

# AdvanceSheet™

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## A DAY IN THE LIFE OF A LAWYER IN CENTRAL ASIA

By Terry Ann Rogers

In August 1995 I went to Central Asia as the American Bar Association's liaison to Kyrgyzstan. The project, called the "Central and East European Law Initiative" (CEELI), is one of America's foreign aid programs (USAID). CEELI is a pro bono project designed to advance the rule of law in the world by supporting legal reform in Central and Eastern Europe and the new countries of the former Soviet Union. Kyrgyzstan is an ex-Soviet republic located in Central Asia, bordering China on the east and only about 200 miles north of Pakistan. The country is mountainous (the tallest peak being over 25,000 feet) and has 4.5 million people. The majority are Kyrgyz, a people of Mongolian and Turkic stock, while minorities include Uzbeks, Russians, Germans, and Koreans.

By the time we arrived in the city of Bishkek, my predecessor had rented an apartment for my husband and me. It was small but had been remodeled and was quite comfortable. My expense account as a pro bono attorney was \$1,100 a month, which was more than enough to live on. (It even covered a housekeeper who cooked, cleaned, marketed, and did laundry.)

To give you an idea of what life was like as a CEELI liaison in Central Asia, I'll take you through a typical day. That day will be October 17, 1995, the day of our first snowstorm.

The year's first snowstorms take most cities by surprise, and Bishkek was no exception. Heat, which comes from a centralized plant for the whole city hadn't been turned on yet, so I bundled up in everything I had bought from REI and walked to work through the beauty of fresh snow and gracefully bending limbs. The walk took 20 minutes, and I passed the National Guard post with its soldier choir singing on the parade grounds, its MIG on display, an assortment of kiosks (small stalls that sell vodka, candy, and other items), and old women selling sunflower seeds and cigarettes from cardboard boxes. Then I

walked past the White House, headquarters of the President and Parliament, past some clay tennis courts, and through an amusement park. At the other end of the park is the apartment complex where the CEELI office is located.

Today, besides the snowstorm, there was another surprise: yurts (felt tents that are the nomadic Kyrgyz' traditional dwellings) had been erected in the apartment yard which is usually filled with clotheslines, bars for beating rugs, and children playing on dilapidated equipment. The yurts were there because an important person had died and for several days all cooking was done in the yurts, professional mourners were hired to cry, and the funeral itself was conducted.

*Continued on page 8*

### OWLS 9TH ANNUAL CONFERENCE

#### THE POLITICS OF BEING A WOMAN



Sen. Kate Brown

Eugene is the site of this year's OWLS conference, which will be held Saturday, April 26, at the University of Oregon School of Law. The day-long program begins at 9 a.m. with a keynote address by State Senator Kate Brown of Portland. Her talk

will be followed by a panel discussion on the conference theme. After lunch in historic Gerlinger Hall, four workshop sessions will offer insights on how to become a judge; paths to elective office; how to establish credibility with clients, court, and counsel; and the ethics of billing and collection. A conference flier will soon be mailed to all women lawyers in Oregon. If you would like to learn more about the conference program, call Diane Rynerson at (503) 221-2135.

## President's Message



With our New Year's issue of the *Advance Sheet*, Oregon Women Lawyers reaches out to readers who are not members. Our hope is that reading our newsletter will encourage

you to join Oregon Women Lawyers, to attend OWLS-sponsored activities, or to become involved as a volunteer.

Oregon Women Lawyers is a state-wide (and beyond) nonprofit organization dedicated to the advancement of women and minorities in the legal profession. Our membership includes men and women lawyers, judges, students, and interested nonlawyers. In addition to this quarterly newsletter, members are entitled to chapter memberships, participation in various activities (our yearly Bar breakfast at the OSB Annual Meeting, our Betty Roberts and Mercedes Deiz awards dinner, our Working Parents Forum, Marketing Forum, and summer picnic), and reduced rates on OWLS-sponsored conferences and workshops.

I have found that one of the most exciting aspects of Oregon Women Lawyers is the networking and the camaraderie among members. Through my active involvement in OWLS, I have met numerous veteran lawyers, from whom I have been able to learn through informal mentoring, and newer attorneys, whom I hope I have been able to mentor or assist. I have made a number of genuine friendships that crossed the line of limited professional activity.

A great example of the networking at OWLS' events occurred at our Women Rainmakers Seminar last November, where we heard from numerous experienced attorneys on effective rainmaking techniques and had ample time to network and use some of the marketing techniques we had just learned.

Sheryl Willert, managing partner of the Seattle law firm Williams, Kastner & Gibbs, was our keynote speaker. Ms. Willert, an employment law attorney, shared her insights about developing a successful marketing style.

• **Be well prepared and responsive to your clients.** In addition to being knowledgeable in the area of law, it is imperative that an attorney return phone

calls, preferably on the same day they are received, and follow any client established protocols.

