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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.

I recently had the privilege of representing the Washington County Bar Association as a Delegate at the annual Oregon State Bar House of Delegates meeting. I don't know about anybody else in the WCBA, but I must admit I had no idea when I became WCBA President that ex officio delegate status is one of the responsibilities of the office.

Having never attended a House of Delegates annual meeting, I found it both interesting and a bit amusing at times. Important issues were voted upon related to changing some of the Rules of Professional Conduct to allow limited practice of law by foreign attorneys under specific circumstances (RPC 5.5) and to allow Oregon attorneys to clearly ethically advise clients regarding marijuana-related business and other issues, even though marijuana remains illegal federally and on some tribal lands (RPC 1.2.). (Both passed easily.)

Some issues were a bit less serious. By far, the matter that produced the most debate from the delegates was the issue of the OSB logo. Some OSB members are upset that the beloved old Douglas fir logo is now a relic of the past, replaced by the now notorious green box (lovingly described by proponents as a "window.") In a rather heated back and forth, delegates debated not just the logos themselves, but also the way the logo change was handled. In the end, the delegates voted not simply to keep the new logo, but more specifically to refrain from sending the matter to the OSB membership as a whole. The bottom line take-away: learn to love the green box.

WCBA Newsletter

Washington County Bar Association

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My understanding from those-in-the-know is that these annual meetings often get much more divisive than what I witnessed this year. It is also my understanding that maintaining quorum often becomes an issue as well. This year there were happily no issues of quorum and the meeting finished with apparently record speed.

On behalf of the WCBA, I want to thank the other WCBA members who were present, including several of our Region 4 elected delegates. You know who you are. Please know that your service to your legal community is appreciated.

I also want to thank my fellow WCBA Board members for their hard work and dedication to WCBA this year. The months are flying by and I owe my sanity to having such a wonderful and active group by my side. I was thinking about how quickly my term is proceeding and realized that now is the time when people should start considering whether they might like to join the WCBA Board when the next elections come around in the spring.

WCBA is a great organization in that it is such a collegial and approachable professional organization, despite how large Washington County is quickly becoming. I grew up seeing my dad engaged in community and professional organizations. My dad taught me the value of not only membership in a group such as the WCBA, but also of service to the organization. I am proud to not only be a part of WCBA, but also to serve our organization as President. I am hopeful others feel the same way about the value that WCBA brings us as professionals and will consider serving as a board member in the future. Elections will be here before we know it.

On a lighter note, I look forward to seeing everyone at the annual Winter Social. It is sure to be fabulous as always - full of fun times, good humor, and excellent food and drink, too. I hope you are as excited as I am.

Rebecca Guptill
President

Washington County Bar Association

See upcoming events schedule on page 3.



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Stalking Protective Orders Changes at the DVRC & How the Legal Community Can Help

By Kathy Proctor

Thank you to everyone who attended the CLE on Wednesday, November 12, 2014 to hear about Stalking Protective Orders. As readers may or may not know, there have been some recent and pending changes at the Domestic Violence Resource Center (DVRC) located in Hillsboro. Historically, the DVRC has been a place where anyone seeking a restraining order, whether or not they might be eligible, has been directed. Effective January 1, 2015, the DVRC is refocusing its efforts and will no longer provide services to clients unless they are victims of intimate partner violence. There are two exceptions: they will continue to assist with restraining orders under the Elderly Persons and Persons with Disabilities Abuse Protective Act (EPPDAPA), and Sexual Assault Protective Orders (SAPO). There will still be community members in need who may not know where to go for help. DVRC is making these changes because they have concluded they are not meeting their commitment to provide essential services to their target clients - victims of intimate partner violence. Some of these essential services include safety planning and counseling. Currently, due to the number of clients seen and phone calls received, the DVRC staff has found themselves rushing clients in and out of their offices without being able to focus on these services.

Effective January 1, 2015 persons needing Stalking Protective Orders (SPO) and persons needing FAPA Restraining Orders who are not victims of intimate partner violence, for example stepparents, children, aunts, uncles, siblings, and roommates, will not be able to get assistance from the DVRC. Stalking cases are not family law cases, although they do sometimes include a family dynamic, but they can also involve acquaintances, and even strangers.

We were fortunate to have the staff of the Oregon Law Center (OLC) in attendance at the CLE and Trena Klohe gave attendees some helpful information. OLC provides stalking order services to people who qualify for their services according to their income. They can assist people by providing coaching and can sometimes provide actual representation at the hearing. One thing they do not generally do is help people fill out their application for an SPO. We need Washington County lawyers that are willing to commit to help people fill out these stalking orders and get them filed. If you want to do this please contact me. For newer lawyers who want to take on cases on a pro bono basis in order to get experience the OLC is a good place to start. Volunteers get access to CLEs and coaching, and the OLC provides PLF coverage for the work lawyers do on their OLC cases. I would encourage anyone who wants to help beyond assisting with forms to contact the OLC.

