

# AdvanceSheet

A newsletter published by Oregon Women Lawyers

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## *An April Double Bill*

## SPRING CONFERENCE AND WOMEN LITIGATORS SEMINAR

*Instead of just attending OWLS' annual Spring Conference this year, those of you who want to kill two birds with one stone can also take in an information-packed seminar for women litigators—all in just one and one-half days. Not only have the events been planned to fit the schedules of busy lawyers, the cost for each is extremely reasonable.*

### WOMEN LITIGATORS SEMINAR

On Friday, April 12, Oregon Women Lawyers will join with Oregon Trial Lawyers Association and Oregon Association of Defense Counsel to present a unique, full-day CLE devoted to the techniques that are essential to successful litigation. Through practical demonstrations and audience participation, a distinguished faculty will address the skills needed to advance a lawsuit from planning discovery through cross-examination of an expert witness.

Morning topics include choosing a trial theme (Barrie Herbold and Susan Russell), handling voir dire (Judy Snyder, Joyce Tsongas, and Paula Barran), dealing with difficult pre-trial issues (Chrys Martin, Judge Ancer Haggerty, Judge Deanne Darling, Mary Mertens James, Susana Alba, Jacquelyn Romm, Terry Gustafson, Lisa Maxfield, and Lisa Brown), and negotiating a settlement (Chief Judge Michael Hogan, Susan Hammer, and Judy Henry).

During lunch we'll hear the latest reports from the American Bar Association on the status of women in the profession and at the law schools.

In the afternoon, Mary Ryan, a Denver-based litigation and communications consultant, will explain how to make effective presentations to juries. Ms. Ryan's work in the field of persuasive argument design has made her a sought-after teacher for such organizations as the National Institute of Trial Advocacy and the Association of Trial Lawyers of America. Another afternoon session covers direct and

cross-examination of a medical witness for post-traumatic stress disorder (Judge Anna Brown, Dr. Cynthia Sturm, Kathleen Dailey, and Margaret Hoffman).

The seminar will be held at the Portland Hilton from 8:30 a.m. until 4:30 p.m. Cost for members of OWLS, OTLA, or OADC is \$110, with a reduced rate of \$65 for students or those with an annual individual income of \$25,000 or less. Child care for infants through kindergartners will be available for \$40 at St. James Child Development Center, located a few blocks away. Pre-registration for child care is required. It is anticipated that the seminar will receive 6.5 Oregon CLE credits. For more information, call Diane Rynerson (503) 221-2135.

### OWLS' SPRING CONFERENCE

"Living the Law and Finding Balance" is the theme of Oregon Women Lawyers' eighth annual conference, set for Saturday, April 13 at the Franciscan Renewal Center near Lewis &

*Continued on page 3*



### SHARE THE EXCITEMENT OF BEIJING

OWLS member Judith Armatta recounts her experiences at the United Nations Fourth World Conference on Women (FWCW) and the Nongovernmental Organizations (NGO) Forum (see page 6).



## President's Message



Phylis Myles

I don't have child care. I have Dad care. My father is 86 years old with senile dementia. I moved him from Nashville, Tennessee to Portland a year ago. Twice a week I take him to a group for people with memory loss and Alzheimer's disease. He sings songs. He fingerpaints. He does all the things we did in kindergarten. If I'm ten minutes late picking him up, I get charged extra.

When my father fell last April and gashed his head, I moved him to foster care. Trying to keep up my practice, visit my father every day at the convalescent center, find a foster care facility I trusted, and move him out of his apartment was overwhelming. A close friend, whom I met in OWLS, arranged for a truck and people to move my father's belongings from his apartment to storage. I needed help,

but I didn't know how to ask. She saw my need and helped.

Another friend of mine in OWLS is a full-time lawyer with two children. She volunteers for OWLS work because she believes very strongly in it and because, as she says, "It's something for me." She took on a lot of OWLS and OSB projects this fall and was becoming immobilized between work, home, and volunteer projects.

She couldn't let go of the "for me" projects because, I think, she was afraid of losing something of herself. I called her to talk about some ways to ease the pressure and yet not lose those interests that she needed for herself. She commented as we talked that "Gee, I guess it's okay to say I need help."

It is okay to say "I need help." We are all struggling to balance work, home, family, and relationships. Women still carry the larger load at home. We are little or no better off in terms of partnership positions than we were 10 years ago. We still make less money than male lawyers.

The mission of OWLS is to promote women and minorities in the legal

profession. By joining OWLS, you join a network. By attending or organizing chapter meetings, you meet individuals who share many of the same interests, problems, and concerns about work and home.

Help comes in many different packages. As an organization, this year OWLS is helping to promote members by conducting a candidates school for OWLS members running for the Oregon State Bar House of Delegates, creating a speakers list of OWLS members from around the state who can speak on different topics, and organizing a coalition meeting with other minority law organizations to find ways to work towards common goals.

In addition to these new projects, we have our ongoing activities to help one another, such as Working Parents Forum, Contract Lawyers, Marketing Lunch Forums, the Mentoring Program for law students, and the Spanish and German language circles.

On February 9 OWLS will present the Justice Betty Roberts Award to Norma Freitas and the Judge Mercedes Deiz Award to Justice Edwin Peterson. These awards are given to individuals who have made an outstanding contribution by helping women or minorities in the legal profession and the community.

Past recipients have helped women and minorities in many different ways. For instance, among many other things, Helen Althaus wrote letters of support to women law students in the 1950s and 60s—women who were often the only women in their law school class. Gayle Patterson helps minority law students pass the bar exam. Sid Galton makes it a requirement to seek out and recruit women and minority participants for CLEs or any committee he chairs. Each of these people reaches out to others.

As Diana Craine, former OWLS president, has often said, "Let us help you. When you are in trial or running for judge, call us to run your errands, do your laundry, or babysit."