• **Choose your clients well.**

• **Market in a way that is comfortable to you.** But most importantly, keep your name in front of both present and prospective clients. Write articles, give lectures, send personal notes and letters, participate in bar activities, teach classes, and serve on community and political committees.

• **Know when to say "No" to an activity.** Don't take on so much that you will either get burned out or not be effective in assisting or planning an activity. Only a true commitment to being on a committee or taking on additional responsibilities will assist you in marketing.

• **Be patient.** For most lawyers, becoming a rainmaker is not something that happens overnight.

• **Develop a business plan.** This will vary depending on your practice area.

• **Mentor others.** One of the biggest marketing hurdles for women in the legal profession is gender bias, both inside and outside of law firms. Women partners should take time and effort to include female lawyers in their activities, which will expose the new attorneys to their clients.

• **Use your intuition.**

• **Demand to be treated with respect in all professional settings.** Learn from one who has been a successful rainmaker, and reach high instead of pursuing short-term goals.

• **Celebrate being a woman and use the fact that you are a woman to your advantage.** Women have the ability to compromise, to have compassion, and to be empathetic. Use this compassion to your advantage.

• **Never lose sight of the quality of life.** Attempt to balance your practice and other aspects of your life.

Ms. Willert's insights were inspirational to the attendees. Viewing them now gives me additional insight into where we are going as women. Oregon Women Lawyers has many assets that can assist you in attaining your personal goals within the legal profession. I encourage everyone to join and become actively involved. Only through our members can we have a successful organization.

*Julie Savie Caron*

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# Tips & Techniques for Marketing and Practice Management

By Agnes Sowle

At the Women Rainmakers Seminar, November 7, 1996, four successful Oregon women attorneys shared strategies they used to develop and maintain a solid client base. The panelists—Dady K. Blake (solo practitioner), Barrie J. Herbold (partner of Markowitz, Herbold, Glade & Mehlhaf), Lois O. Rosenbaum (partner of Stoel Rives) and Judy D. Snyder (partner of Hoevet & Snyder)—offered many suggestions.

**Judy Snyder** has found that becoming involved in bar activities is important for attorneys at two levels in their practices: Beginning attorneys should participate in order to become involved with their legal community, to learn leadership skills, and to network. Those who have established practices should remain active for the leadership opportunities that become available. Judy, who represents plaintiffs in employment cases, also said that she never turns down the opportunity to write or speak about the areas in which she is competent in order to let other attorneys know the types of work she does.

**Dady Blake**, practices in the areas of estate planning and elder law. She attributes her success to choosing the areas of law in which she wanted to practice and making herself competent in those areas. She agreed with Judy that it is important to let other attorneys know her areas of practice but said that most of her referrals come from families who were pleased with her representation. Therefore, she emphasized good client relations, reminding the audience that satisfied clients are likely to make referrals to their attorneys, and dissatisfied clients are likely to



At the registration table were Co-chair Debra Hall and her daughter Hannah.

share their dissatisfaction.

**Lois Rosenbaum**, a litigator in the areas of securities and complex business issues, often works for existing clients of her firm who have been referred by her partners. Nonetheless, she has been able to foster lasting relationships with her clients by being concerned about them and



Women Rainmakers Seminar participants included (left to right) Libby Schwartz, Co-chair Antonia De Meo, Panelist Lois Rosenbaum, and Neisha Saxena.

responsive to their needs. She also believes that the best marketing strategy any attorney can follow is to do good work.

**Barrie Herbold's** practice is solely in the area of employment litigation, representing both plaintiffs and defendants. Therefore, she relies on referrals from other attorneys. She said it is sometimes difficult to determine why a particular attorney has referred a case to her but believes that her bar and community activities all help to make other attorneys aware of her practice. She

agreed that doing good work is the most effective marketing strategy and that one can become successful by working to gain expertise in a chosen area of law, but she reminded participants to choose work that they enjoy doing.

**Agnes Sowle** moderated the Women Rainmakers "Tips and Techniques" panel.

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KATHERINE H. O'NEIL

**H**attie Bratzel Kremen, of Salem, died on October 29, 1996, after a long and accomplished legal career.

Hattie was born in Hebron, North Dakota, on November 8, 1908 and came to Oregon when she was a year old. After graduating from Salem High School in 1926, she spent four years as a legal secretary. In 1930 she began work as a circuit court reporter and served in that capacity for 17 years in Polk, Yamhill, and Marion counties.

In 1947 Judge James T. Brand, who had been appointed presiding judge of the U.S. Military Tribunal No. III of the Nuremberg War Crimes Trials, asked her to join him in Germany as his confidential secretary. As secretary, she excerpted and assembled transcripts, exhibits, and other information about each of fifteen defendants for the three-judge panel. At the conclusion of those trials, Hattie remained in Nuremberg, serving as official court reporter for ten months. Although pressured to continue her highly valued work as secretary, Hattie held out for the court reporter position, which carried a higher rank and afforded her greater entree in her travels. She spent her weekends traveling throughout Europe.

