

# AdvanceSheet™

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## OWLS Bestows Awards at Roberts-Deiz Dinner

By Rose Alappat

On March 14, before an audience of over 500 people, OWLS presented the Justice Betty Roberts Award to the Honorable Elizabeth L. Perris of the United States Bankruptcy Court, and the Judge Mercedes Deiz Award to Lissa Kaufman, director of Student Legal Services at Portland State University (PSU).

The festive, sold-out Roberts-Deiz Awards Dinner was held for the third year at the Nines Hotel in Portland. The evening began with a revamped social hour for the OWLS Foundation that featured a silent auction and raffles for a family fun package and tickets to a Timbers game and a Thorns game. After drinks, the celebration transitioned to dinner in the main ballroom.

During dinner, OWLS President Kathleen Rastetter thanked the dinner sponsors, including title sponsor Paulson Coletti Trial Attorneys, and recognized the distinguished judges, political leaders, and guests in attendance.

Sheeba Suhaskumar then presented the Judge Mercedes Deiz Award to Lissa Kaufman. The Judge Mercedes Deiz Award recognizes an individual who has made an outstanding contribution to promoting minorities in the legal profession and the community. Lissa has been an effective advocate for diversifying the pipeline for legal careers.

In her acceptance speech, Lissa emphasized the importance of persistence, noting that "diversity work is piecemeal work." She also talked about two places where she has witnessed diversity, the juvenile justice system and PSU, and how her experiences in those environments have influenced her career and outlook.

Lissa organized the PSU Explore the Law program, which helps diverse PSU students prepare

for and pursue legal careers. She is also an active member of the Multnomah Bar Association's equality and diversity committee and chair of its pipeline subcommittee. In addition to her committee and university work, Lissa takes time to personally advise and mentor aspiring law students, leaving a personal legacy with future lawyers.

Next, Catherine S. Travis presented the Justice Betty Roberts Award to the Honorable Elizabeth L. Perris. The Justice Betty Roberts Award recognizes an individual who has made an outstanding contribution to promoting women in the legal profession and the community. While building her own distinguished, nationally recognized legal career, Judge Perris has mentored and guided many women attorneys and judges by offering advice and identifying opportunities for professional growth.

Judge Perris has also taught at local law schools, spoken at many local bar programs, participated in a training program for new bankruptcy judges, and found many other ways to contribute to the legal community. Earlier this year, she announced her plans to retire from the bench. During her acceptance speech, Judge Perris described some of her early experiences in the law but concluded by looking forward and focusing on the challenges facing new lawyers in Oregon. She urged attendees to find opportunities for attorneys with less than two years of experience, reminding attendees that someone gave them their first job, so they should try to provide that same opportunity to someone else.

Save the date for the 23rd Roberts-Deiz Awards Dinner on Friday, March 13, 2015.

*Rose Alappat is an associate in the business group at Perkins Coie in Portland.*



Lissa Kaufman (left) and Judge Elizabeth L. Perris

Photo by Jodee Jackson

## President's Message



Kathleen Rastetter

It is hard to believe that it has been a year since I took over the presidency of OWLS. We have had a great year.

Our new website was completed, and we are

moving toward an electronic membership directory. We provided financial support for OLIO, the Oregon State Bar Diversity Story Wall project, and Dress for Success. We participated in the Lewis & Clark Bar Prowl event to introduce law students to the benefits of specialty bar organizations, and we attended the OSB swearing-in ceremonies to share membership information with new lawyers.

We welcomed a new chapter in Southern Oregon, the Joan Seitz Law Society, which is putting on great programming for women lawyers in Roseburg. We enjoy knowing that OWLS chapters continue to provide unique events and networking opportunities around the state.

We hosted Sheryl WuDunn at our Fall CLE in October. Ms. WuDunn, co-author of *Half the Sky*, spoke about opportunities to end the exploitation of women worldwide. Her presentation was followed by a panel discussion by J.R. Ujifusa, a Multnomah County deputy district attorney who prosecutes sex trafficking crimes; Lena Sinha, who counsels victims of sex trafficking at the Sexual Assault Resource Center; and Christopher Killmer, of Portland's Immigration Counseling Service, which provides legal services to immigrants. OWLS owns the rights to show the documentary based on the book.

We co-hosted a well-received salary negotiating workshop with the OWLS Foundation, which was tweeted in real-time, and we partnered with the OSB in December to present a CLE on gender equity in partnership compensation. We hosted a contract-lawyer CLE about managing expectations and getting paid, which is now available on video via the

PLF website. We hosted a free workshop on writing cover letters, offered OWLS professional networking events in Bend and Portland, and hosted free telephonic brown-bag CLEs on such substantive issues as appellate advocacy with Ninth Circuit Judge Susan Graber and mandatory child-abuse reporting with Deschutes County Circuit Court Judge Beth Bagley.

We adopted board policies for privacy, copyright, and conflict of interest. We took steps to ensure our fiscal responsibility, including instituting bylaw changes to increase financial oversight, and we are moving to an electronic newsletter and CLE materials to save publication costs and resources. We made the necessary changes to our articles of incorporation and bylaws to move to electronic voting to save printing and mailing costs.

We continue to strengthen our relationships with other specialty bars, and we partnered with the Multnomah Bar Association diversity committee to develop mutual ways to achieve our diversity goals.

But there is still work to be done. As just one example, the three-year effort to amend the Oregon Rules of Professional Conduct against bias and discrimination passed at the OSB House of Delegates in November, but failed at the Oregon Supreme Court when opponents voiced their concerns. The Supreme Court has sent the rule change back to the bar for additional consideration.

This organization cannot function without its dedicated volunteers, who spend countless hours making all this happen. Thank you to our board of directors for their hard work and dedication. A very special thank-you goes to outgoing board member Judge Jill Tanner, who has worked tirelessly to ensure that OWLS does great work and supports its members in every way possible. It has been my pleasure and privilege to work with all of you, and to lead OWLS this past year. Thank you.

