



SEPTEMBER 2018

COMING EVENTS

- 9/18/18 CLE Drafting Judgments & Orders
- 10/9/18 CLE LGBT Issues
- 11/13/18 CLE
- 12/11/18 Holiday Party

WCBA CONTACTS

President: Edward Kroll

Secretary: Jennifer Peckham

Treasurer: Ben Evans

Directors: Laura Burgee

Ralph Gzik

Bryce Kaufman

Matthew McKean

Rebecca Mehringer

Kathy Proctor

Mindy Stannard

Brandon Thompson

Website: www.wcbabar.org

Emails: admin@wcbabar.org
newsletter@wcbabar.org



PRESIDENT'S MESSAGE

Edward Kroll

Hello and welcome to September!

Here comes fall, and here comes another year of WCBA events. A quick recap from our Summer party: Matt McKean was named President-elect, and he'll be taking the reins in Summer 2019. Not a moment too soon, according to some people...

Becky Mehringer and Jennifer Peckham were re-elected to the WCBA Board, while Laura Burgee-Soran won a resounding victory in a crowded field for an open seat. As a reward, we made her write one of the articles you'll find inside.

The board discussed logistics and planning, and for now, we've decided to hold our monthly CLE and dinner on Tuesdays. We understand day of the week has shifted from time to time, but the feedback we've received suggests that Coyote's is well-liked, and the buffet dinner was appreciated. Should you feel otherwise, we're always looking for feedback so please contact me or any board member.

Except for September, CLEs and meetings will be on the 2nd Tuesday of each month. In September, the 2nd Tuesday falls on September 11, so the board voted to wait a week out of respect. Our September meeting will be on Tuesday, Sept. 18, with the CLE at 5:15pm and the dinner at 6:30. Our very own Judge-elect Kathy Proctor will welcome you to the dinner portion, as I teach a Tuesday evening class at Lewis & Clark Law School and President-elect McKean has an unavoidable commitment. But you'll see us both going forward.

Please set aside the evening of Thursday, September 27, for a fantastic happy hour event, primarily sponsored by the Military & Veterans Law Section, along with your WCBA, the ONLD, and Diversity & Inclusion Department of OSB. We will meet at 5pm at the McNally's Taproom courtyard for information on our new Veterans Court as well as pro bono opportunities. Admission is free! Come have a drink, support veterans, and learn how you can help.

~Ed

CIRCUIT COURT HOURS UPDATE



Due to budget cuts and staff restrictions, the Washington County Circuit Court has enacted General Order #261, affecting the hours of telephone and in-person service. Previously, both services were available 8am-5pm.

As of August 6, 2018:

- Telephone Service: 8am-11am; 2pm-5pm
- In-person Service: 8am-noon; 1pm-5pm

These changes affect all departments, staff, windows, clerks, etc. No more noon-hour filings or phone calls.



TURN SELF IN DOCKET UPDATE

Washington County Circuit Court

The court has reinstated the Turn Self In ("TSI") Docket at the Law Enforcement Center. This docket allows defendants who have an outstanding warrant due to missing a court date to ask the court to clear the warrant without having to go into jail custody. The procedures for the TSI Docket are as follows:

1. To appear on the TSI Docket the defendant must be charged only with misdemeanors or C felonies.
2. The defendant must e-file a motion asking to be set on the TSI docket. The motion must be served on the assigned DA, and it must state: (1) the charge(s) at issue, (2) the type of hearing that was missed, (3) the date of the missed court date, (4) why the defendant missed the court date, (5) whether there have been any other FTAs in the case, and (6) whether the defendant has had any new criminal charges since the missed court date. Based on the information provided, the court will decide whether the case is appropriate for the TSI Docket.
3. The TSI Docket is held once a week on Fridays at 8:15 a.m. The motion must be e-filed by the end of business Tuesday in order to be set for hearing the Friday of the

same week. Motions filed after Tuesday will be set for the Friday of the following week.