The only way we are going to beat the statistics that put women and minorities on the bottom rungs is to help one another professionally and personally. That is what Oregon Women Lawyers is all about.

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## SPRING CONFERENCE

*Continued from page 1*

Clark College. This year's conference offers opportunities to renew old friendships and make new ones while focusing on the difficult issues that face anyone who "lives" the law and tries to maintain a life outside the law.

Keynoting the conference is Ada Shen-Jaffe, director of Evergreen Legal Services, Washington's statewide legal services program. With the exception of a year teaching law in Taipei while Shen-Jaffe's pediatrician husband pursued medical studies, she has devoted her entire career to poverty law. In 1995 her outstanding achievements were recognized by the ABA Commission on Women when it awarded her its prestigious Margaret Brent Award. Shen-Jaffe says of what she does: "It is a calling. It's not a job; it's not even a profession. And the job will never be finished."

After the keynote address, there will be a panel entitled "Career Alternatives and Alternative Careers," followed by a choice of breakout sessions. An ethics workshop will examine what it means to be a "good lawyer," while "Lawyers at Home" looks at the concerns of those who step out of law practice.

Cost of the half-day program, which includes lunch, is \$50 for OWLS members, \$65 for nonmembers, and \$35 for students or those with individual annual incomes of \$25,000 or less. For out-of-town registrants, a few beds are available at the Renewal Center and homestays with other OWLS members are also possible. For more information, call Diane Rynerson (503) 221-2135.

We note, with regret, the passing of **Dorothy Kliks Fones**. She was born January 17, 1908 and died on New Year's Day 1996. We will provide a profile of her in the next issue of the *AdvanceSheet*.



Keynote speaker  
Ada Shen-Jaffe

## SUCCESS TEAMS ONE YEAR LATER

by Katherine Foldes

At the one-year anniversary party of Team Intrepid, the members of OWLS' first success team took time to reflect as well as to celebrate. As we sat together eating goodies that team members brought, we were amazed to list the actual progress that we had helped one another achieve.

**Member One** received a Multnomah Bar Association award, opened a branch office, progressed from the new lawyer in town to a well-connected solo practitioner and will be featured in an ABA article on solos, is running for the OSB House of Delegates, and is developing a speaking schedule for next year to gain further exposure and new contacts.

**Member Two** published her first book for lawyers and has leads for her next big writing project, this time for the ABA, in addition to her regular work as a lawyer.

**Member Three** successfully transitioned from criminal practice to civil practice and now has a job as an associate for someone who left a big firm personal injury practice. His new goal is to get regular exercise and have some time for himself.

**Member Four** was able to meet his goal of hiring support staff in a new rural practice, has had great success in attracting clients, and now represents a small city.

**Member Five** met his goal of having two paid mediations or arbitrations and has found a temporary job organizing an arbitration program.

**Member Six** attracted many new hiring attorneys for her contract lawyer services, clarified and focused on a new area of the law, and successfully launched two success teams.

**Member Seven** began the transition from a full-time mom to volunteer work, with plans to transition to paid work in the future.

The common thread for members is that they can achieve any goal with the help, support, and contacts of the group. Members feel free to call on one another, to complain, to wring hands, to boast. One member appreciated the insight of women and the lack of egotism in the group. The members gave one another confidence. The group keeps members going. Accountability comes from the knowledge that members must attend and report their progress on specific tasks every two weeks.

Recently, a second success team was launched. It doesn't yet have a name but it has a group of committed participants. They include a lawyer making a transition to patent law, a new admittee establishing a sole practice in business law, and a sole practitioner who wants to experience China for a year or two.

*Do you want to form a success team? Get your questions answered by contacting Katherine Foldes at 641-7010.*

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## ★ ELECTION WATCH ★

*If you have ever toyed with the idea of bar leadership, this year—with its mass openings and lack of incumbents—is the year to run. Upcoming elections for the American Bar Association House of Delegates, the Oregon State Bar Board of Governors, and the newly created OSB House of Delegates offer ample opportunities for those seeking leadership positions. In addition to two slots on the ABA body and four slots on the OSB board, over 100 OSB House of Delegates positions are open.*

### OSB Board of Governors

Three of the four Multnomah County candidates for the Board of Governors—Ann Fisher, Mark Johnson, and Kathryn Root—are OWLS members. They are profiled elsewhere on this page. Unfortunately, the date for filing for the other two openings on the BOG passed without any OWLS members filing for them. Ballots will go out April 1 and are due at the OSB offices by noon on April 15. Votes will be tallied and announced on April 16.

### ABA House of Delegates

On a national level, the seats on the ABA House of Delegates held by Laird Kirkpatrick (Eugene) and George Riemer (Lake Oswego) are up for election this spring. Both delegates plan to file for reelection and will be challenged by Marilyn Harbur (Salem). OWLS member Harbur is also profiled on this page. The filing deadline for the ABA House of Delegates is March 18, 1996. Ballots will go out April 1 to all members of the Oregon State Bar. Results will be tallied and announced April 16.

### OSB House of Delegates

House of Delegates members will serve staggered terms, with lesser numbers up for reelection in subsequent years. Multnomah County alone will elect 44 delegates, while the remaining 56 will be elected from the same regions as members of the Board of Governors.

The deadline for filing for House of Delegates positions is March 11 (petitions are available from Donna Richardson at the OSB office—503-620-0222, Ext. 404 or 800-452-8260). Ballots go out April 1 and will be counted shortly after April 16.

★ ★ ★

### CANDIDATES, CANDIDATES, CANDIDATES

*Listed here are OWLS members who are running for national and state bar positions this spring.*

### ABA House of Delegates

**Marilyn Harbur** (Salem) has been senior assistant attorney general, tax litigation, in the Oregon Department of Justice since 1990. She was a member of the OSB Board of Governors from 1989 to 1992 and has been active in the American Bar Association since 1985, serving as chair of the Taxation Committee (1987-89), director of the Substantive Law Committees for Marketing and Membership (1989-90 and 1991-96 respectively), and liaison to the Young Lawyers Division representative (1985), among other positions.