Kathleen Rastetter  
President, Oregon Women Lawyers

## Upcoming OWLS Events

### Take Your Kids to Work Day

Thursday, April 24, Noon  
Multnomah County Courthouse  
Presented by OWLS and  
Multnomah County Judges

### OWLS CLE:

#### Starting Your Family, Succeeding at Your Career

Friday, May 9, 1–4 p.m.  
Kell's Irish Pub, Portland  
\$30 pre-registration; \$35 at the door

### Queen's Bench Luncheon

Tuesday, May 13, 11:45 a.m. to 1 p.m.  
Sentinel Hotel, Portland  
(formerly the Governor Hotel)  
**Featuring Gail Shibley**, chief of staff to  
Portland Mayor Charlie Hales: "Lessons  
learned from the campaign trail, in the  
Oregon legislature, and as policy advisor  
to the U.S. secretary of labor."  
RSVP by May 7 at  
[www.owlsqueensbench.org](http://www.owlsqueensbench.org)

### Mary Leonard Law Society Monte Carlo Casino Night

Friday, May 16, 6–10 p.m.  
Creekside Golf Club, Salem

### OWLS Presents: Lawyers Abroad —How to use your law degree volunteering overseas

Thursday, June 5, 5–7 p.m.  
Bodyfelt Mount, Portland

### OWLS Fall CLE and 25th Anniversary Reception

Friday, September 26  
1–5 p.m., CLE  
5–7 p.m., 25th anniversary celebration  
Embassy Suites, Portland

### OWLS Dress for Success Fundraiser and Fashion Show

Thursday, October 2, 5 p.m.  
Mark O. Hatfield Federal Courthouse  
Portland

### OWLS Leadership Committee Presents Career Development and Rainmaking Dinner

Thursday, November 13  
Hotel Monaco, Portland

*Our mission is to transform the practice of law and ensure justice  
and equality by advancing women and minorities in the legal profession.*



*U.S. Supreme Court Justice Sonia Sotomayor (left) talks with Oregon Court of Appeals Judge Darleen Ortega at an Oregon Hispanic Bar Association event in Portland in March.*

## A special thanks to our 22nd Roberts-Deiz Awards Dinner Sponsors

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*Many thanks also to our volunteer photographer, Jodee Jackson, and to committee co-chairs Stephanie Holmberg and Judith A. Parker.*




Photos by Jodee Jackson

*Enjoying the festivities at the Roberts-Deiz Awards Dinner on March 14 (from left), Top: Oregon Supreme Court Justice Martha Walters, John VanLandingham, Mike Williams, Linda Love. Bottom: Maggie Mellon, Gloria Trainor, Talia Stoessel, Jess Guerriero, Miranda Summer.*

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# Nominations Sought for OWLS Workplace Leader Award

## Nomination Deadline Is June 2, 2014

**W**e believe that law as traditionally practiced has included barriers to the advancement of women and minorities and has not always been a friend to those seeking a healthy, balanced life. We seek to encourage and celebrate change that will eliminate those barriers and imbalances, and we expect the profession will be stronger as a result.

While most legal employers agree in concept that such changes are needed, many disagree on how to achieve these goals. How can legal employers help parents of small children avoid losing the momentum in their legal careers to become leaders in the profession? How can part-time or flex-time employment work for both employer and employee? How can legal employers promote effective mentoring relationships? What can they do to attract and retain qualified women and minority lawyers and equip them for leadership? How can they value contributions to the organization that are

not captured by the usual quantification tools, such as billable hours?

We are not looking for an employer to exemplify all of these virtues. Rather, the award will recognize a specific program, policy, or project that is successfully addressing one or more of the concerns outlined above. We particularly want to encourage applications from in-house legal departments, government employers, and employers who are making strides in recruiting and retaining women and minority lawyers and equipping them for leadership.

The Workplace Leader Award recognizes an Oregon legal employer making innovative and effective efforts to promote one or more of the following values:

- A healthy balance between work and personal life
- Acquiring and maintaining a diverse workforce with diverse leadership

- Maximizing opportunities for women and minorities to succeed in the workplace and advance to positions of influence and leadership

The 2014 award recipient will be honored during OWLS' Fall CLE on Friday, September 26, in Portland.

### Nomination Information

Nominations should include: information that will help the award committee evaluate the specific program, policy, or project of the employer; the markers of success for that program, policy, or project; and names of people who can be contacted for further information.

Nominations must be received via email by 5 p.m. Monday, June 2, 2014. Please send them to Dana Forman, OWLS transformation committee co-chair, at [danaformanlaw@gmail.com](mailto:danaformanlaw@gmail.com).

## Women's Trial Academy Offers In-Depth Training

By Heather Bowman and Nadine Gartner

**W**hat do you get when you combine some of Portland's most experienced female litigators and judges, young female litigators, and a dynamic mock trial? You get the Rothauge & Kaner Women's Trial Academy, sponsored by OWLS.

Renée Rothauge and Lisa Kaner, partners at Markowitz, Herbold, Glade & Mehlhaf, inaugurated their first Women's Trial Academy in February 2014. The academy is an eight-month program that provides participants an opportunity to develop trial skills in a small group setting in which each participant receives individualized attention. Each class focuses in depth on one element of trial, from opening statements to evidence to closing arguments. Monthly guest coaches provide additional experience and insight on the month's topic.

The small group setting allows participants to practice skills and test techniques in a supportive environment. The most recent class, for example, required each participant to perform the direct examination of a witness while facing objections from the remaining participants (acting as vigorous opposing counsel) and responding to thoughtful rulings of

guest coach Judge Janice Wilson. The experience of both making and responding to numerous objections provided intensive practice for all the participants. In addition, participants had opportunities to ask questions and receive feedback on technique from Judge Wilson and the other instructors.

The academy also addresses some of the unique challenges women face in the courtroom. Rather than simply acknowledging potential barriers or lamenting biases, classes train participants to turn perceived disadvantages into strengths and winning strategies. For example, Renée and Lisa led participants in a voice-control exercise to practice various inflections and volumes before a jury. Participants also engaged in a lively discussion about court-appropriate attire and the assumptions jurors may make based



Renée Rothauge

on a lawyer's physical appearance.

In addition to advice from seasoned litigators and judges, the trial academy provides an incredible opportunity for participants to create a strong community of female litigators. The young litigators come from a variety of civil practices, including large firms and solo practices. Renée and Lisa have created a safe space in which participants can question, learn, and develop their litigation skills, as well as build connections with their professional peers. The lessons learned and the bonds created within the academy surely will continue long after the inaugural academy classes conclude this fall.



Lisa Kaner

*Heather Bowman is an associate at Bodyfelt Mount, and Nadine Gartner is an associate at Stoll Berne. Both work in Portland.*

# Thank You, Outgoing OWLS Board Members

By Angela Franco Lucero

The OWLS Board of Directors extends gratitude and good wishes to two outgoing board members, OWLS President Kathleen Rastetter and Judge Jill Tanner.