4. If the court grants the request to set the case on the TSI Docket, the outstanding warrant will be placed on hold pending the hearing *but not rescinded*. A warrant will be rescinded only at the direction of the court following the hearing.
5. If the court decides to rescind the warrant, the defendant will have to sign a new release agreement.

COURT STAFF APPRECIATION ICE CREAM SOCIAL - EXHIBIT A

Thanks to the WCBA, on August 1st the Washington County Circuit Court held an ice cream social to thank staff who have valiantly kept up with the overwhelming workload. The Court recently had to reduce service hours because it does not have the funds to meet current staffing needs. The only remaining evidence of this event is shown as exhibit A.

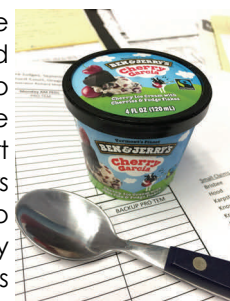


Photo by Richard Moellmer



PETER DIAMOND,
PARTNER

We protect what our clients value most.

For decades, McKinley Irvin has helped clients navigate through some of life's most difficult challenges. Our attorneys, like prominent family law attorney **Peter Diamond**, are known for their relentless pursuit of successful results, whether representing individuals in high asset divorce litigation or negotiating complex custody matters. But perhaps our most noted distinction is our steadfast commitment to protecting what our clients value most.



McKINLEY IRVIN
FAMILY LAW

503.487.1645 | PORTLAND | VANCOUVER | SEATTLE | BELLEVUE | EVERETT | TACOMA
MCKINLEYIRVIN-OREGON.COM

PRACTICING PARENT IN THE MODERN AGE

Laura Burgee

Sending my twelve-week-old son off to daycare was one of the more jarring moments of my life. As I watched my husband pull out of the driveway with our son snoozing in the backseat, I felt only crushing guilt at continuing my career over taking care of my child at home. My husband, a business attorney, opined that we had already made this choice when we choose to be attorneys and have children. While not wrong, his observation did little to comfort me in that moment.

Nearly three years later, I view that moment quite differently.

In many ways, our culture instills in us the myth that finding a balance between work and family life is some form end state, a form of enlightenment that once achieved, remains fixed forever. But my husband's and my experience has been quite different. Work-life balance is a constant balance, more like a walking a tightrope than a status achievement. And it is a tightrope that constantly changes its shape and structure.

In many ways, the practice of law is evolving for the better in accommodating practicing parents. While there are still some law firms that expect the billable hour to come before anything, the general trend is towards increased electronic communication and more flexible hours – not simply in the law, but all professional fields – have been a boon to younger parents.

Quite simply, most attorneys possess a smart phone which allows for the working parent to continue working from any location. Though not quite as efficient as an actual office presence, at least with a cell phone and laptop computer, most working parents can put out immediate fires from wherever they happen to be. The dreaded phone call that comes from daycare or school is no longer an immediate death sentence to work for the day – merely a speed bump.

But like most great pieces of technology, smart phones are a double-edged sword: they set the expectation of availability. One of the more important lessons I learned as a young parent – nay, still learning – is establishing reasonable boundaries with clients to

manage those expectations. Yes, a smart phone allows me to work on my clients' cases at all hours, but that's neither practical nor desirable. And if communicated clearly at the outset, my experience has been that clients are fairly understanding of this fact.

There can be, however, a great difficulty for many young practicing parents to turn the work email off at the end of the day. Thankfully, features like the ability to change when your smart phone receives or notifies you of work emails can help ease this challenge. It helps give you a defined schedule for when you are devoted entirely or partially to work, and when you are not.

But perhaps the most important tool in a practicing parent's arsenal is support from members of your local bar. It is nothing short of invaluable having the ability to call or email another attorney for advice, comfort, or – sometimes quite crucially – coverage. For attorneys just starting their careers and families, I would urge them to get to know the many other members of the Washington County Bar who are practicing parents themselves, regardless of stage. You will likely find, as I have, a group of attorneys with many collective years of experience and great generosity with time and resources to help other members in times of need.