## IN MEMORIAM



**HATTIE BRATZEL KREMEN**

By Susan Glen

Hattie had completed a year of evening classes at Northwestern College of Law in Portland before her stint in Germany. Upon her return, she enrolled in Willamette College of Law and completed her legal education at Northwestern College of Law with an L.L.B. and J.D. degree.

Hattie entered private practice in Salem and later was appointed assistant attorney general and advisor to the Oregon Civil Defense Agency. After learning that a few of her law school classmates were running for the office of Marion County District Attorney, Hattie joined the race. She believed,

correctly as it turned out, that the visibility would help her build her practice even if she lost the race.

After one unsuccessful race, in 1956, she was elected to the first of two terms as district attorney and became the first woman to hold that office in Oregon. Hattie enjoyed working as district attorney and often accompanied the police to investigate murders and accidents that occurred in the middle of the night. She tried all of the murder cases that went to trial while she was in office and obtained convictions in all of them.

After serving two terms as district attorney, Hattie returned to private practice in 1964. Through the years, her practice included criminal defense, business law, and probate.

Susan Hammer of Stool Rives remembers Hattie as an important role model at a time when there were few women lawyers. Susan first became acquainted with Hattie when as a high school student in the 1960s, she worked in the men's furnishings department of Lipman-Wolfe, where Hattie's husband Leonard served as store manager. Later, Hattie addressed an assembly at South Salem High School, demonstrating by her presence that the law was a viable career choice for women.

Hattie distinguished herself in various community enterprises, including the Red Cross, YMCA, Camp Fire, Oregon Leukemia Association, and Chamber of Commerce. She sponsored a girl's softball team, which played under the name "Hattie's Hornets." The Salem Chamber of Commerce awarded her its Distinguished Service Award, and in 1995 she was named Marion County Lawyer of the Year.

**Susan Glen**, an attorney with *Dunn Carney Allen Higgins and Tongue*, recorded Hattie Bratzel Kremen's oral history as a volunteer for the U.S. District Court of Oregon Historical Society and Queen's Bench history projects.



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## OSB DEADLINES

**March 3** (tentative at press time)  
for Volunteer Opportunities

**March 18** for House of Delegates

Call Donna Richardson at the  
bar, (503) 620-0222, ext. 404.

**Women's Law Forum  
Conference Scheduled for  
Mid-February in Eugene**

The Women's Law Forum at the University of Oregon School of Law is sponsoring a special conference Friday and Saturday, February 14 and 15 in Eugene. Titled "Weaving Our Future: Vision Into Reality," the event begins on Friday evening with performances by local storytellers and viewing of the film *How to Make an American Quilt*.



Virginia Linder

On Saturday, panel sessions on such topics as "Women as Agents of Environmental Justice" and "The Battered Women's Clemency Project" will be held, and Virginia Linder, Oregon's solicitor

general, will deliver the noontime keynote address.

The conference finale—a reunion of University of Oregon women law students and former students in Professor Caroline Forell's Women and the Law class—begins at 7 p.m. and will feature entertainment by Wymprov (a women's improvisational comedy group). CLE credit for the eight panel sessions will be available.

Pre-registration for the conference is not necessary, but planners request that those who will attend register for the luncheon and send their checks—\$10.00 (or \$5.00 for students)—before February 1. The checks should be made out to Women's Law Forum, School of Law, 1221 University of Oregon, Eugene, OR 97403. To request a conference brochure, call Carol Pratt (541) 461-5360.

**OWLS Bar Leadership  
Workshop Set for February**

Whether you are already active in the Oregon State Bar or are just curious about committee opportunities and bar governance, you'll appreciate the information and camaraderie at a Saturday morning workshop on February 22. The workshop will be held from 9:30 a.m. until noon at the Oregon State Bar Center in Lake Oswego. Over coffee and rolls, we'll discuss paths to leadership, includ-

ing strategies for election to the house of delegates. Afterwards, for those who wish to join us, we'll adjourn to a nearby restaurant.

Cost of the workshop is \$15, and pre-registration is preferred. For more information, call Diane Rynerson at (503) 221-2135 or e-mail her at orwomenlaw@aol.com.

**OWLS Plans Conference  
With British Lawyers in 1998**

How would you like to spend your summer vacation in England in 1998? How does a week at Cambridge University, just outside of London, sound for starters?

OWLS' board of directors recently approved the planning of a joint conference between our organization and the Association of Women Solicitors (AWS), an organization of 8,000 British lawyers, during the summer of 1998. The British women have invited us to meet with them to discuss issues of common concern and to conduct a joint CLE program. The two organizations will now work together to plan the event.