### OSB Board of Governors

**Ann Fisher** (Portland) served on the Oregon State Bar MCLE board from



Sarah Ruth Rosenberg Lorie Harris Hancock

1991 to 1994 and was that group's chair in 1993-94. She also served on the Insurance and Bar Sponsored Program Committee from 1985 to 1988, chairing the group in 1987-88. She sat on the Region 5 Disciplinary Board from 1991 to 1994 and is currently serving a three-year term that ends in 1997. She was Region 5 chair in 1995. Her legal background includes work in governmental and inhouse settings, as well as private civil practice in both large and small firms. She served as chair of Oregon Women Lawyers' first directory committee.

**Mark Johnson** (Portland) has a family law and appellate practice. He served on the executive committee of the OSB's Family and Juvenile Law Section from 1991 to 1994 and chaired that section's legislative subcommittee working on legislation dealing with donor insemination and surrogacy. He was vice chair of the Multnomah County Charter Review Committee in 1989-90 and is a judge pro tempore of the Clackamas and Multnomah County circuit courts. He is past co-chair of the National Lesbian and Gay Law Association.

**Kathryn Root** (Portland) chaired the OSB's Procedure and Practice Committee, served on the executive committee of the Family and Juvenile Law Section (1990-94), and co-chaired the November 1992 Conference and CLE Program. A founding member of Or-



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Marilyn Harbur



Ann Fisher

egon Women Lawyers' executive committee, she is also a founder of Justice Endorsed by Women Lawyers PAC (JEWL/PAC) and is its current president. She was convention center manager for the 1992 national convention of the Jaycees.

#### OSB House of Delegates

**Alice M. Bartelt** (Salem) is staff attorney at SAIF Corporation and currently serves on the OSB Workers' Compensation Section Executive Committee and the Medical Profession (Joint) Committee. She received her law degree from the Northwestern School of Law of Lewis & Clark College.

**Dady Kathryn Blake** (Portland) is an attorney in private practice focusing on estate tax and elder law. Before moving to Oregon, she served for two years as president of the Los Angeles chapter of the National Organization for Women. She was voted 1994 "Volunteer of the Year" for her work with the Senior Law Project. She received her law degree from UCLA.

**Laurie Craghead** (Gresham) holds a J.D. and an environmental law certificate from the Northwestern School of Law of Lewis & Clark College and is a contract attorney focusing on land use, real estate, and environmental law. She has served on the Multnomah Planning Commission since 1994, is 1996 president of Queen's Bench, and produces and directs OWLS' "Ask the Lawyer" cable television program.

**Norma S. Freitas** (Portland) is program coordinator for the Multnomah Bar Association Volunteer Lawyers Project, serves on the OSB Access to Justice Committee, and is the 1996 recipient of OWLS' Justice Betty Roberts Award. She holds a law degree from Boston College Law School.

**Debra Hall** (Portland), currently at home with her new daughter, prac-

ticed in employment and family law for five years. A graduate of the Willamette University College of Law, she has served as co-chair of the OSB New Lawyers Division CLE Committee and was 1994 president of Queen's Bench. She currently is a board member of Oregon Women Lawyers.

**Lorie Harris Hancock** (Portland), an attorney with Tonkon, Torp, Galen, Marmaduke & Booth in general corporate and business law, holds a degree from the Northwestern School of Law of Lewis & Clark College.

**Ingrid M. McTaggart** (Portland) is an attorney in intellectual property law practice with Dellett and Walters and president of the Oregon Patent Law Association. She received her law degree from Arizona State University College of Law.

**Julene M. Quinn** (Salem) is an appellate attorney and trial counsel with SAIF Corporation. She serves on the OSB Ethics Committee and formerly served on the Workers' Compensation Section CLE Committee. She received her law degree from Washington College of Law at The American University.

**Sarah Ruth Rosenberg** (Portland), a sole practitioner in business, estate planning, and general civil litigation, serves on the OSB Lawyer Referral Committee. She served on the OWLS Board in 1990-92 and was the first Contract Lawyer Referral Service coordinator. She received her law degree from the Northwestern School of Law of Lewis & Clark College.

**Lynne J. Wehrli** (Salem) is a review attorney with the Workers' Compensation Board. She holds a law degree from the Willamette University College of Law. She has served on the Mary Leonard Law Society Board and as "Race Judicata" coordinator.

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#### Katherine O'Neil Elected ABA State Delegate

Oregon's American Bar Association members elected OWLS' founding president, Katherine O'Neil, state delegate by a 3-2 margin (597 to 398 votes), with 32 percent of the members casting ballots. As state delegate, Katherine is a member of the nominating committee, that elects all ABA officers and the ABA Board of Governors. She succeeds The Honorable Ellen Rosenblum, who was elected to the ABA Board of Governors.

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# 1995 NGO FORUM & FOURTH WORLD CONFERENCE ON WOMEN

By Judith Armatta

Huairou, China was the "happening" place to be this past September. If you are a women's rights activist, it was.

For ten days, more than 30,000 women (and some men) from all over the globe met in this tourist city about an hour's drive from Beijing for the Nongovernmental Organizations (NGO) Forum, parallel to the United Nations Fourth World Conference on Women (FWCW). We met to discuss the state of the world and the state of women in the world, to share strategies, and to make plans for future action.

In addition to plenary sessions translated into five languages, over 5,000 workshops were offered, more than 40 demonstrations occurred, 16 evening cultural events were presented, and a Tribunal on Crimes Against Women held a full day of hearings. That's over and above the unscheduled, casual contacts and exchanges of information that took place, like the one I had with an attorney from Nigeria who works to change conditions for widows. In Nigeria and many other countries, widows have no right to inherit or own property, are often left destitute, and always are dependent on male relatives for continued survival.

