criminal team, in addition to continuing her leadership of the Probate Department. Judge Fun, a former prosecutor, became a member of the Washington County bench in 2006, and began serving as the Juvenile Court Judge at that time. He transitioned from Juvenile to the general trial and civil teams in September 2011, and has served in the Law Enforcement Center, Civil motions, and general Civil/ Criminal trial teams.

Rick Menchaca is the newest addition to the Washington County bench. He comes to the bench with experience in criminal defense, juvenile law, and general civil practice. He has been assigned to serve no less than four years as the Juvenile Court Judge. He will preside over Dependency, Delin-

quency, and consolidated Juvenile/Family law cases along with Judge Rini.

Washington County is currently involved in a re-engineering project. The last re-engineering project occurred while Judge Nachtigal was presiding, and resulted in the creation of the family law team of judges. Now-Senior Judge Nachtigal has been chairing the current committee, and has agreed to continue to assist in the process since her retirement on September 1st. She has helped gain the assistance of the National Center for State Courts. Next steps include bringing the NCSC back in for transition planning, communicating changes, and requesting a technical assistance grant. Washington County will be bringing eCourt online in 2016.

Attorneys are encouraged to let judges and court staffs know when they do things right, in addition to when they do things that are confusing or with which you don't agree.

Sue Gerhardt

Much has been done by the website subcommittee. The website, hosted by OJD, has been updated to add several videos put together by Judge Raines. These videos discuss the substance and procedure involved in short topical presentations. They include information on how litigants should behave in court. While designed for self-represented individuals, they are a valuable resource for both newer and more experienced attorneys to share with their clients. The videos are in both English and Spanish, and are very helpful. The link for these videos can be found at http://courts.oregon.gov/Washington/Services/Family_Law/pages/family_law_main.aspx.

The pro se forms are in the process of being converted into Word documents. Once converted, they will no longer be available in WordPerfect format. There are other forms available to attorneys that are not available to pro se litigants without going through the court's family law assistance office.

Wendy Peterson

Mediation Subcommittee: The mediation subcommittee focused on getting parties to media-

tion more quickly. The subcommittee was able to modify SLR 12.013, effective February 2013, so that there is no longer a requirement that the parties must attend at least two Kids' Turn sessions prior to participating in mediation. Domestic violence protocols were explored and found to be satisfactory as is.

Kids' Turn: Parties are still required to complete all Kids' Turn sessions. Funding for this program is currently stable, although it costs a bit more (now \$267 per parent) due to prior changes in funding. Parents are encouraged to have their children participate in the child component of the program.

High Conflict Services: Addition of a high-conflict services option is under review. A survey conducted during the first half of 2013 yielded approximately 500 responses, which were supportive of such a program. The program was suggested to the Conciliation Services Advisory Board, also with a favorable response. It is envisioned that services would include the following forms of counseling / mentoring: co-parenting, family counseling, and communication coaching. Participants can be self-referred or referred by court or counsel. The cost will likely be up to \$250 per parent, with a sliding fee scale also available. The Board of Commissioners must approve the fee schedule prior to implementation of the program.

Custody Studies: Conciliation Services can no longer accept all cases, so they are all now screened. Those applying for services first have an intake meeting with an evaluator, who then staffs the case with the team for appropriateness. Examples of cases not likely to be accepted are the "well, I'm the better parent" cases, cases where the parties are very close with regard to a parenting schedule on their own, or cases where DHS has already made a recommendation.

Mediation: Conciliation Services now offers couples counseling, marital counseling, and co-parenting counseling. These services are promoted during the orientation session. Up to 4 sessions are available at no cost; additional sessions are \$80 each.

Lauren Walchli

New subcommittees added this year will focus on Child Support and Judicial Feedback. Input is invited from all family law practitioners, and can be submitted through Ms. Walchli or through any member of the committee. Current members of the Washington County Family Law Bench/Bar Committee are the following:

Judges: Keith Raines, Don Letourneau, Oscar Garcia, and Jim Fun

Attorneys, listed by subcommittee membership:

Website: Grace Lee (chair), Sue Gerhardt, Sue Lain, and Heather Kemper

Better Ideas: Ken McNeil, Doug Peterson, and Judge Raines

Child Support Education: Becky Mehringer and Sue Gerhardt

Judicial Feedback: Sue Lain (chair), Lauren Walchli, Lucinda Georgetti, Sue Gerhardt and Debra Dority.



Sherwood Charter School Seeks Volunteer Attorney Board Member

General Responsibilities

Responsible for ensuring that the academic program of Sherwood Charter School (SCS) is successful, that the school's program and operation are faithful to the terms of its charter, and that the school is a viable organization.

For specific details, email

washingtoncountybarnews@gmail.com.