Sandra Smith Gangle, a Salem lawyer and member of AWS since 1995, conveyed the English lawyers' invitation to the OWLS board. She is now forming a committee to work on planning for the joint conference, as well as other activities our members might wish to include in their travel package while in England. If you are interested in serving on the committee, please call Sandra at (503) 585-5070 or e-mail her at sandrasg@open.org.

Watch future issues of the *AdvanceSheet* for more news about this opportunity!

**The Woman Advocate 97**

The ABA's annual CLE for women litigators, which has garnered rave reviews in past years, is coming right up. The event will be held February 27 and 28, 1997 in San Francisco and March 20 to 21 in New York City. Topics include paperless trial and courtroom techniques, marketing, partnering between corporate and outside counsel, persuasion and jury issues, and depositions—all from the perspective of women trial lawyers. For details, call Lynn Glasser at (800) 308-1700.

**OWLS Honors  
Katherine H. O'Neil and  
Armonica M. Gilford**



Katherine O'Neil

Oregon Women Lawyers will honor Katherine H. O'Neil and Armonica M. Gilford as the 1996 recipients of the Justice Betty Roberts and Judge Mercedes Deiz Awards at a dinner on Friday, March 7, 1997. The Portland Gay Men's Chorus will perform.

Judge Mercedes Deiz, Gayle Patterson, Nargess Shadbeh, and the Honorable Edwin Peterson have been previous recipients of the Judge Mercedes Deiz Award. Past recipients of the Justice Betty Roberts Award



Armonica Gilford

are Justice Betty Roberts, Sid Galton, Helen Althaus, and Norma Freitas.

The reception and dinner begin at 6:30 p.m., March 7, 1997, at the Hilton Hotel, 921 SW Sixth Avenue, Portland. To reserve individual tickets, please send a check for \$45 (or \$35 for individuals with incomes under \$25,000 a year) to: OWLS, P.O. Box 40393, Portland, OR 97240. Tables of 20 are \$400.00. Please call Diane Rynerson, (503) 221-2135, with questions.



Agnes Sowle



M. Janise Augur

**OWLS Run for OSB Board**

Three OWLS members are candidates for the Oregon State Bar Board of Governors: **Agnes Sowle**, a sole practitioner who was an OWLS founding member and former OWLS president, **David Hytowitz**, a partner at Pozzi Wilson Atchison, and **M. Janise Augur**, staff attorney, Public Defense Services, Lane County. (Photo of David Hytowitz unavailable)

# Take Notice!

## ■ Training for Pro Bono Work in Family Abuse Prevention Act Hearings.

By Oregon law, survivors of domestic violence can obtain ex parte restraining orders against their abusers without an attorney. Once the order is issued, respondents may request a hearing to contest all or part of the order. It is in these hearings that petitioners need legal representation, for without it they stand to lose the restraining order's benefits, including restraint, ouster of the abuser from the home, protective visitation terms, and even custody of the children. In Washington County there are presently 10-15 contested hearings a week in which survivors are not represented (but, often, respondents are).

On Thursday, February 13, from 4 to 7 p.m., training will be held for attorneys who want to represent survivors at these hearings on a pro bono basis. The training will be held in Room 205 of the Washington County Courthouse in Hillsboro and will last 2 to 3 hours. A videotape of the ses-

sion will be available later on. For more information, call Julia Olsen or Christine Cimini at Oregon Legal Services (503) 648-7163.

## ■ 1997 Portland International Women's Day.

Sunday, March 9, 1997 is a special day in a special month (Women's Herstory Month). On that day the 22nd annual Portland International Women's Day Festival will be held at Montgomery Park, 2700 NW Nicolai in Portland. The event takes place from 10:00 a.m. to 6:00 p.m.

## ■ Professional Services Coordinating Council Breakfasts.

A series of breakfasts sponsored by the Professional Services Coordinating Council continues on March 14 with a talk on "The Impact of Workplace Design on Productivity and Employee Motivation." That talk is followed on May 16 by "The What, When, Why of Referrals." The series was initiated to foster professional networking and alliances and features topics not typically presented at continuing education seminars. The breakfasts take place from 7:00 to 8:30 a.m. at the Mallory Hotel, 729 SW Fifteenth in Portland. The



Hon. D. Gernant

You may know him as the Hon. David Gernant, but on Monday, February 3 at 4:30 p.m. he will become Clarence Darrow in a program entitled **Racism in the Courtroom**. Judge Gernant will be joined by Assistant United States Attorney Okainer Christian Dark, who will facilitate a post-performance discussion. A reception follows the program, which is co-sponsored by Oregon Minority Lawyers Association, Association of Oregon Black Lawyers, Asian Pacific American Lawyers Association, Oregon Women Lawyers, Oregon Gay and Lesbian Lawyers Association, and Minority Law Students of Northwestern College of Law. Call (503) 778-2175 for details.

cost is \$15. For reservations, call the Suran Group (503) 274-9381.