Kathleen Rastetter has been an OWLS member since 1992, on the OWLS board since 2008, and an OWLS officer since 2009. She has served on the OWLS board executive committee as historian, treasurer, vice president, and president. In addition, she has spent countless hours working with the OWLS *AdvanceSheet* committee, the judicial workgroup, the finance committee, and the 20th anniversary committee. She chaired the 2013 Fall CLE committee, and she continues to serve on the 25th anniversary and public relations committees.

In addition to her OWLS commitments, Kathleen maintains a full litigation caseload as senior county counsel with Clackamas County. She assisted with the formation of the Clackamas Women Lawyers (CWLS) chapter of OWLS and remains an active CWLS member. She has served as chair the Oregon State Bar's civil jury instruction committee and as president

of the Oregon chapter of the Federal Bar Association. A recipient of the Multnomah Bar Association Pro Bono Award, Kathleen has served on the Legal Aid Services of Oregon/Oregon Law Center Board of Directors pro bono committee, and she currently serves in the Oregon State Bar House of Delegates.

Hon. Jill A. Tanner, an OWLS member since 2001, has served on the OWLS Board of Directors from 2004 to 2005 and again from 2011 to 2014. As an OWLS board member, she has brought her experience and knowledge of taxation to her work with the OWLS finance committee. Judge Tanner has also served on the *AdvanceSheet* committee, the 25th anniversary committee, and several annual Fall CLE committees. In addition, she is an active member of the Mary Leonard Law Society, the Salem chapter of OWLS.

Judge Tanner serves as the presiding magistrate for the Magistrate Division of the Oregon Tax Court. She has been a magistrate on the Tax Court since 1997 and presiding magistrate since 2002. Before joining the court, Judge Tanner was employed in private industry, where she

was involved in mergers and acquisitions and tax issues for energy and high technology companies. Judge Tanner is currently a member of the Oregon Board of Bar Examiners and is a past member of the Oregon State Bar Disciplinary Board. She also participates in law student mentorship programs through Lewis & Clark Law School and Willamette University College of Law.

The OWLS Board of Directors extends its heartfelt gratitude and appreciation to Kathleen and Judge Tanner for their time, insight, and leadership on the board.

*Angela Franco Lucero is the OWLS board secretary and a partner with Kranovich & Lucero, practicing insurance defense law in Lake Oswego.*



Judge Jill Tanner

## OWLS Members in Contested Elections

Over two dozen OWLS members will be on a primary election ballot in May. Most are in uncontested judicial races, but two have challengers on the May ballot.



Kathleen O'Brien

Incumbent Judge Jean Martwick, an OWLS member, is being challenged for her seat on the Columbia County Circuit Court by OWLS member Cathleen Callahan and one other opponent.

Kathleen O'Brien, a Democrat, is the only lawyer and woman running in a contested race against five other Democrats for state representative, House District 42, which is in Southeast Portland.

U.S. Rep. Suzanne Bonamici, a Democrat representing Oregon's First Congressional District, is running unopposed in the May primary, but she will face a Republican challenger in November.

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# Oregon's Newest Court of Appeals Judges Meet with MLLS

By Maureen McGee

Oregon's busy Court of Appeals has been spreading its work among a few more members lately, following the October 2013 appointment of three new judges pursuant to a legislative expansion of the court. The new appointees, Judge Joel DeVore, Judge Erin Lagesen, and Judge Doug Tookey, met with the Mary Leonard Law Society (MLLS) on January 29 to discuss their initial impressions of the job. The three judges participated in a lunchtime panel discussion before an audience of more than 30 attorneys at the Ike Box Café in Salem. Judge Rebecca Duncan, also on the Oregon Court of Appeals, moderated.

In citing his motivations to join the bench, Judge DeVore called being a judge "a form of social work," viewing the court's work as striving to make the best of bad situations. Judge DeVore joined the bench after a successful career as a civil litigator, during which he was routinely engaged by the Professional Liability Fund (PLF) to serve as repair counsel, assisting attorneys or their clients with troubled cases. He cited the PLF's repair function as both an excellent resource for attorneys and a source of his own exposure to a broad range of legal issues, and he expects his PLF experiences to serve him well on the bench.

"I thought I had died and gone to heaven," Judge DeVore reflected on participating in his first conference meeting with the Court of Appeals judges, explaining how exciting it was to see the extent of preparation and careful thought that goes in to resolving each case.

Judge Lagesen was identified as probably the first math teacher-lawyer to join the court. She expects that her experiences teaching high school math, including working with students from diverse socioeconomic backgrounds, will help her see outside the "paper and the advocates" in any given case. She expressed a strong desire to write readable opinions that present the human dispute at the heart of each case.

Judge Lagesen credits Judge Susan Graber of the U.S. Court of Appeals for the Ninth Circuit, for whom she clerked,



*At the MLLS event on January 29 (from left): Judge Doug Tookey, Judge Rebecca Duncan, Judge Erin Lagesen, Judge Joel DeVore*

as one source of inspiration for pursuing service on the appellate bench. Since joining the bench, Judge Lagesen said, she has not been surprised by anything, but has been impressed by the court's collegiality and how well-matched she is to her law clerks, who were hired by the court before she arrived.

Two clerkships early in his career inspired Judge Tookey, an OWLS member, to later pursue judicial service. That aspiration stayed with him as his career path led overseas on projects working to improve access to justice and respect for the rule of law in developing countries, where he would often talk about the differences in the United States between the branches of government and the role of the judiciary.

Judge Tookey began working at the Oregon Office of the Legislative Counsel in 2006. In that job, he saw how statutes are put together from the beginning; as a new appellate judge, he is pleased to be involved in interpreting statutes at the other end of the process. When asked what advice he had for practitioners, he stressed the importance of always being honest about the strengths and weaknesses of your own arguments and being willing to work with those strengths and weaknesses in an honest way.

Managing large dockets will continue to be an issue for the judges as they adjust to their new jobs. "One challenge is the enormous workload," Judge Lagesen said, especially when working to main-

tain first-hand impressions of each case. For now, the judges point to the court's internal expertise as a source of support, noting that for any area of substantive law at issue in a case, at least one attorney at the court will have had practice experience in that area.

The court's recent transition to iPads for judges is also a help, at least psychologically; they make the work mobile and eliminate stacks of red and blue briefs. The new judges recognize that issuing AWOPs (affirm without opinion) is important for workload control, but Judge Lagesen nonetheless noted that "the math teacher in me wants to see you explain your work."