The NGO Forum preceded and overlapped with the FWCW, held in more sumptuous surroundings in Beijing (What? Class distinctions in



the People's Republic?!). The First UN Conference on Women was held in 1975 in Mexico City, while the NGO forums began later as a way for grassroots feminists to influence the official governmental conferences. Initially, I understand, the NGOs weren't much welcome. In Beijing, however, NGOs were given formal access to the FWCW, allowed to participate in lobbying efforts, and permitted to address the conferees (on a selective basis, however).

The result of the official conference was the Final Platform for Action, a 150-page document that reflects international agreement on necessary strategies for appreciably raising women's status worldwide by the year 2000. The document identifies 12 critical areas of concern:

- **Poverty:** Women are 70 percent of the 1 billion people who live in "abject poverty."
- **Education:** Women make up two-thirds of the world's illiterates.
- **Health Care:** About 500 women die each day from unsafe abortions, while 1,370 die daily from avoidable causes related to uncontrolled fertility, complications of pregnancy, and childbirth. Women are twice as likely to be infected with the AIDS virus and an estimated 4 million women will die from AIDS by the year 2000.
- **Violence:** One hundred million women are "missing" due to female

infanticide, sex-selective abortion, son preference in food, health care, and resources. Women who should be alive have also been lost due to death from domestic violence (15,000 women are killed each year in Russia by intimate partners), "traditional" practices such as dowry murder, and complications from genital mutilation and early pregnancy in forced child marriages. Millions of women are sold into sexual slavery within and across borders.

## • Effects of Armed Conflict:

Systematic mass rape and forced impregnation have been used as official weapons of war in Bosnia, Bangladesh, Cambodia, Cyprus, Haiti, Liberia, Peru, Somalia, and Uganda. About three-fourths of the world's 20 million (low estimate) refugees are women.

• **Economics:** Women perform \$11 trillion of unwaged work and are over-represented in marginal sectors of the economy.

• **Decision-Making Power:** Ten percent of the world's formal political leaders are women.

• **Insufficient Mechanisms to Promote Women's Advancement:** Official efforts to support the advancement of women are often marginalized and underfunded.

• **Human Rights:** Women's issues and concerns are often considered private and therefore not amenable to state protection.

• **Media and Communication:** Women's sexuality is commodified in a global marketplace.

• **The Environment:** Women are clustered in marginal sectors of the economy, where they are more frequently exposed to environmental hazards.

• **Discrimination Against the Girl Child:** In many cultures, girls are taken out of school to assist the family, denying them the chance for future economic independence they might have if they could obtain education.

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*Deni Starr*



While the status of women worldwide may seem bleak, the Platform is a call to action which over half the nations at the Beijing conference made specific commitments to implement. Australia will introduce a new health program specifically for indigenous women. Fiji will assign 50 percent participation of women in promotions and appointments at all levels of government and encourage the private sector to do the same. Zambia will increase women's access to credit. The United States, as one of its commitments, will launch a six-year initiative to fight domestic violence.

In addition, the international community made notable strides in agreeing that women have the right to control their sexuality and stating forcefully that violence against women is a human rights violation.

The Platform for Action is the concrete accomplishment of the official FWCW. The NGO Forum, while heavily influencing the Platform, had many other accomplishments, not least of which was the skill sharing, networking, and organizing that occurred. And while they will press their governments to honor official commitments, NGOs know that the real work of implementation will happen at the grassroots level.

That work is reflected in the cross-border efforts of women in Norway, Sweden, India, and Thailand to assist refugee women from Burma, where a military dictatorship has forced many people into exile. It is also reflected in the position taken by Japanese women who pressed the Japanese government for a full official apology to Korean "comfort" women who were raped by Japanese troops in World War II.

At the NGO Forum itself, Austrian women, among others, helped Tibetan women in exile attend the conference despite Chinese denial of their visas. U.S. policy was also opposed by numerous Cuban "friendship" committees from around the world. They led in developing a Forum declaration against the 30-year blockade of Cuba which has caused unnecessary suffering among women and children who lack basic medical and food supplies.

Iranian women in exile came to the conference with the support of women

in Sweden and other host countries. From outside Iran, they continue to oppose the ruling Islamic political party, which has decreed that women may be stoned to death for suspected adultery. A delegation from all sectors of the former Yugoslavia came together and jointly presented a workshop on peacemaking.

At the Forum we learned that around the world, women have organized micro enterprises, literacy campaigns, health clinics, women's police stations, women's banks and loan funds, crisis centers, law reform efforts, and protests against traditional forms of violence such as genital mutilation and dowry deaths. Women of the Mahgreb (North African countries with sizeable Muslim populations) worked across borders to come up with a list of 98 demands for women's full participation in society—demands that a high Muslim cleric pronounced to be in full accord with Islamic teachings.

One of the accomplishments of the Forum was to identify global forces that have taken hold since the 1985

Nairobi Conference, such as the globalization of the economy and the rise of conservatism. It was clear from the Forum that the most important and hopeful new global force is Women in Movement. Not only will this movement—with its declared concern for people over profits, a sustainable economy, and the need to demilitarize the world and implement peaceful means of conflict resolution—raise women, it can't help but effect significant change for everyone, men and women alike.

[The Platform for Action is available on the Internet: [gopher://gopher.undp.org/00/unconfs/women/off/plat form](mailto:gopher://gopher.undp.org/00/unconfs/women/off/plat form)]

*Judith Armatta is executive director of the Oregon Coalition Against Domestic and Sexual Violence. On Tuesday, February 13, she and Harriet Dennison of the Women's Foundation of Oregon will speak about their experiences in China at the Queen's Bench luncheon (Meier & Frank, 10th Floor, 11:45 a.m.)*

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## THOUGHTS ABOUT DIVERSITY

By Robin Morris Collin

*The following remarks are based on a talk Professor Robin Morris Collin of the University of Oregon Law School gave to the Lane County Women Lawyers Association in October.*

I'm pleased to talk today about diversity in the profession. I don't teach civil rights or the race law part of the curriculum, so in a sense I'm not speaking out of my professional expertise so much as my personal experience. This is an obligation that I feel because there are obviously so few African-American people here. It's my sincere hope that there will be more of us here so that you won't see me doing this each time we have a diversity program! But I really do thank you for the opportunity to talk today.