■ **Suspicious Confirmed.** A study by the Women's Bar Association of Massachusetts has found reluctance among firms to accept and support lawyers who work part time. The report, based on interviews with partners or managers in 154 law firms and Boston-area corporations, concluded that a lawyer's commitment to practice is still measured by the hours she puts in, that employers are reluctant to accommodate the needs of parenting attorneys for more than a few years at a time, and that most part-timers are dissatisfied with the options they are offered.

One partner noted that it usually takes most women lawyers longer to develop business than their male counterparts and that as part-timers they have even less time for the entertaining, extra meetings, and professional activities needed for business development. One associate reported that her professional growth had slowed because of working part time. She felt that partners are reluctant to give women major responsibilities and that working part time leads to women getting even more of a firm's "dreck" work.



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## Around Oregon

■ On December 12, 1996 the **Mary Leonard Law Society** held its holiday party. In lieu of a gift exchange, members contributed new sweatshirts and sweatpants—women's and children's sizes—to the Salem Women's Crisis Service. Members contributed in excess of 50 new items of apparel—and enough cash to buy Christmas gifts for children in foster care in Marion County.

Upcoming meetings will be held February 13 and March 13, 1997, with speakers and programs to be announced. The meetings are held at Goudy Commons, Willamette University. For more information, call Kristen Preston at (503) 378-8247.

■ **Queen's Bench** started the year off right with a talk by Coquese Washington, a guard for the Portland Power, Portland's new professional women's basketball team, and a student at



Coquese Washington

Northwestern School of Law of Lewis & Clark College.

Upcoming meetings feature (on February 11) Oregon Board of Parole and Post-Prison Supervision Chairperson Diane Middle and (on April 8) Portland State University President Judith Ramaley. Both women are recipients of the Commission on Women's 1996 Woman of Achievement Award. The speaker for the March meeting is to be announced.

All meetings are held on the second Tuesday of each month at the downtown Portland Meier & Frank's 10th floor Georgian Room at 11:45 and cost \$8. Reservations are not needed. For more information, call Lori Deveny (503) 226-3232.

■ On Tuesday, January 28, **Washington County Women Lawyers** will hear a talk by Hank Lageman, a vocational expert, who will discuss the effective use of vocational experts in determining damages and disability impact in personal injury cases and earnings ability in dissolution cases. At the February 25 meeting the speaker is Jean Walker of Pathways, and on April 22 Cindy Flintjer of Waverly Children's Home will speak. (The speaker for the March 25 meeting is to be announced.) All meetings are held on the fourth Tuesday of the month at Miller's Homestead Restaurant at 640 SE 10th in Hillsboro.

## Race Judicata Planning Under Way

May 10 will be the date for the 1997 Race Judicata, the Mary Leonard Law Society's popular annual fundraiser for Salem area charities. This year's beneficiary will be Threshold, a non-profit organization that Salem residents started in 1992 to provide direct services to children with autism.

Profits from the 1997 run will be used to start and sustain a new Threshold program called "First Step," which is designed for parents, siblings, and extended family members of autistic children. Threshold hopes that the program will become a model for the State of Oregon.

Donors both inside and outside the Salem area are encouraged to give \$100 or \$250 (to put the name of their choice on the official Run t-shirt), \$250 to put their firm or organization logo on the Run flyer, or \$500 to have their logo appear on both the flyer and the t-shirt. The flyer is distributed to running and sporting goods stores throughout Oregon and southwest Washington.

If you would like to be a sponsor, call Cindy Forbes at (503) 378-6313 or Kristin Preston at (503) 378-8247. For sponsors whose logos will appear on the flyer and t-shirt, donations must be received before March 1. For those who will have names on the t-shirt, the deadline is April 30.



### GET INVOLVED!

#### LOCAL CONTACTS

**Cascade Women Lawyers**—Patricia Heatherman, Merrill, O'Sullivan et al., Suite 303, 1070 NW Bond Street, Bend, OR 97701 (541) 389-1770

**Coos County Women of the Bench and Bar (WOBBS)**—Margaret Melvin-Davidson, 895 Commercial Avenue, Coos Bay, OR 97420, (541) 269-5225.

**Lane County Women Lawyers**—Marcy Butcher, DA's Office Family Law, Suite 320, 675 Oak Street, Eugene, OR 97401 (541) 687-4517

**Rogue Women Lawyers**—Colette Boehmer, Suite 3-B, 201 West Main, Medford, OR 97501, (541) 779-7552

**Washington County Women Lawyers**—Elissa Ryan, Westlawn Professional Building #201, 1225 NW Murray Road, Portland, OR 97229 (503) 643-0504.