The judges encouraged others interested in judicial service to determine early whether their interest lies in the trial, intermediate, or Supreme Court bench, and to understand the differences between those roles. Be able to articulate your individual skill set and how it can be useful to the court. Meet a range of people, gain as much experience in different areas of substantive law as possible, and be the kind of professional that you would want to see on the bench. "Love the profession," Judge DeVore advised. "Strive to be a good lawyer and a good soul, and success will follow."

*Maureen McGee is a deputy in the Oregon Office of the Legislative Counsel. She is the publicity coordinator for MLLS and its president-elect for 2014-2015.*

For more information about OWLS activities, chapters, and volunteer opportunities, visit [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org).



# OWLS Foundation Auction a Huge Success

By Ayla Geller and Traci Ray

**“W**e’ll start the bidding at five hundred dollars; do I hear five hundred dollars?”

JillMarie Wiles, a talented auctioneer and familiar face at the annual OWLS Foundation Auction, successfully rallied the crowd, eventually raising more than \$3,000 for grants to promote access to justice for women and minorities. The auction was presented by the Oregon Women Lawyers Foundation as part of the OWLS Roberts-Deiz Awards Dinner, held at the Nines Hotel in Portland on March 14. Part silent, part live, the auction raised over \$15,000 in grant money and added an exciting element to what can only be described as a lovely evening.

This year’s live auction packages were originally designed as Ducks and Beavers baskets, containing several pairs of football, basketball, and baseball tickets, as well as tickets for the Oregon track-and-field opener and the Ducks vs. Beavers baseball game. Word spread, and both the Eugene and Corvallis communities rallied, contributing restaurant, hotel, and bar gift certificates, box seats to the Eugene Emeralds, and lots of amazing

gear. Many thanks to Sarah Crooks of Perkins Coie and Ed Harnden of Barran Liebman for purchasing these fun packages and helping to make the live auction a great success.

The silent auction featured 12 spectacular baskets with offerings ranging from estate planning services to spa services, and, of course, plenty of good chocolate and wine. Baskets were generously donated by Dunn Carney; Farleigh Wada Witt; Markowitz, Herbold, Glade & Mehlhaf; Wyse Kadish; Perkins Coie; Hart Wagner; Deloitte & Touche; Davis Wright Tremaine; Ruby Vineyard; the Bill and Ann Shepherd Legal Scholarship Fund; Gevurtz Menashe; and the Mary Leonard Law Society.

The auction would not be possible without its many generous sponsors, contributors, and volunteers. Special thanks to Phylis Myles and Jessica Wilcox of Willamette University College of Law and their team of dedicated volunteers: Taylor Anderson, Cassandra Cooper, Corey Driscoll, Ann Metler, Derek Nelson, Jason Sierman, Samantha Stocklein, Andrea Tang, Yazmin Wadia, and Samantha



OWLS Foundation board members (from left) Deanna Wray, Traci Ray, and Sarah Freeman at the auction

Wooten. Sincere thanks to Aruna Masih of Bennett, Hartman, Morris & Kaplan; Deanna Wray and Heather Coffey of Bodyfelt Mount; and Sarah Freeman of the Law Office of Sarah E. Freeman for all their hard work on the auction committee.

**Ayla Geller**, a 2L at Northeastern University School of Law in Boston, MA, is currently interning with Barran Liebman in Portland. **Traci Ray** is the executive director of Barran Liebman and serves on the OWLS Foundation board.



Photos by Jodee Jackson

At the Roberts-Deiz Awards Dinner on March 14 (from left), Top: Judge Marco Hernández, Judge Jean Kerr Maurer. Bottom: Harshi Waters, Melanie Maurice.

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# Meet Washington County Circuit Judge Oscar Garcia

By Megan Lemire

**T**he Honorable Oscar Garcia serves on the Washington County Circuit Court, where he handles family law matters exclusively. He attended the University of Notre Dame and the University of Oregon School of Law, and during most of that time, he served in the U.S. Army Reserve or the Oregon National Guard. Judge Garcia began his legal career at the Metropolitan Public Defender office in Hillsboro before transitioning into the private practice of criminal defense. In February 2012, he was appointed to the bench by Governor Kitzhaber. He was elected to the bench in November 2012.

Judge Garcia empathizes with the litigants in his courtroom. He undertakes a humanistic approach to his role by seeking a holistic solution to the parties' dispute. He is concerned not only with getting the law right, but also with listening to people and carefully considering their perspectives, as giving people a chance to be heard is of paramount importance. He explains that engaging with the parties helps keep their expectations realistic, resulting in meaningful closure. Given the emotional nature of family law, he says, proceedings can quickly become chaotic. He draws on his

military background to take command of the courtroom, which focuses the parties' attention and promotes confidence in him as the decision maker.

In crafting both his path to the bench and his approach to serving as a judge, Judge Garcia sees Judge Marco Hernández as a "role model for being what it is to be a judge." Judge Garcia observed that when Judge Hernández was the presiding judge in Washington County, he knew how to handle all situations and did so graciously.

Judge Garcia strives to emulate Judge Hernández's ability and professionalism, in part by imposing as much structure on the day as possible. Judge Garcia considers staying healthy an aspect of his job and exercises early, before his official duties begin. He hears ex parte matters in the morning and has a daily docket of eight to ten cases. During lunch, he signs orders and judgments, reads trial memoranda, and, if needed, responds to warrant calls. He says that maintaining his routine keeps everything manageable.

Judge Garcia is grateful for the support he has received from the community of judges at the courthouse and organizations such as OWLS. An enthusiastic supporter of OWLS, he views it as one of the

best specialty bar organizations, pointing out that it is run efficiently and offers important and helpful programming.

Women and minority attorneys encounter the

same types of challenges in the practice of law, Judge Garcia notes. He expects those barriers to break down through OWLS' work encouraging gender and racial diversity and by individual women and minority attorneys' being professional, competent, and humble.

In whatever realm Judge Garcia has immersed himself—the military, a public defender's office, solo practice, or the bench—he has focused on doing his best to serve others. OWLS thanks Judge Garcia for his commitment to public service.

*Megan Lemire, at Lemire & Hirano in Portland, focuses on employment and civil rights law.*



*Judge Oscar Garcia*

## OWLSNet Event in Portland

By Anne Milligan

**O**n February 13, months of planning by the Oregon Women Lawyers networking committee (OWLSNet) paid off when OWLS, the Oregon Bankers Association, and the Oregon Society of CPAs met for their annual, well-loved winter inter-professional networking event at the Hotel Monaco in Portland.