The University of Oregon Law School is living proof of what diversity can accomplish. Diversity is a healthy thing, and we ought to be doing it because it's good for the in-

stitution. Since 1990 there have been nine new hires to the law faculty and of the nine, four are women and four are people of color. Between 1990-91 and today, the law school has risen in the rankings by at least 50 points. That's no accident.

This is the most productive era in the law school's history—there are more people writing more, publishing more, teaching better than ever before. This is also the period when they hired people of color and women in numbers—important numbers. So we need to talk about the importance of inclusion, the importance of diversity, the good it accomplishes—and not be doing it in the name of some other moral principle.

Racism to me is a question that every lawyer ought to understand. It's impaired judgment. It is holding and adhering to an unexamined, internalized set of assumptions that color how we make judgments about people, about situations. When those stereo-



LCWLA Director Marcy Butcher (left) and Professor Robin Morris Collin

types or assumptions are wrong, we make terribly wrong judgments about people and about context.

The difficult thing is getting someone who harbors such a feeling to understand that it may be affecting his or her judgment—to say, "This is my problem," and own the problem and do something about it. When racism or some other stereotype about a portion of the human family begins to interfere with the way we exercise professional judgment, it ought to be a concern to our profession.

Let me give you an example of racism from my life: a landlord-tenant dispute concerning a house I rented. (If you're an African-American person, this stuff happens to you every day.) I was raised with a mother who is really a borderline obsessive about cleanliness, and as much as I tried to leave that in my past, I can't help it: one is one's mother. So when I moved out, I know I left this house in very good shape, because my mother had been to visit me the week before. However, the landlord kept our whole deposit.

I had not initially seen the landlord face to face. It was one of these academic arrangements—no need, we were all professionals. He made an assumption that, of course, as a professor of law I was white. It never crossed his mind that I was an African American until one of the neighbors asked him, "Did you know she's black?" And this made a big difference. I think that is why he kept the deposit and took us through the en-

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tire process of challenging it, in part because he felt he had to purify the house, having had black people there. Talk to any real estate agent about it. It's real. People have internalized feelings of revulsion, and it's not going to be enough just to clean the place—it has to undergo something of a sanitation routine so that it's purified.

I don't know how many of you know the legal history of African-American people in this country, but it's worth looking at. For example, did you know that it was illegal for us to speak our own language, to know our nationality? There were no records kept of where we came from. I have no idea what country I'm from or what language I might have spoken. There is no way I will ever know what religion I might have practiced. That was deliberate. That creates a burden on us, and I also think that creates a burden on whites who live in a society that doesn't honor, recognize, or even acknowledge that history.

It was also illegal for us to observe our family ties. Therefore, children were sold from mothers and there was no legal marriage in our community. So in criticizing the black family, society truly bears some responsibility for having said for hundreds of years that black men and black women could not marry.

Further, it was illegal for a white to teach a black to read or for blacks to have their own colleges and universities. African-American people have been subject to a legal regime of oppression that whites conveniently forget.

I think the problem of racism is important to our profession. Think of every professional occasion when you (or someone else) must exercise judgment and the outcome is uncertain—when a judgment call is being made on credibility or background or the context in which something has happened. It is on those occasions that one exhibits one's values. On those occasions it is possible to see very clearly what people's otherwise masked belief systems really are.

One example is the O. J. Simpson trial. Obviously, no one was there at the time the murders were committed, and the whole point is "How are

we going to resolve that uncertainty?" So everybody throws in their evidence, but the whole point of the show is really to resolve the uncertainty.

At that point you have two different, parallel trials going on. You have the trial in court, subject to all the rules of fairness and formality, in which the judge and the professionals and everybody else are supposed to do the very best they can to keep all those racist stereotypes and extraneous materials out of the courtroom. But parallel to that court trial, you have a public trial going on that is not subject to those constraints.

People who tune in to talk shows are getting all sorts of racially charged material, and the public is left to sort out the unfair and racist material without the fairness, formality, and constraints. I think that puts whites, as well as blacks, in a position that is ultimately unsound. It will make this country ungovernable, and if we don't do something about it as professionals and as people, we are not going to be able to hand down to younger people anything remotely like this

country that we inherited. It will be in my view an anarchistic, tribal, and ungovernable country, and it won't take long.

One of the things that I think professionals can do is to re-commit ourselves to the constraints that we try to live by, acknowledging human frailty and the tendency to operate in moments of uncertainty based on interests and beliefs. Professionally we hold ourselves, however imperfectly, to an aspiration that says we know we are subject to this temptation, but we shouldn't give in to it.

We need to reaffirm that value in the public mind also. There are arenas to which we consign materials that are uncertain. They may be imperfect arenas, like courts, but they are arenas subject to constraints the rest of the public does not honor. We need to do this if we are going to work together, be productive together, and do what the U of O law school has done—move up 50 points in whatever ranking chart is applicable to countries.

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## Take Notice!

■ **"Hitching Your Wagon to the Right Stars—Living the Résumé of Your Dreams."** You can take positive steps to connect yourself to your career goals, whether they include issues of client development, leadership, job placement, or job advancement. Career consultant Marti Chaney will provide tips on networking and assessing the value of volunteer connections and commitments and facilitate a discussion by experienced attorneys who have achieved career goals through targeted activities. The program and reception will be held from 4:00 to 6:00 p.m. in three locations: March 5, Portland State University, Smith Center, Room 328; March 6, Oregon Electric Station (Eugene); March 7, Willamette University College of Law. There will be a modest fee. CLE credit will not be available. For more information, call Diane Rynerson (503) 221-2135.