### Thanks to Women Rainmakers

**Seminar Planners:** Co-chairs Antonia M. DeMeo and Debra L. Hall and committee members Jane E. Angus, Kathryn E. Holland, Janet Knauss, Margaret M. Maguire, Elaine M. Malin, Nancy J. Moriarty, Neisha A. Saxena, Claire Turcotte, and S. Diane Rynerson



**Special thanks to:** the Vancouver law firm of Horenstein & Duggan, which generously underwrote the printing and binding of the extensive written materials.

## A LAWYER IN CENTRAL ASIA CONT.

The CEELI office, an apartment of three rooms plus kitchen and bath, was very cold, and I spent this morning in my boots and coat. The cooking gas was on so we could make tea to warm up. My staff consisted of Irina, a full-time interpreter who was also my office manager and secretary, and a part-time "gofer" who did the xeroxing and delivered the mail. The postal system was in disarray, and bill paying was done in person because checking accounts and charge cards have not yet reached Kyrgyzstan.

The morning's first meeting for Irina and me was at 10:00 at the National Library. I was bringing together two organizations—the Association Attorneys of Kyrgyzstan (the independent, voluntary bar association that CEELI had been working with) and the Na-



Terry Ann Rogers (second from right) at the opening of the law library in Kyrgyzstan with (from left) a member of the bar, the director of the National Library, and the president of the bar association.

tional Library of the Republic—to develop Kyrgyzstan's first and only public law library.

Both organizations would have liked to have had the library without working with the other, but that was impossible. The bar association was too new to get anyone to fund a law library, but it was an NGO (non-governmental organization) and could get foundation money. The National Library was an established organization and could guarantee public access, but as a governmental body it would be ineligible for many grants.

The library was very excited about the project because its funding had been cut and a new collection was being offered. The bar association's representatives were leery of giving up power and resentful of not getting any books. My role was to help the two sides work together, plan a completely new library department, raise all the funds, and get the library opened before I left at the end of July 1996.

*To jump ahead, the law library opened on July 18, 1996 with \$47,000 having been raised. The chief justices of the Supreme and Constitutional courts and the deputy prime minister of Kyrgyzstan presided over the opening ceremony. The major contributor to the new law library was the United Nations High Commission for Refugees, because its chief viewed the establishment of the rule of law to be of primary importance in guaranteeing the rights of refugees. The National Library and the bar association had established a board of trustees to run the law library. The bar association still wanted to get books and com-*

*puters for itself but was beginning to bask in the glory of having played a role in opening the law library, which so many people felt was significant for the country's law reform efforts.*

After the law library meeting, Irina and I hitchhiked back to the office. (Cab fares were only \$1, but when a cab wasn't to be found, we would hail any driver who wanted to earn that fare.) It was lunch time and we went to a small café in the Ministry of Finance building. Irina had lagman

(Kyrgyz mutton and vegetable soup) and nan (flatbread baked in a tandoori oven). I had samsa (a filled bun of mutton and onion, baked in a tandoori oven), tomato and cucumber salad, and tea. The two lunches cost about \$1.20.

After lunch I had Irina call Justice Baekova, chief justice of the Constitutional Court, because we were arranging for another visit by retired Washington State Supreme Court Justice Robert Utter. Justice Utter had been to Kyrgyzstan many times to consult on the constitution and setting up the court system. Justice Utter would be consulting with Justice Baekova on the organization of the Constitutional Court, which was beginning its historic first term. My role was to make all the arrangements for Justice Utter's visit, including sending a car and driver to Almaty, Kazakstan (100 miles away, but a four-hour drive) and arranging hotels, interpreters, and other details. (The trip worked out very well. Justice Baekova arranged a trip to Lake Issyk Kul, where to honor Justice Utter we stayed in the President's compound. We also were treated to "terrorist hospitality," i.e., being wined and dined with five complete meals in five different settings in one day!)

At 4:00 that afternoon, Irina and I headed for the board meeting of the bar association. My predecessor had started this new group by holding 20 weekly CLEs, mostly on commercial law topics. When the CLEs ended, over 40 local lawyers incorporated the first independent, voluntary organization of lawyers in Kyrgyzstan. The minister of justice had registered

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the "Association Attorneys of Kyrgyzstan" in August 1995, and a seven-member board of directors had been elected. The board was meeting monthly and wanted to continue to present weekly CLEs and plan several two-day seminars on law practice management. The ABA would send Jim St. Clair, past president of the ABA's law practice management section, to present them. But on this day, the board was not able to do much future planning, since on October 20 the bar was co-sponsoring the second public hearing on a draft law ever to have been held in Kyrgyzstan. Parliament and the minister of justice had requested that the ABA pay for the hearing on the draft criminal code (this included renting a hall, xeroxing the draft law, coffee breaks, and lunch) and I had gladly accepted but said that the co-sponsor should be the new bar association.