2 Charitable Giving Opportunities

501(c)3 organizations

Washington County Circuit Court Employees are holding a fundraiser beginning now through December 20. The two organizations being hosted are the United Society for Protection of Cruelty to Animals (United SPCA) located in Yamhill (www.unitedspca.org) and the Bonnie Hays Small Animal Shelter located in Hillsboro.

(<http://www.co.washington.or.us/HHS/AnimalServices/AnimalShelter/>).

United SPCA was founded by a veterinarian who has strong roots to Hillsboro. The shelter is one of only a very small number of large animal shelters in our metro area. It has helped shelter, transport, feed, provide medical care and rehabilitate over 100 large animals, primarily horses, since its inception in 2010. United SPCA adopts out many of the horses into pre-approved, caring and loving homes. One of the organization's goals is to raise funds to build Oregon's first Animal Welfare Education Center. The organization is run totally by volunteers and donations. No one receives a salary. 100% of all donations go directly to benefit animals.

Bonnie Hays Small Animal Shelter helps lost, sick and homeless dogs, cats, and rabbits. When animals are lost, the staff and volunteers work very hard to find their worried owners. They help place homeless animals into loving forever homes. Staff provides veterinary care to sick and injured animals and also spay and neuter clinics. You may have seen some of their animals who are still hoping for a forever home on the website:

www.petfinder.com Bonnie Hays Small Animal Shelter does receive County funding, however public donations are needed to fill the gap.

Donations for both organizations should be delivered to the Washington County Circuit Court Administration Office, 145 NE 2nd Ave., Room #200C, Hillsboro or call 503.846.8767 for pick up.

Ideas for giving are: Gift cards to Home Depot, Lowe's, Coastal, Wilco, AG West, Gaston Feed Store, Petsmart, Nature's Pet Market or Petco. [See the "Wish Lists" attached above from each organization.](#) Monetary donations in check form will be accepted. Please make your checks payable to "United SPCA" and "Bonnie Hays Small Animal Shelter." All donations are tax deductible.

Thank you for your kind, generous support of these important organizations!

LAW LIBRARY NEWS

Washington County Law
Library

111 NE Lincoln

Hillsboro OR 97124

Phone: 503.846.8880

Email:

lawlibrary@co.washington.or.us

Website: <http://www.co.washington.or.us/LawLibrary/>



Is 2013 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, Multnomah, and Washington. You can find more information at the Oregon Legal Research blog: <http://is.gd/yv1tE2>

You can also visit the CLE Information pages on our website: <http://is.gd/f3ws3R>

Small Claims Court Access to Justice Program

You are invited to our Small Claims Court A2J program, featuring Judge Steven Todd, and Janay Haas, author of "Using Small Claims Court in Oregon" (<http://www.oregonlegalguides.com>). This is a program for the public, not a CLE, but if you are interested in how Small Claims Court works, have been thinking about becoming a Small Claims Court Coach (through the OSB Referral Service), have a neighbor who keeps bugging you for "free" legal advice, or have a potential small claim of your own ... this program might be for you!

1) Wednesday, November 6, 7 - 8:30 p.m. at the Beaverton City Library. (The Beaverton program will be videotaped by the Oregon State Bar.) (<http://is.gd/RTJc2K>)

2) Washington County Law Library Small Claims Court webpage: <http://is.gd/HAGjo1>



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. All inquiries will remain strictly confidential.

DOWNTOWN PORTLAND-1 OFFICE-CLASS A SPACE-RIVER VIEW: \$1,200/Monthly: Class A office space, 18th 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.



The WCBA CLE & DINNER MEETING

Wednesday, November 13
"Mobile Device Forensics"

Presented by Certified Forensic Computer Examiner
Joel D. Brillhart, iBridge, Beaverton

CLE at 5:15pm, cocktails at 6pm, dinner at 6:30pm

The Old Spaghetti Factory, 18925 NW Tanasbourne Dr.
Hillsboro OR 97124

Please send your pre-registration form to:

Julie Viner
PO Box 912
Hillsboro OR 97123

Phone: 503.648.0300; fax number 503.693.9304; or via email to
wcba.association@frontier.com.

Please register no later than November 8th so that we will be able to guarantee space.
You can now also pay online on our website, wcbabar.org, using our PayPal account.

DINNER COST \$15 (PLEASE CHOOSE AN ITEM)

Dinner Reservation

Name: _____

_____ Potpourri Spaghetti Sampler (Mizithra Cheese, Meat, Clam & Tomato Sauces)

_____ Spaghetti with Meat Sauce

_____ Spaghetti with Marinara

_____ Spaghetti with Mizithra Cheese

_____ Fettuccini Alfredo

_____ Baked Chicken with Steamed Broccoli

(Gluten free & Whole Wheat Pasta Available upon Request)

CLE Reservation

Name: _____

_____ Yes, I will attend the CLE, Number of attendees _____

(\$15 for members, \$25 for non-members)

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

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: _____