When it is all said and done, being a practicing parent is never easy. But no one said you must do it on your own.



Classified Advertising Rates

| | | | |
|-------------------|------|---------------|------|
| 50 or fewer words | \$20 | 51-100 words | \$40 |
| 101-150 words | \$60 | 151-200 words | \$80 |

Over 200 words, a quote will be provided upon request.

Classified ads must be prepaid.

Display Advertising Rates

| | |
|--|------|
| Business card size (3.5" w x 2" h) | \$30 |
| 1/2 page (7.5" w x 4.75" h; or 3.5" w x 9.75" h) | \$90 |

Purchaser is responsible for providing a properly sized image at the desired resolution.

Please submit your classified text or display ad in JPEG format to: newsletter@wcbabar.org.

Pay for your ad at: mkt.com/wcba

LEARNING NEW AREAS OF LAW

Washington County Law Library

There are many reasons a seasoned practitioner may delve into a new area of law: a friend or family member has a “quick question” for the lawyer they know, an established client has a novel issue, or one simply wants to try something new. But where do you start? Possibly the first thing that comes to mind are case books or Nutshells, both commonly seen in law school. But there are more resources out there.

Sometimes the best starting point is the simplest. Nolo Press has a number of self-help guides. But these are also a great resource for stepping into uncharted legal waters. They will provide a basic overview of a new area of law and a concise introduction to key terms and concepts. A lawyer will easily know which sections are relevant, and will find them a quick and easy way to get the lay of the legal landscape, say for a family practitioner learning about IP. They are often available at your local public library, or currently online through the State of Oregon Law Library.

West’s aforementioned Nutshells, or Lexis’s similar Understanding titles, are good black-letter introductions to areas of law. More advanced than Nolo, they are still fairly quick and concise ways to learn the core components of new legal topics.

The next level are practice guides. These are practical discussions of “how to” do things in certain areas of law. Once you have the terms and concepts down, these will explain the process from start to finish. For example, Rutter Guides are well known for covering *Federal Civil Procedure Before Trial*, or *Bankruptcy*.

Then of course, for detailed analysis and precise questions, there are the treatises. Some are broad, like *Antitrust Law* by Areeda and Hovenklamp, or specific like *Patent Claim Construction*.

Lexis and West have many materials covering most topics, but there are other publishers. Bloomberg BNA has a number of patent and IP treatises, among others, and Wolters-Kluwer/Aspen has well regarded titles on antitrust law or law related to health or medical science. Smaller publishers also have excellent treatises or practice guides, such as the National Consumer Law Center (NCLC), Practising Law Institute (PLI), National Institute of Trial Advocacy (NITA), ABA, and James Publishing.

Since OSB members have Fastcase, it is worth noting Fastcase is adding secondary content, including James Publishing and Fastcase’s own Full Court Press.

The Washington County Law Library is a free legal research resource for all. Contact: (503) 846-8880, or lawlibrary@co.washington.or.us.

McKEANSMITH



Making Solutions

McKean Smith is proud to announce a new location for our Hillsboro office conveniently located across the street from the Tannasbourne Shopping Center in beautiful Hillsboro, Oregon. Our new location will better serve our Washington County clients and makes room for our growing practice. Meet with a McKean Smith attorney at 1925 NE Stucki Ave, Ste 230, Hillsboro, OR 97006.

McKean Smith provides compassionate service and works to make solutions to custom fit each client’s unique situation.