To fast forward once again, the hearing was exemplary. The minister of justice and the speaker of the upper chamber of Parliament opened the hearing. Sixty lawyers attended from Parliament, the defense bar, the prosecutor's office, the police academy, and the judiciary. The procedure involved going through each section of the draft code and taking comments. People felt very free to comment and criticize. Two stenographers took minutes by hand, and the ministry of justice was responsible for incorporating the comments into the next draft of the law and submitting it to Parliament. The ABA had a legal specialist testify at the hearing. Richard Thomson, deputy legislative counsel to the State Legislature of California, arrived in time for the hearing, after having been sent the draft code in translation. Richard's primary function as a CEELI legal specialist was to spend two months in Parliament's Department of Comparative Analysis helping with legislative drafting. He was the first foreigner ever to work inside Kyrgyzstan's parliament.

The bar's board meeting was over at 6:00, and Irina's husband picked us up and took us home. That night our cook, Shura, had prepared a dinner party. My husband and I were entertaining David Holst, a charming Dane who headed "TACIS," the

European Union's foreign aid program in Kyrgyzstan. Dinner was compote, borscht, stuffed peppers, Russian potato salad, and apple cake.

At day's end my bedtime reading was Chingis Aitmatov's *A Day Lasts a Hundred Years*. Aitmatov is a famous Kyrgyz writer, and it's a great book.

Anyone who is interested in becoming a CEELI liaison (a one-year position) or a legal specialist (usually a two-month position) may call me at (503) 224-4094, or call Kamala Mohammed at CEELI, (202) 662-1950.

**Terry Ann Rogers** is executive director at Multnomah County Legal Aid Service.

## On the Move . . . . .



Dianne Middle

**Dianne L. Middle**, Chairperson of the Oregon Board of Parole and Post-Prison Supervision, is one of three Oregon women to receive the Commission on Women's 1996 Woman of Achievement Awards. The other honorees were Portland State University President Judith Ramaley and Fred Meyer Senior Vice President Cheryl Perrin.

**Lise Rae Pfost**, formerly a staff attorney in the Hillsboro office of Metropolitan Public Defender, has opened a law practice in Hillsboro, Washington County. Her practice will include criminal defense, juvenile and school law, custody modification, Social Security disability, and personal injury.

**Loree Devery**, past president of Queen's Bench, has been named a partner at Tonkon, Torp, Galen, Marmaduke & Booth. She will continue her practice in creditor's rights, collection and bankruptcy law.



Loree Devery

In February 1997 **Helle Rode**, past president of OWLS, will join the firm of Bullard Korshoj Smith & Jernstedt. She will be defending employment litigation against public and private employers.

**VOTE**

**AGNES SOWLE**

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- 1996 Member OSB House of Delegates
- Member MBA, OTLA
- Presenter and writer for the Oregon State Bar in civil litigation and business programs

# ask

THE CONTRACT  
LAWYER  
REFERRAL SERVICE

By Deborah Guyol

As a service to our members, the OWLS Contract Lawyer Referral Service will answer questions about contract work and contract attorneys. Feel free to submit your questions for upcoming issues. For more information, call Deborah Guyol at 228-0097.

**Question:** I've just gotten my first call about a contract assignment. How can I be sure this project leads to more?

**Answer:** Doing a good job is, of course, the best way to ensure that your customers will keep coming back. So it's important to determine what your

customer considers "doing a good job." Clear communication is key. Don't assume that the lawyer hiring you, because she is experienced or well established, will tell you everything you need to know. If you want to succeed, you must take the lead. Ask questions. Understand the hiring lawyer's expectations. Here are some rules:

**1. Establish a definite deadline.** Is there a court deadline involved? If so, how far in advance of it does the hiring lawyer need your work? If not, ask for a deadline anyway. If the hiring lawyer persists in being vague, set one yourself. "I can finish this by Friday. Will that work for you?" Then stick to the deadline. If you need more time, let the hiring lawyer know immediately and set a new deadline.

**2. Discuss how much time the project should take.** This is especially important for new lawyers, who may not have enough experience to judge. Spending "too much time" on a project is one of the principal complaints hiring lawyers make about contract lawyers. If the hiring lawyer insists the project can be completed in ten hours and you think it will take longer, you can suggest reporting on its status before you exceed ten hours. If you discover that a project is more complicated than either you or the hiring lawyer suspected, call her and discuss adjusted expectations. If despite all your precautions you

spend more time than you'd anticipated, tell the hiring lawyer before presenting a bill. Then, depending on the circumstances, you can either argue that the project warranted the extra time ("Once I began the research I found additional issues we needed to address"), or offer to cut your hours ("I spent 30 hours, but I'll only bill you for 20 because it took me awhile to get oriented to this area of law").