The evening featured a keynote address titled "I Always Feel Like Somebody's Watching Me: Positive Paranoia in Light of Target's Privacy Fiasco," featuring Tatiana Perry of Tonkon Torp. Tatiana entertained and educated an inquisitive audience about privacy and security issues in an era plagued with assaults on data. Major security breaches like the Target fiasco were discussed, along with local security breaches that Portland businesses had either experienced first-hand or successfully thwarted by knowing the telltale signs.

After Tatiana's remarks, lawyers, bankers, CPAs, and law students mingled over



*Jason Hirano and Megan Lemire at the OWLSNet event*

a no-host bar and heavy hors d'oeuvres, generously sponsored by Tonkon Torp.

OWLSNet committee members are co-chairs Jenny Eadie (Pekelder Family Law) and Rima Ghandour (Ghandour Law), Jaimie A. Fender (Robinson Tait), Anne Milligan (Gordon & Rees), Diane Rynerson (OWLS), and Haley B. Bjerk (Tonkon Torp). Stay tuned for OWLSNet events in Salem and Eugene this year.

*Anne Milligan, an associate with Gordon & Rees, practices employment law in Portland.*



*Judge Pellegrini (left) being sworn in by Presiding Judge James Rhodes*

**C**ongratulations to the following OWLS members who were recently appointed to the judiciary:

Cheryl Pellegrini was appointed to the Marion County Circuit Court in February 2014.

Ann Marie Simmons was appointed to the Douglas County Circuit Court in November 2013.



# What Is in a Name?<sup>1</sup> Everything.

By Kathleen Rastetter

Although Juliet found that a rose by any other name would "smell as sweet," a study shows that names matter. In 2003, two professors tweaked a Harvard Business School case study by giving the resume of a successful venture capitalist, Heidi Roizen, to half the participating students.<sup>2</sup> The other half received the same resume, with one word changed: "Heidi" became "Howard."

The students were asked to rate their impressions of Roizen. They rated both persons as competent and effective, but they judged Heidi more harshly than Howard. The students found Heidi to be overly aggressive; they didn't like her, wouldn't hire her, and said that they wouldn't want to work with her. They thought Heidi was out for herself and too political. The truth? Heidi is the successful business woman; Howard doesn't exist. The same data with a single difference, gender, produced very different perceptions.

The study illustrates the unconscious gender bias of both men and women (male and female students participated in the study). This gender bias has been confirmed by other studies, which show that women who demonstrate leadership qualities, such as directness and decisiveness, are viewed more negatively than male leaders. They aren't "nice" enough. Conversely, women who are deemed "nice" are viewed as less competent. Thus, women often face the choice of whether to be successful or likeable. Moreover, leadership roles tend to go to people who are both nice and competent. This perception bias creates a roadblock for aspiring women leaders.

We've all heard the stories: when a man is assertive he is seen as "taking charge." When a woman acts like a leader she is seen as aggressive, and often called the "b" word. As one study put it: "If [women's] behavior confirms the gender stereotype, it lacks credibility and is deemed incongruous with the leader prototype; and if it matches the leader prototype, it lacks authenticity and they are not thought to be acting as proper women. It is a lose-lose situation."<sup>3</sup>

What's the answer? Women must be cognizant of their style. Most successful women use both masculine and feminine behavioral styles: be direct, be authoritative, and lead by example, but also be supportive, approachable, and inclusive.

Another option is to find ways to eliminate the bias. Blind auditions for orchestra positions resulted in a 50% increase in women making it to the second round of auditions.<sup>4</sup> Eliminating names from resumes and job applications could have the same effect, helping us to choose an applicant based on accomplishments and capability.

Women must also quash their inner doubts. As Sheryl Sandberg points out and other studies confirm, women underestimate their leadership capabilities and attribute their success to external forces, while men attribute their success to themselves and toot their own horns.<sup>5</sup> Women must overcome their reluctance to show their worth, and should seek out leadership opportunities that showcase their abilities.

Another barrier to success is the fact that women are often reluctant to use politics and influence to get ahead; they play by the "rules."<sup>6</sup> As a result, women fail to build the type of networks and support that are necessary to achieve leadership roles. I wonder, however, if the perception issue presents itself here, as well. If a woman is successful at "playing" the political game to get ahead, I suspect she is viewed more negatively than a man who employs political influence to achieve his goals. For example, would Kevin Spacey's conniving congressman in *House of Cards* be judged the same if that character were a woman ruthlessly navigating her way through Washington politics?

As with other forms of bias and discrimination, the first step may be to

educate others to identify the problem and seek ways to overcome their unconscious biases. Awareness can promote leadership and opportunities based on capability, not gender, so our daughters can be free to develop leadership qualities without the fear that their careers will suffer as a result.

**Kathleen Rastetter**, senior counsel for Clackamas County, is OWLS' president.

## Endnotes

1. William Shakespeare, *Romeo and Juliet*.
2. Columbia Business School professor Frank Flynn and NYU professor Cameron Anderson. See *Lean In*, by Sheryl Sandberg, Alfred A. Knopf, 2013.
3. Ginka Toegel and Jean-Lous Barsoux, "Women Leaders: the Gender Trap," *The European Business Review*, 2014.
4. Claudia Goldin and Cecilia Rouse, "Orchestrating Impartiality," working paper 5903, National Bureau of Economic Research. See also "How Blind Auditions Help Orchestras Eliminate Bias," by Curt Rice, *The Guardian*, October 14, 2013.
5. Sheryl Sandberg, *Lean In*, Alfred A. Knopf, 2013.
6. Ginka Toegel and Jean-Lous Barsoux, "Women Leaders: The Gender Trap," *The European Business Review*, 2014.



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# Ten Things Your Legal Support Staff Wants You to Know

By Diane Rynerson

Every attorney knows that having a good relationship with support staff is essential to the successful and satisfying practice of law. Too often, though, relationships are less than optimal because of issues that aren't addressed or practices that aren't effective. Office politics, personal dynamics, and other forces make it awkward for support staff to speak up about what they need. We asked support staff in confidence what they would like their attorneys to know that would improve their work relationships. We also conducted a very nonscientific survey of members of NALS of Oregon, an association of legal professionals, on this topic. Here's what they want you to know:

**1. Communicate with us clearly and frequently.** This was the top suggestion in our survey. Here are some of the comments: "A little more direction at times would be helpful. Please don't assume I can read your mind. Don't trivialize anything I'm asking. Everything is important, even if you think it doesn't impact your practice—it does. Give me all the information I need, including timelines.