Please visit our new website for more information www.mckeansmithlaw.com

| Portland | Hillsboro | Vancouver |
|---|--|--|
| 1140 SW 11th Ave Ste 400 Portland, OR 97205 | 1925 NE Stucki Ave Ste 230 Hillsboro, OR 97006 | 1220 Main St Ste 400 Vancouver, WA 98660 |
| P: 503.567.7967 F: 503.765.7443 | P: 503.567.7967 F: 503.765.7443 | P: 360.502.7022 F: 360.558.7973 |

MCKEANSMITHLAW.COM

ARBITRATION CHANGES

Hon. Danielle Hunsaker

NEW SLR On September 7, 2018, the court enacts a new SLR that addresses the timing for arbitration hearings. Previously, arbitration hearings had to be held within 49 days of the case being assigned to arbitration, as required by the default rule in UTCR 13.160. Under SLR 13.161, arbitration hearings must be held within 90 days of being assigned to an arbitrator. If either the arbitrator or the parties want to set the hearing beyond the 90-day deadline, a motion must be filed with the court. The full text of SLR 13.161 is on the court's website.

ARBITRATION COMMISSION The court is required to have an Arbitration Commission composed of judges, arbitrators, and practitioners. The purpose of the Commission is to oversee the court's arbitration program and provide advisory opinions and feedback to the court regarding arbitration-related matters. On August 1, 2018, the court appointed a new slate of members to its Arbitration Commission: Judge Sims, Judge Hunsaker, John Knowles, Molly Jo Mullen, Justin Johnson, Mark Monson, and Grant Stockton. The Commission with its new membership will be having its first meeting in the next several weeks. If you have any concerns or suggestions related to arbitration practices in Washington County that you would like to raise with the Commission, please contact Judge Hunsaker.

SAVE THE DATE

WCBA

HOLIDAY SOCIAL

EVENING OF
TUESDAY

DECEMBER 11, 2018

AT THE
**GLENN AND VIOLA
WALTERS CULTURAL
CENTER**
HILLSBORO, OR

NEW LAWYERS COFFEE



Third Wednesday of the month
Sept. 19 ; 8:00am—9:30am
Insomnia Coffee, 317 E. Main St., downtown Hillsboro.

The Washington County Bar Association and local chapter of Oregon Women Lawyers invite new and experienced lawyers to join us for coffee the third Wednesday of the month. Stop by between 8:00am and 9:30am to see some new & familiar faces.

Mediation & Arbitration Services

John S. Knowles



503.430.8197

johnshermanknowles@frontier.com

Successful Trial Attorney 34 Years
representing Plaintiffs and Defendants

Pro Tem Circuit Court Judge,
State of Oregon

Civil Case Settlement Judge,
Washington County

Arbitration Panel, Washington &
Multnomah Counties

2017 Professionalism Award,
Washington County Bar Association

20 Years AV Preeminent Peer Review
Rating

Reasonable Rates

SUMMER SOCIAL AT ARDIRI IN PICTURES



WCBA CLE & DINNER MEETING

TUESDAY, SEPTEMBER 18, 2018

DRAFTING JUDGMENTS & ORDERS: TIPS & TRAPS

CLE BY

Judge Ramón Pagán & Judge-elect Kathy Proctor



Judge Pagán and Judge-elect Proctor will discuss how to draft a good judgment and how to avoid common mistakes, pitfalls, and unintended harm to your clients. Judge Pagán has been on the bench since 2016. Before that he clerked for then-Second Circuit Judge Sonia Sotomayor, worked as a staff attorney for the Second Circuit, did federal employment litigation, and then was a criminal defense lawyer. Judge-elect Proctor will take the bench in January 2019. She was elected last spring to the Washington County Circuit Court's new seat. She has practiced family law for over 10 years, and before that worked in workers' compensation appellate law.



Date: Tuesday, September 18, 2018 **[NEW DAY]**

Time: CLE - 5:15 p.m. / Dinner - 6:30 p.m.