■ **The National Forum for Women Corporate Counsel.** Fulcrum Information Services, Inc. will present The National Forum for Women Corporate Counsel May 2-3 in San Francisco, with Oregon Women Lawyers as a co-sponsoring organization. OWLS will receive considerable visibility at the event and our members qualify for a \$100 discount. For more information, call Diane Rynerson at 221-2135.

■ **Third Annual Defense Research Institute National Women Defense Attorneys Seminar.** OWLS member Chrys Martin, a partner with Bullivant, Houser, Bailey, Pendergrass & Hoffman, is a workshop leader and organizer of the Third Annual Defense Research Institute National Women Defense Attorneys Seminar for Insurance, Corporate and Defense Counsel. The event—scheduled for February 29 and March 1 at the Hotel Del Coronado in San Diego—has won high praise in past years, among other things for its no-host networking dinners. The seminar itself features numerous opportunities to learn

from a nationally known faculty, address important gender issues, and hone advocacy skills. For registration information, call Diane Rynerson at 221-2135.

A glittering evening awaits those who attend the **OWLS' February 9 Awards Dinner** when the annual Justice Betty Roberts and Judge Mercedes Deiz awards are presented. The event, which takes place at the Portland Hilton Hotel, begins at 6:30 p.m. with no-host cocktails, followed by dinner at 7:00. Entertainment is by the Gay Men's Chorus.

Honorees this year are **Norma Freitas**, who will receive the Justice Betty Roberts Award, and **former Chief Justice Edwin Peterson**, who will receive the Judge Mercedes Deiz Award.

Cost of the event is \$45, or \$35 for those with annual incomes of \$25,000 or less. Also, tables for 10 can be reserved for \$400.

Reservations must be made by February 2. Call Diane Rynerson at 221-2135.



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## On the Move . . . . .

**The Hon. Ann Aiken** of the Lane County Circuit Court has been formally nominated by President Clinton to fill a vacancy on the U.S. District Court bench in Oregon. She awaits confirmation by the Senate. She will be the third woman (after Judge Helen Frye and Magistrate Janice Stewart) to be appointed to the U. S. District Court in Oregon.

Congratulations to former OWLS president **Diana Craine**, who was recently elected to the board of the National Conference of Women's Bar Associations, and to **Toby Graff** and **Kevin Strever**, who won seats on the Oregon State Bar Board of Governors.

**Jean Morton**, formerly the Director of Legal Assistant Studies at the College of Legal Arts, has opened her own training and consulting business in the areas of communication, team building, problem solving, and organization. Her office is in Portland.



## Judge Eveleen Henry Talks About Her Recent Appointment

The November 13 investiture of Eveleen Henry as a judge of the Lane County District Court was a time for celebration for women lawyers in that county. Not only is Judge Henry extremely supportive of women in the legal profession, her appointment means that women judges now make up 60 percent of the Lane County District Court.

On November 17, Judge Henry spoke to the Lane County Women Lawyers Association about the process of becoming a judge. She emphasized that understanding the process and what the governor is looking for is vital.

Governor Kitzhaber, she said, prefers people who will be "out there in the community." That preference is one reason she applied. After filling out an extensive application, candidates have opportunities to speak at a local bar lunch. Then the local bar distributes a voter's pamphlet and the bar conducts its poll. The names of top candidates are sent on to a committee of attorneys from outside the county, who conduct interviews and recommend candidates to the governor. The governor conducts his own interviews, considers the background check on each candidate, receives information from other contacts, and selects and appoints one individual.

Judge Henry suggests becoming familiar with the bar and cultivating contacts there. She thoroughly prepared for her interviews by calling other district court judges and discussing their jobs with them, as well as reviewing new legislation. She attempted to anticipate likely questions and to compose answers, an exercise that paid off even though actual questions differed somewhat. In her case, Judge Henry was asked about the official report on racial and ethnic bias in the Oregon legal system, the future consolidation of circuit and district courts, and the governor's community corrections bill.

**Antonia De Meo** of Lane County Women Lawyers Association provided the information on which this article is based.



From left, Judges Cynthia Carlson, Eveleen Henry, and Lauren Holland

### Judicial Selection Under Governor Kitzhaber

Henry H. (Chip) Lazenby, legal counsel to Governor John A. Kitzhaber, outlined the governor's process for appointing judges at a luncheon of the Oregon Trial Lawyers Association.

Lazenby began his talk by noting that recent legislative changes which increase the salaries of district and cir-

cuit court judges and increase judges' retirement benefits may lead to several new judicial openings in the coming biennium. Also, because of Ballot Measure 11 it is likely that candidates for judicial appointment who have criminal law experience will have the edge over equally qualified candidates without such experience.

Although Governor Kitzhaber currently relies on local bar screening procedures to generate a list of top candidates, he wants to establish a new, more efficient system that would identify a pool of qualified candidates from which to draw whenever vacancies arise. This approach would eliminate the expense and frustration of having candidates go through the same screening process each time a vacancy in their judicial districts arises—as in the case of one judge who was interviewed three times in four months.

Anyone with suggestions about how the judicial selection process should be modified is encouraged to contact Mr. Lazenby at the state capitol.



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## THAT'S ENTERTAINMENT!

**T**hat's education too. For the past year and a half, Oregon Women Lawyers (OWLS) has been in "the biz" of providing legal information to the community through its cable television program, "Ask The Lawyer." For those unaware of the program, "Ask the Lawyer" (ATL) is a monthly, live call-in show produced at Multnomah Community Television and shown on cable channel 11. The live show broadcasts tri-county wide, with the taped version repeated twice in East Multnomah County. Each month's show covers a different topic, discussed by our host, Agnes Sowle, and usually three guests.