Be patient with me and let me finish a sentence when asking a question. Give clear responses to questions, rather than walking away mumbling."

**2. Let us know where you are.** Are you taking a late lunch? Are you working from home this morning? Have you left for the day, or does the jacket on your chair mean you will be back? Don't make us guess about the basics of your schedule. When the senior partner asks where you are or a client asks when he can expect a return call, it makes both of us look bad when we consistently have to give vague answers.

**3. Involve us in your cases from the beginning.** When a new case comes in, take time to brief us on the basics of the case. What are the facts? Who are the parties and their attorneys? What are the client's expectations? What do you see as possible problems? What are the relevant statutes of limitations and known court dates? Don't know some of the answers? Don't wait until you do to brief us. Delegate where appropriate, and outline what you need to know. Don't rationalize not discussing the case with

us by thinking, "I'm not sure this case is going to go anywhere" or "I may be able to resolve this matter with just a few phone calls." Don't underestimate the value of having your assistant be up to speed on a case from its start.

**4. Review your cases with us on a regular basis.** We can get a better sense of workload demands, looming deadlines, and overlooked tasks if we have some uninterrupted time together, preferably on at least a weekly basis, to take stock of what is needed for each case. Particularly in an age when many communications completely bypass the legal staff, the posture of the case may have changed significantly in ways that affect the workload. It's easy to forget to mention that you've learned that a particular witness may no longer be needed or that you have made an agreement with opposing counsel to obtain discovery that would otherwise require a court order. Case review is also a time when staff can ask for clarification on instructions that aren't entirely clear. Your clients and the Professional Liability Fund will also appreciate the time you spend in regular case review.

**5. Don't procrastinate.** Your poor time management has a ripple effect in ways that may not be evident to you. When you hand a signed pleading to your assistant, she may be in the midst of an urgent project for another attorney. She may need to wait her turn at the copy machine or meet a courier deadline. Waiting to finish something until just before what you perceive as the deadline may, in reality, be too late.

Whenever possible, don't wait to review work that has been done. Correspondence that remains in a pile on your desk waiting for your signature may need to be redrafted if it sits too long, or extra time may be required for us to re-familiarize ourselves with the case. Amassing time sheets, then giving them to us just prior to an internal deadline isn't fair to us or to the other attorneys whose projects must wait while we input the time. Don't avoid uncomfortable phone calls or correspondence, leaving us to field calls from increasingly distressed and dissatisfied clients.

**6. Give us the space we need to do our jobs.** Traditionally, office space has been allocated largely according to



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*The Joan Seitz Law Society, OWLS' newest chapter, met in Roseburg on March 7 with OWLS ED Linda Tomassi (far left) and OWLS Past President Heather Weigler (next to Linda). At the luncheon, Heather spoke about leadership and getting involved in local politics and community organizations.*



## Ten Things

prestige, with senior partners getting the most space, and the lowest-ranking support staff getting the least. But when function trumps rank, allocation of space looks different. A paralegal summarizing cases in a cubicle immediately adjacent to a paralegal who is interviewing a witness by telephone cannot concentrate as effectively as if she were in a private office.

Some support staff try to block out distractions by wearing headphones. There are differences of opinion, largely along generational lines, regarding the propriety of wearing headphones in the office, but attorneys should consider that their support staff may be wearing them primarily to approximate the lower level of distraction the attorney enjoys in her own office.

Long counters make collating copies and organizing multiple files easier. Space for dual monitors may make document drafting more efficient. While in some offices, attorneys come and go to meetings and court, support staff may remain largely in place all day, eating in the staff break room because of the dual limits of time and money. Because of this, a window may be more valued by staff than by an attorney. Office space is expensive, and compromises will need to be made, but by consciously thinking about function, space allocation decisions may lead to greater staff efficiency and job satisfaction.

**7. Give us the technology and training on software we need to do our jobs.** Depending on the area of practice, law office software need not be cutting edge, but using outmoded systems and programs can present a significant burden on staff time and effectiveness. An attachment that would open automatically in an updated program requires additional time and knowledge to open in an old one. A PDF can't be edited because your

office has only the free Acrobat Reader instead of Acrobat Professional. A printer breaks down frequently, invariably right before a deadline.

While choosing and acquiring appropriate technology does take time and money, Oregon attorneys have the advantage of the knowledge base of the Professional Liability Fund's practice management advisors, who are happy to make informed recommendations regarding appropriate software and hardware. Simply buying new software isn't enough, though. Allocating time and, sometimes, funds for training is also important. It may not be politic for a staff member to admit that she hasn't mastered mail merge, and she may be able to cover up her deficiencies using other strategies, but in the long run less time will be wasted if there is a continuing expectation that everyone will have opportunities to learn new skills and hone old ones.

**8. Manage your stress.** The overall stress level of the office will be reduced with improvement in communications and time management. But law is a stressful business, and it is virtually impossible to avoid times when your personal stress level is high. Remember that it is part of your job to avoid passing that stress along. Be available for consultation when rush projects are being completed, but don't hover. Don't say "Is there anything I can do to help?" if what you really mean is "Why aren't you finished yet?" In the words of one survey respondent: "Your mood affects everyone around you. Being cranky or in a bad mood doesn't help anyone get the job done."

**9. Show your appreciation.** Office holiday parties, raises, and bonuses are wonderful, but they don't substitute for occasional personal acknowledgment of extra effort or tasks well done. Sure, the paralegal was just doing her job when

*continued from page 10*

she stayed until midnight copying late-arriving exhibits to have them ready for a hearing the next day, but she knew the junior associate understood that she had gone above and beyond when she received a thank-you card with a gift certificate for a nearby lunch spot. A few decades after the fact, a legal secretary still remembers how good she felt when a sometimes-grumpy senior partner gave her a bottle of a highly prized vintage wine.

It can be hard for lawyers to remember to acknowledge good work by their support staff, because their own good work may not be explicitly acknowledged. Their competence is expected by the court and opposing counsel, and their excellence is demanded by their clients and partners. Remember to say thanks to your staff, even on those days when no one says it to you.