Place: Coyote's Bar & Grill **[NEW LOCATION]**

5301 W Baseline Rd, Hillsboro, OR 97123

CLE Credit (Pending approval): 1 General

PRE-REGISTER

Register online: mkt.com/wcba

Email: admin@wcbabar.org

Mail: PO BOX 912, Hillsboro OR 97123

NAME: _____

- Dinner + CLE = \$35 (member)
- Dinner + CLE = \$40 (non-member)
- Dinner only = \$20 (member)
- Dinner only = \$25 (non-member)
- CLE only = \$15 (member & non-member)

PLEASE SAVE THE DATE!

The Military & Veterans Law Section

In partnership with

**The Washington County Bar Association, The Oregon
New Lawyers Division and the Diversity and Inclusion
Department of the Oregon State Bar**

Cordially invite you to a hosted happy hour from
5-7 pm on September 27, 2018 at:

McNally's Taproom
Courtyard
370 E Main St
Hillsboro, OR 97123

Please join us to network, get an update on Washington County's new Veterans Court, find out about pro bono opportunities and simply have a good time! This event is open to all attorneys and law students. Please share the event with those who might be interested.

We Thank

**Law Offices of Matthew H. Kehoe, LLC, Military Disability Lawyer LLC,
Markowitz Herbold, Sean J. Riddell and James G. Rice**

for their generous support!

The Professional Liability Fund, Multnomah Bar Association, OSB Solo and Small Firm Section, and Oregon New Lawyers Division present:

Technology Fair **PLUS** CLEs: Efficiency and Productivity Solutions for Your Law Practice

Location: OSB Center – Columbia Rooms A & B
16037 SW Upper Boones Ferry Road, Tigard, Oregon 97224

Date: Wednesday, September 26, 2018

Check In: 8:00 a.m. – 8:30 a.m.

Time: 8:00 a.m. – 5:00 p.m.

Agenda at www.osbplf.org > CLE > Upcoming.

Fee: \$15.00 (includes breakfast, lunch, and social hour)

This seminar has been approved for 5 MCLE credits – 4 Practical Skills/General and 1 Personal Management Assistance.

This day is dedicated to simplifying your life and answering your questions about technology. If you have wanted to learn more about legal software products that improve your productivity and have not had a convenient opportunity to “test drive” the products or ask your questions of the vendors you are interested in – then this day is for you! If you want an update on the latest products – come to this event! If you are interested in “knowing what’s out there” – but feel that starting the process is a bit daunting – this event will make it easy for you to get started!

Efficiency and Productivity Solutions for Your Law Practice offers a unique combination of “test driving” legal software products, legal software product demonstrations, and CLEs. The schedule builds in maximum flexibility – you will have time to explore the exhibit hall, see product demonstrations, and get CLE credit whether you are present all day or for part of the day.

You will have plenty of time to test out products and ask the questions you have not yet had time to get answered. There will be no high-pressure sales – just an opportunity to talk with many vendors all in the same place, get your questions answered, and obtain the information you are seeking. There will also be CLEs on improving your financial condition and on improving your health. The day will end with a social hour.

Technology Fair **PLUS** CLEs: Efficiency and Productivity Solutions for Your Law Practice Seminar Registration

To register, please complete this form, and mail it to the PLF with a check for \$15 to: PLF, Attn: DeAnna Shields, PO Box 231600, Tigard, Oregon 97281-1600. Or you can register and pay online with a credit card at www.osbplf.org>CLE>Upcoming. Click on the title of this program.

Registration deadline: Friday, September 21, 2018

Name: _____ OSB #: _____

Firm: _____

Email: _____ Phone: _____

WASHINGTON COUNTY BAR ASSOCIATION

2018 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 & 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: \$100 per year (September 2018 to August 2019)

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

Payable to: Washington County Bar Association

P.O. Box 912
Hillsboro, OR 97124

- You can pay by credit card online by visiting <https://mkt.com/wcba>
- If mailing your payment, please complete and return this form with your payment to the above address.

Name: _____ OSB # _____

Firm: _____

Address: _____

Phone/E-mail: _____

One application per attorney

_____ New Member Referred by: _____

_____ Renewing Member