Those of us who attended the CLE were fortu-

nate to hear from Officer Mandi DeFrain from the Beaverton Police Department. She discussed the Stalking Citation process authorized under ORS 163.730 to 163.741. It was very interesting to hear her perspective on the very disturbing issue of stalking. She also noted that stalking is not glamorous and it can happen to anyone. There must be two unwanted contacts in a two year period that are alarming or coercive. For lawyers who represent victims, before a stalking citation is issued she recommended, if possible, documenting the alarming or coercive conduct and communicating or documenting that the contact is not wanted. We had a lively discussion about communications by lawyers who represent respondents and whether their communication to a petitioner would be a violation of an SPO. Officer DeFrain recommended reporting all contact after the issuance of an SPO and then the DA can make a decision about whether the communication was a violation. In order to begin to understand how the Court of Appeals views communications in the context a stalking case, be sure to read *State v. Rangel*, 146 Or. App. 571 (1997).

Thank you to Presiding Judge Kirsten Thompson for her attendance at the CLE as well as Greg Scholl from Multnomah Public Defenders and Paul Maloney from the Washington County DA's office. Mr. Maloney gave some impromptu insight as to the crime of stalking and implications across state lines following a question from the audience. Thank you also to the OLC and Trena Klohe. There were some great questions from the audience.

As a legal community, we need to be aware of the need for people to have access to justice regardless of their particular characteristics or income level. In Washington County we have a growing diverse population that includes people living at and below the federal poverty level. According to the 2013 Washington County Issues of Poverty report, 13% of our county population lives in a household with income below the federal poverty level (www.caowash.org). A disproportionate number of these people are children, women and minorities. It is likely that some of these people will encounter a situation where they need an SPO and they may not have the ability to navigate the process themselves. As members of the legal community we should help the people in need by providing legal services, or we can help by knowing where the resources are so we can point people in the right direction. And if we have the means, we can donate money so others can help. Thank you to all those who are already helping. If you want more information on how to help please contact the OLC or feel free to contact me as well.



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WCBA Upcoming Events

Wednesday, December 10, 2014

Winter Social at the Glenn & Viola Walters
Cultural Arts Center

Cocktails at 6pm, Dinner at 6:30pm

Wednesday, January 14, 2015

State of the Court Address with incoming Presiding Judge Bailey
Bankruptcy CLE

Wednesday, February 11, 2015

Search & Seizure CLE

Dinner Guests: *Oregon Court of Appeals Judges*

Wednesday, March 11, 2015

CLE TBA

Dinner Guests: *Oregon Supreme Court Justices*

Wednesday, April 8, 2015

CLE TBA

Staff Appreciation Dinner

Wednesday, May 13, 2015

Annual Business Meeting with Board Elections

Wednesday, June 10, 2015

Summer Social

WCBA Contacts

President Rebecca Guptill

President Elect Nicholas Heydenrych

Immediate Past President & Secretary Amy Velázquez

Treasurer Arthur Saito

Director Meghan Bishop

Director Elizabeth Lemoine

Director Matthew McKean

Director Jennifer Peckham

Director Rebecca Pihl-Mehring

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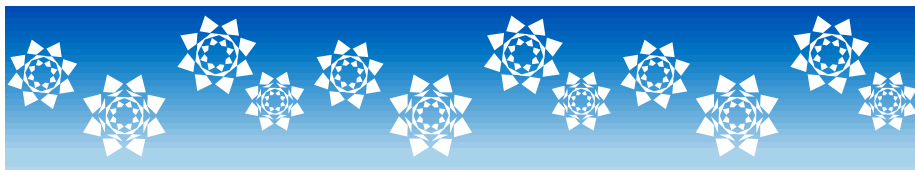
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Washington County Bar Association

2014 Winter Social

Wednesday, December 10, 2014

Appetizers & Cocktails at 6pm

Dinner at 6:30pm

Glenn & Viola Walters Cultural Arts Center

527 E Main Street, Hillsboro, OR. 97123

Catered by Claeys Catering

Dinner includes dessert, coffee and non-alcoholic beverage

\$35 per person (including gratuity)

Bring a guest to enjoy good food, great company,
and as always ... we'll have presents!

Tentative Menu - Subject to Change

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 ROSIE DE SANTOS TO RSVP

Please send your reservation and prepayment by

Friday, December 5, 2014 to:

Rosie De Santos, WCBA, P.O. Box 912, Hillsboro, OR 97123

wcbassociation@frontier.com

Phone 503.648.0300 or fax 503.693.9304

Please make checks payable to WCBA

You can also pay in advance through our PAYPAL account at www.wcbabar.org

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