**10. Respect us.** Dividing up the way we think about people into "lawyers" and "nonlawyers" isn't a useful way to think about a legal team or the world in general. Each of us has talents and skills that contribute to our mutual success. No one becomes a legal professional because she wants an easy, low-skill job. We are professionals who want to continue to learn and improve our skills. Our outside interests, family obligations, personality, finances, skills, and inclinations have brought us to our current jobs. We want to be a valued member of your legal team. In the words of one survey respondent: "I want my attorney to know that I am here for her. I am intelligent and have valid opinions. Use me as a resource."

*Diane Rynerson, a member of the California and Oregon bars, has worked as a clerk-typist, secretary, and paralegal and sympathizes with the travails and stress of each member of the legal team.*



# Meet OWLS Board Member Gloria Trainor

By Megan Lemire

**G**loria Trainor currently serves as a member of both the OWLS Board of Directors and the *AdvanceSheet* committee. She is the co-founding partner of the Portland firm Summer Trainor LLP, which specializes in personal injury litigation, as well as family law with an LGBT focus. Although she truly enjoys working with plaintiffs on catastrophic injury and wrongful death cases, her career path to this passion was somewhat indirect.

Gloria grew up in five states and credits her older sister with raising her. She recalls that her sister taught her the value of compassion and instilled in her the belief that she could achieve anything she set her mind to. Initially interested in a career in social work, Gloria earned her bachelor of science in psychology at the University of Illinois.

She spent the next five years in Austin, Texas, running a nonprofit program advocating for teenagers in special education who had encountered the juvenile justice system. This work piqued her interest in legal advocacy, a possibility she had always entertained despite having no lawyers in her family.

While she was in Texas, Gloria also volunteered with the Lilith Fund to promote reproductive equity. When Sarah Weddington accepted an award from the Lilith Fund, Gloria sat in the audience

as Ms. Weddington spoke about *Roe v. Wade* and encouraged women to enroll in law school with the hope of imbuing a more compassionate approach to the law. Gloria was inspired, and she enrolled at the University of Oregon School of Law, in large part due to its emphasis on public service.

After graduating from law school in 2008, Gloria began her legal career with the Eugene law firm Johnson, Clifton, Larson & Schaller (now Johnson Johnson & Schaller) practicing personal injury law. She found this area—especially catastrophic personal injury—to be a great fit because it blends compassion with complex legal work. In these cases, clients have endured trauma, and Gloria appreciates the opportunity to provide an empathetic approach to the legal issues that flow from such circumstances. In addition, product liability and medical negligence work typically necessitates that Gloria acquire new knowledge through research and hiring experts (such as engineers or medical professionals), a task she is always eager to undertake.

While she gained exceptional experience under the tutelage of the attorneys at the Johnson firm, Gloria yearned for more trial work, which prompted her decision to form Summer Trainor LLP. She continues to enjoy advocating for people who have suffered personal injuries

and also relishes the ability to create her own business model, in which she and her partner have chosen to prioritize close personal attention to their clients.



Gloria Trainor

Gloria is dedicated to the OWLS mission and believes that OWLS can teach women attorneys how to promote each other. She sees mentoring relationships as paramount in encouraging women to be leaders and pursuing pay equity. She also notes that OWLS events are themselves inspiring, simply by bringing together like-minded women in a supportive environment.

Gloria's compassionate nature suits her areas of legal practice very well. From her initial interest in social work to her personal injury and family law practice and involvement with OWLS, compassion has always motivated her career decisions. Thank you, Gloria, for your commitment to OWLS.

**Megan Lemire**, at *Lemire & Hirano* in Portland, focuses on employment and civil rights law.

## Clackamas Women Lawyers' 5th Annual Author Event

By Ericka Langone, Talia Stoessel, and Jenn Dalglish

**C**lackamas Women Lawyers (CWLS) hosted its 5th annual "Evening with an Author" event on Thursday, February 20, at the Oswego Lake Country Club, featuring local author Jennie Shortridge and her latest novel, *Love Water Memory*. A great group of people attended the event, including lawyers, judges, and legal support staff.

Ms. Shortridge provided entertaining and inspiring answers to questions posed by CWLS President Ericka Langone and audience members. Her journey to becoming a full-time writer included periods of time as a plumber, a cook, and an advertising executive. Today she continues to play music professionally.

Ms. Shortridge also shared intimate details of the inspirations for her books' motifs, which often feature a parent-daughter relationship and at least one

character with a mental illness. The audience appreciated the candid nature of her stories, including stories of her mother's postpartum psychosis and bi-polar disorder, because they were intended to provide a space for difficult discussions and healing through honesty.

Ms. Shortridge has lived in the Pacific Northwest since 2002, and four of her novels are set in this area. Several of her novels were available for purchase at the event, and she spent a good deal of time signing books and speaking with our guests individually after the presentation. It certainly was a pleasure having Ms. Shortridge as a speaker.

CWLS will host our annual wine tour on Saturday, April 26. We will visit Styring Vineyards, Utopia Vineyards, and Evening Land Vineyards and have a potluck lunch midday. Please join us.



Ericka Langone, president of CWLS, and Jennie Shortridge (right)

**Ericka Langone**, an associate at *Boutin & Associates* in Lake Oswego, is the president of Clackamas Women Lawyers. **Talia Stoessel**, an associate at *Bennett Hartman Morris* in Portland, is treasurer of CWLS, and **Jenn Dalglish**, the law librarian at the Clackamas County Law Library, is vice president of CWLS.

After 33 days and the introduction of more than 200 bills, the second regular short session of the Oregon legislature concluded on March 7 with a flurry of mostly small, technical bills and minor budget adjustments. The two major issues driving the 2014 session were the state budget and the 2014 election. Some lawmakers tried to pass major changes in the short session (gun control, marijuana legalization, liquor in grocery stores, funding the Columbia River Crossing, and drivers cards), but in the end, time ran out. Nonetheless, the legislature, in a bipartisan fashion, passed a money match for cancer research at OHSU (\$200 million in bonds), protections for vulnerable seniors and the mentally ill, and technical fixes to Cover Oregon to ensure coverage extensions for Oregonians.

Historically, the Oregon legislature met once every two years. That changed in 2010 when Oregon voters approved a measure that directs it to meet annually. This change allows the legislature to make budget adjustments and tackle emerging policy issues that cannot wait until the next long session. The short session is constitutionally limited to a maximum of 35 calendar days unless an extension is approved by a two-thirds vote in each chamber.

The Oregon State Bar's priorities for 2014 were funding for the courts, Oregon eCourt, and funding for legal services for low-income Oregonians as well as indigent defense. Significant bills were enacted regarding court funding, Oregon eCourt implementation, and elder abuse reporting requirements. All the bills are accessible on the legislature's website, [www.oregonlegislature.gov](http://www.oregonlegislature.gov).