**3. Work efficiently.** Ascertain the format the hiring lawyer wants for your work product. Ask for samples of similar documents produced by her or her firm. Ask whether she has a research file on the subject that you can use as a starting point. If the hiring lawyer has suggested an avenue that looks like a dead end, tell her why you think so and discuss whether you should pursue it.

**4. Memorialize the agreement.** It's easy to confirm your assignment with a brief memo to the hiring lawyer. For example: "You have asked me to spend up to five hours doing research on rules of contract interpretation and writing a memo that applies them to the facts of this case. You need the memo by Monday, February 3." You may want to use an engagement letter with all lawyers you work for. Such a letter should state your hourly rate, when you will present bills, and when you expect payment.

**5. Protect yourself.** When you're starting out it may not occur to you to check for conflicts, but you should get in the habit anyway. Ask the hiring lawyer for the names of all parties to the matter, as well as of the lawyers representing other parties. Be familiar with the Oregon rules on conflicts of interest and follow them. Note DR 10-101(a), which defines "firm member." If you've availed yourself of the law clerk exemption to PLF coverage, tell the hiring lawyer and explain what this means in terms of supervision and restrictions on what you can do. And if you are working without PLF coverage, make sure the hiring lawyer has not been suspended. Call the Oregon State Bar to determine the status of any lawyer.

Deborah Guyol is co-author with Deborah Arron of *The Complete Guide to Contract Lawyering* (Niche Press, 1995). To order a copy of the book, call (800) 468-1994.

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### Can You See YOURSELF in This Picture?

Serving on the OWLS board may not be all fun and games, but it IS a chance to work with interesting colleagues to keep a worthwhile organization going strong. At the 1996 holiday board reunion, we caught these OWLS members during a break: (from left) Noreen Saltveit, Julie Levie Caron and our hostess, the Hon. Ellen Rosenblum. If you would like to serve on the OWLS board, please call Trudy Allen *immediately* at (503) 797-0219.

### Oregon Women and the Law Updated

Consistent with its mission of educating women about their legal rights and responsibilities under the law, the Oregon Commission for Women is publishing an updated version of *Oregon Women and the Law*. More than 40 attorneys—many of them OWLS members—have volunteered their time and expertise to write chapters on issues ranging from adoption to workers' compensation.

The book will contain more than 250 pages of information in large, easy-to-read type and will include resource sections. It will be distributed free to women's shelters and public libraries throughout the state and will be available to the public as of February 1, 1997 for \$10 a copy. (That charge may be waived on the basis of need.)

To request a book, call the Commission at (503) 725-5889, fax your order to (503) 725-8152, or write to P. O. Box 751-CW, Portland, OR 97207.

## C L A S S I F I E D S

**LEGAL FLYERS™**—Miriam Green, accurate, reliable freelance legal secretary, faster than a last minute FedEx, available to make order out of chaos, days/eves/weekends, (503) 281-9022, NEW e-mail lglflyers@hevanet.com.

**OWLS CONTRACT LAWYER REFERRALS.** Could you use temporary help from another attorney to handle any portion of a case, from initial research to trial to appeal? Call OWLS Contract Lawyer Referral Services Coordinator Michelle Lawson at (503) 228-0097.

**NANNY-SHARE REGISTRY.** Do you want the flexibility of private child care but feel concerned about the financial burden? Consider a "nanny-share" arrangement. The OAAP and OWLS will match people who are interested in sharing a day-time nanny. If you would like to participate in the registry, send your (1) name, (2) mailing address, (3) work and/or home phone numbers, (4) children's ages, (5) home address and cross streets, (6) days and hours you need child care, (7) preference as to which home is used for providing care, and (8) preferred areas of town for sharing (example "southeast" or "near downtown"). Mail to Barbara Fishleder, Professional Liability Fund, P.O. Box 1600, Lake Oswego, OR 97035.

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### 1997 Oregon Women Lawyers Membership Application & Renewal

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| <input type="checkbox"/> Mary Leonard Law Society (Salem) |   |

PRACTICE AREAS: \_\_\_\_\_

#### MAIL TO:

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## CourtCare Seeks Your Support

The Multnomah CourtCare Committee is conducting a study to determine the need for, and feasibility of, providing drop-in child care at the Multnomah County Courthouse. The study, being done with the help of Portland State University, will cost approximately \$5,000.

To date, generous donations have come from Adidas America, the Oregon Law Foundation, Ater Wynne Hewitt Dodson & Skerritt, Davis Wright Tremaine, Stoel Rives, Gevurtz Menashe Larson & Yates, Kell Alterman & Runstein, Hoffman Hart & Wagner, Multnomah Bar Association, Stoll Stoll Berne Lokting & Shlachter, Jody Stahancyk, David Riewald, Janice Hall, and Robin Selig.

If you wish to make a donation to this worthwhile project, which aims to keep children warm, safe, and well cared for while they are in the courthouse, please call Gerri Sue Lent at (503) 231-7533.

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