We measure the success of the ATL show by the increased number of phone calls during each broadcast. Some of those who call in say they have seen the show several times. We are also receiving more comments from other lawyers who say they appreciate it. More lawyers are signing up to be trained as crew members. Additionally, lawyers and other members of the legal profession are more receptive to being guests on the show and to sponsoring food for the guests and crew.

Between the crew, guests, and sponsors, over 60 OWLS members have helped to make the show a success. We want to say "Thank You" to all those members and to the other volunteers. The following is a list of those who have participated.

**CREW:** Laurie Craghead, Producer; Agnes Sowle, Host; Brent Hutchison; Diane Rynerson; Joan Larken; Trudy Allen; Robert Varitz; Nancy Hochman; Ruth Parvin; Karen Pancottine; Ann Jerhoff; Kay Bowen; Renée Schmeling; Matthew Steele; Robyn Gregory; Mary Cowen; Lin Harmon-Walker; Debra Hall; Ron Marston; Genie Espenel; Devin Bernard; and Dave Hemmer.

**GUESTS:** Paula Barran, Lane Powell Spears Lubersky; Elizabeth McKanna, Bennett Hartman Reynolds & Wiser; Helen Tevlin, Psychologist; Diana Craine, Craine & Love; Helle Rode, Multnomah County Counsel; Elissa Ryan, Sole Practitioner; Judith Armatta, Oregon Coalition Against Domestic & Sexual Violence; Janis Hardman, Sole Practitioner; Theresa Wright, Lewis & Clark Legal Clinic; The Hon. Merri Souther Wyatt, Multnomah County District Court; Lisa Maxfield, Ransom Blackman & Weil; Greg Horner, Multnomah County Deputy District Attorney; Susana Alba, Sole Practitioner; Marsha Morasch, Smith Freed

Heald & Chock; Michael Yates, Gevurtz Menashe Larson & Yates; Joshua Kadish, Meyer & Wyse; Aloha Schade Wyse, Sole Practitioner; Carol Westendorf, Westendorf Associates; The Hon. Kristena LaMar, Multnomah County Circuit Court; The Hon. Roosevelt Robinson, Multnomah County Circuit Court; The Hon. Janice Wilson, Multnomah County Circuit Court; The Hon. Elizabeth Welch, Multnomah County Circuit Court; Ann Morgenstern, Sole Practitioner; Maureen McKnight, Oregon Legal Services; Kathryn Root, Johnston & Root; Norma Freitas, Volunteer Lawyers Project, Domestic Violence Project; Sandra Hansberger, Lewis & Clark Legal Clinic; Terry Ann Rogers, Multnomah County Legal Aid; Dady Blake, Sole Practitioner; Kristianne Cox, Sole Practitioner; Cynthia Barrett, Sole Practitioner; Armonica Gifford, Oregon Dept. of Justice; Andrea Redding, Northwestern School of Law; Stella Manabe, Asian Pacific Lawyers Association & Northwestern School of Law; Lori Deveny, Pozzi Wilson Atchison; Katherine O'Neil, Graff & O'Neil; Pat Conover Mickiewicz, Sole Practitioner; Noreen Saltveit, Noreen K. Saltveit & Associates; Ingrid Slezak, US Arbitration & Mediation; Luella Nelson, Mediator; Mary Ebel Johnson, Sole Practitioner; Molly Mulvaney,

Confluence Northwest; Sarah Rosenberg, Sole Practitioner; Trish Brown, Lane Powell Spears Lubersky; Ann Chapman, Vanden Bos & Chapman; Phil and Doreen Margolin, Margolin & Margolin; Catherine Tappel, Gevurtz Menashe Larson & Yates; Cedric Brown, Sole Practitioner; Barrie Herbold, Markowitz Herbold Glade & Mehlhaf; Patricia Sullivan, Corey Byler Rew Lorenzen & Hojem; Richard Slottee, Lewis & Clark Legal Clinic; and former Chief Justice Edwin Peterson.

**SPONSORS:** Lane Powell Spears Lubersky, Sather & Associates, Tonkon Torp Galen Marmaduke & Booth, Dady Blake, Kristianne Cox, Cynthia Barrett, Ann Morgenstern, and Laurie Craghead.

If anyone wants to be a member of the ATL crew, the training involves only two classes, totaling nine hours. We would also appreciate sponsorship of ATL, since the crew and guests arrive at the studios immediately after work and have no chance to eat. For more information about being a crew member or a sponsor, contact Laurie Craghead, Phone 665-2476, E-Mail [cragheadl@aol.com](mailto:cragheadl@aol.com).



### 1996 Oregon Women Lawyers Membership Application & Renewal

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☐ Yes, I would like a \$10 rebate to go to my local chapter.

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|---|---|
| <input type="checkbox"/> Cascade Women Lawyers            | <input type="checkbox"/> Mid-Columbia Women's Bar Association |
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# 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. Contact Deborah Guyol at 228-0097 for more information.*

### Question: Are there opportunities for contract lawyers outside the Portland metro area?

**Answer:** In a word, yes. I recently spoke in Bend, at a meeting of the Oregon Attorney Assistance Program (OAAP) solo and small firm networking group, and learned that attorneys there are eager to work with contract lawyers. They seemed uncertain, however, about working with lawyers from outside the area. At the same time, they had trouble finding local lawyers to do contract work.

I inferred from this experience that many lawyers in smaller communities would welcome the help of contract lawyers. With modern communications technology, those lawyers can look beyond their own communities for such help—and contract lawyers can seek work outside their own geographic areas. This flexibility benefits both big-city contract lawyers, whose access to comprehensive law libraries should make them an attractive resource for lawyers in small towns, and contract lawyers who live outside the metro areas and may not find enough work from lawyers in their own towns.

For both groups, there are two issues: how to connect with potential hiring lawyers and how to work efficiently at a distance or outside a hub of legal activity. For connecting with hiring lawyers, nothing beats that old standby, networking. Any lawyer hoping to go statewide should begin by meeting lawyers in one community, whether her own or a distant one. For example, a lawyer based in Newport could start with Newport, then expand to towns up and down the coast—or to Salem and Eugene. A Lake Oswego lawyer who loves skiing might decide to build relationships in the Bend legal community.

The best way to make these contacts is through group activities. The OSB Membership Directory lists local bar associations and other organizations you can use to get started. The OAAP sponsors solo and small firm support groups that meet monthly, in Pendleton, Bend, and Medford, as well as Portland, Salem, and Eugene. Oregon Women Lawyers has chapters around the state (see "Around Oregon" in this Advance Sheet for more information). And in February, new OWLS member Rose Jade will kick off a Newport-based OWLS contract lawyer and networking group. The first meeting will be held Saturday, February 24, 1996 from 10:00 a.m. till noon at Cosmos in Newport.

Once you've found a few hiring lawyers, you can put technology to work for you. It's surprising how little you need. A fax machine is essential, but you can begin by using the service down the street. If you're drafting a document that the hiring lawyer will file or finalize, there are several options. You can send the text on a disk by overnight mail; or if both you and the hiring lawyer are on e-mail, e-mail it. If the hiring lawyer has a scanner, simply faxing the text to her will do.

Technology can also help contract lawyers who do not have access to a good law library—you can subscribe to an on-line legal research service no matter where you live. Although these services appear expensive for the solo, think about the time you would otherwise spend in transit to and from a library, multiplied by your usual hourly

rate. By this measure, the monthly cost of an on-line service may be a bargain. And hiring lawyers should be willing to pay for on-line time spent on their projects.

We're only beginning to see how to use technology to enter into long-distance work relationships. I'd be interested in hearing from lawyers about their experiences with such arrangements.

**Deborah Guyol** volunteers as coordinator of the OWLS Contract Lawyer Referral Service and is co-author with Deborah Arron of *The Complete Guide to Contract Lawyering* (Niche Press, 1995).



## CONGRATULATIONS, OWLS MEMBERS!

When we asked for donations to the Campaign for Equal Justice at our 1995 Bar Breakfast, the response of OWLS members was so overwhelming that OWLS became the fifth highest contributor to the Campaign. The amount donated by members was matched by the firm of Graff & O'Neil for a total of \$8,520. OWLS was among the top 40 contributors honored at a December 19 luncheon. Our thanks to all who gave—and especially to Graff & O'Neil for matching those donations.



Oregon Women Lawyers and the Oregon Attorney Assistance Program's noontime, brown-bag discussion group on Friday,

March 1 is on the topic **How to Talk With Kids About Sex**. Dr. Lorah Sebastian will present the program, which will be held at Schwabe, Williamson & Wyatt, 1211 SW Fifth Avenue in Portland.

For additional information—or to offer suggestions for other topics or speakers—call Connie Wold (671-7286) or Mike Long (226-1590).



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## Around Oregon

■ **Clark County Women Lawyers** (Vancouver) has elected **Margaret Phelan** as chair, to succeed **Liz Perry**, founding chair. Both women were OWLS charter members, and Liz continues to be active in Queen's Bench. Clark County Women Lawyers meets monthly for lunch. Call Margaret at 285-4103 for details.

■ **Eastern Oregon Women Lawyers'** contact (and OWLS board member) Renée Schmeling says to prospective EOWL members, "Are you interested in getting to know other women lawyers in Eastern Oregon, promoting women and minorities in the legal profession, discussing topics of concern to women lawyers, having a semi-regular lunch date, and having fun? If so, call me at 276-0244 or show up at the Cookie Tree in Pendleton at noon on Friday, February 2."

■ **Klamath County Women Lawyers** (Klamath Falls) meets intermittently for lunch and encourages participation by new attorneys and visitors to Klamath Falls. For the next scheduled event, call Karla Knieps at 541-884-7728. Earthquake and history buffs will be interested to know that the Klamath County Courthouse is still closed from the "Spring Break Quake" of several years ago, pending resolution of conflicting engineering reports.

The question: can the great stone pile be reconstructed in a safe manner?

■ **Lane County Women Lawyers Association** (Eugene) has lots of news to report. The October and November meetings featured fascinating talks by University of Oregon Law Professor Robin Morris Collin and Lane County's newest woman judge, Eveleen Henry, respectively. (Articles about these talks appear elsewhere in this newsletter.) In December there was no holiday party—instead the LCWLA Steering Committee voted to contribute \$50 to the Relief Nursery and \$50 to Food for Lane County. Then on January 19, LCWLA's luncheon theme was bar leadership. To top it all off, member Mary Wagner got some national exposure when she was heard on NPR's *Morning Edition*. Her message: the Million Man March involved a lot more than one charismatic leader!

■ **Queen's Bench** (Portland) has adopted West Women's Shelter as a designated charity this year. The December meeting (held on "storm day") was an occasion to honor Portland area judges and gather gifts for the shelter. But holiday giving didn't end there: anyone who has new or good used clothing or other items for West Women's Shelter is encouraged to call

Loree Devery at 221-1440. Members of the Queen's Bench 1996 board are: President Laurie Craghead, Vice President Lori Deveny, Secretary Laura Kosloff, Treasurer Jodie Bushman, and Directors at Large Trudy Allen, Staci Sawyer, Debra Hall, and Karen Pancottine. Judith Armatta and Harriet Dennison will speak at the February 13 Queen's Bench luncheon concerning their experiences in China this summer.

■ **Washington County Women Lawyers** recently heard talks by Leo Munter, of Washington County Conciliation Services, The Hon. Rick Haselton, and OWLS Success Teams Coordinator Kathy Foldes.

### Enhanced Membership Giving

A big thanks to those who paid their membership dues during 1995 at the Sponsor level.

Trudy Allen  
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