### **Judicial Department Budget: HB 5201**

During the waning days of the 2014 session, the legislature restored a little more than \$3 million of the Oregon Judicial Department's 2013–2015 General Fund budget. In 2013, the co-chairs of the Joint Ways and Means Committee, Senator Richard Devlin (D – Tualatin) and Rep. Peter Buckley (D – Ashland), held back 2% from each state agency's budget. At the end of the 2014 session, most state agencies received 25% of what had been held back, but the Oregon Judicial Department (OJD) received approximately 49%. The OJD funds will be split between the operations budget, pass-through appropriations, mandated payments, and third-party debt collections.



By Susan Evans Grabe

### **Oregon eCourt Fees Bill: HB 4066**

HB 4066 clarifies that the chief justice has specific statutory authority to establish reasonable fees for the use of the Oregon Judicial Case Information Network (OJCIN), which incorporates OJIN, the appellate case management system, and eCourt. The fees must be reasonable and be reasonably calculated to recover or offset court technology costs. This bill was a fix for HB 2562, which passed in 2013 and added an assessment to court filing fees of approximately 5%. The filing fee increase at the front end was the alternative to a fee assessed each time a transaction or "envelope" is processed. The increase in fees will be directed to the State Court Technology Fund to support, maintain, and enhance Oregon eCourt services. HB 4066 passed the legislature with the required three-fifths vote in both chambers, required because it was a revenue-raising measure.

### **Reporting Elder Abuse: HB 4151**

Oregon State Bar members will be required to report elder abuse as of January 1, 2015. After extensive work by the Oregon Elder Abuse Work Group, established in the 2013 legislative session, the definitions of "neglect" and "sexual abuse" were modified to provide greater consistency and clarity.

In addition, the bill standardizes the statutory timeline for the Oregon Department of Human Services (DHS) to investigate and report on elder abuse across types of care facilities, and it requires DHS to augment its existing background-check system. The Oregon Elder Abuse Work Group will continue its work and will likely return during the 2015 legislative session with additional changes.

### **Legal Aid Funding Stirs Debate: HB 4053 and HB 4143**

This session, the critical need for additional funding for legal aid services was addressed in two bills: HB 4053 and HB 4143. Poverty in Oregon has increased by about 60% since 2001. Approximately 850,000 Oregonians meet the income

qualifications for legal aid services; Oregon, however, has only 90 legal aid attorneys. National minimal standards indicate that there should be at least two legal aid lawyers for every 10,000 people who qualify. Oregon is currently providing one legal aid attorney for every 9,444.

Legal aid funding comes primarily from four sources: federal funding, state funding, interest on lawyer trust accounts (IOLTA), and private support, including donations through the Campaign for Equal Justice (CEJ). While private donations through CEJ have increased, federal and IOLTA funding has decreased over the last decade. Currently, Oregon's legal aid programs meet approximately 15% of the civil legal needs of low-income Oregonians.

In response to the need for additional funding, the bar proposed HB 4053 to increase the statutory allocation for legal aid services in Oregon. The bill passed out of the House Judiciary Committee with bipartisan and unanimous support to the Joint Ways and Means Committee. By the end of the session, however, HB 4053 had not received another hearing, and it died in committee.

HB 4143 was proposed by Rep. Tobias Read (D – Beaverton) and originally directed unclaimed funds from class action lawsuits to Oregon's Rainy Day Fund. The bill was amended in the House Judiciary Committee at the request of Rep. Jennifer Williamson (D – Portland) to direct the unclaimed funds to legal aid services. The bill passed the House on a 36–21 vote (with three representatives excused) but failed to receive a majority of the votes in the Senate, dying after a 15–15 vote.

Although some were disappointed by the outcome of both bills, many advocates were encouraged by the strong declarations of bipartisan support for the services that legal aid provides for the most vulnerable Oregonians.

### **Conclusion**

At the end of the short session, the budget was balanced; Cover Oregon fixes were in place, with an ongoing investigation into problems with its website and oversight; and political parties had already started to gear up for the May primary election and November general election. All this interim activity will set the stage for the 2015 long session, in which legislators will have 165 days to work thorough policy and budgetary issues of importance to Oregonians.

*Susan Evans Grabe is the public affairs director at the Oregon State Bar.*

# OWLS Member Eden Rose Brown on Serving as a JAG Officer

By Teresa Statler

Salem OWLS member Eden Rose Brown began her legal career as an attorney for the U.S. Air Force in its Judge Advocate General (JAG) Corps, accepting a direct commission as a young lieutenant soon after graduating from Lewis & Clark Law School in 1989. Eden says that being a military lawyer was "an amazing, invaluable experience." She believes that military service encourages you to put "service before self," challenges you to strive for excellence, and enables you to make a real difference in people's lives, every day.

The daughter of a community-minded mother and physician father, Eden earned her undergraduate degree at UC-Berkeley and then moved back to Oregon to attend night school at Lewis & Clark Law School in order to care for her aging grandmother. During law school, she clerked for the late Judge Charles Sams of Clackamas County. Judge Sams was a major general and the commander of the Oregon Air National Guard (ANG), and he encouraged Eden to use her legal training by serving as a JAG officer in the ANG. It was a time of reducing force sizes, however, much like today's military environment. Because she was not coming off active duty, the ANG would not accept her, but the active-duty Air Force (USAF) did.

To learn to be an officer, Eden attended several weeks of basic training that included academic courses, instruction in military culture, and leadership exercises, as well as the "typical shooting, marching, and running at O-dark thirty," she recalls. After being commissioned as a first lieutenant, she served most of her three-plus years on active duty at McChord Air Force Base in Tacoma. She later served in the Air Force Reserve in Portland and the Oregon ANG in Salem and Portland. Eden also

had short tours of duty in the American South; Washington, DC; and Honduras. She was one of the youngest members appointed to the USAF Judge Advocate General's Air National Guard Council, and she rose to the rank of lieutenant colonel before transferring to inactive status in the U.S. Air Force Reserve (USAFR).

As a JAG officer, Eden started out prosecuting military members in court-martial proceedings. She also prosecuted in the federal civil courts, trying civilians accused of crimes on base, having been deputized as an assistant U.S. attorney for this purpose. Eden explains that Air Force JAG officers were not assigned to a particular area of law, unlike Army or Navy JAGs. Rather, they were well trained in many areas of law, including contracts, environmental law, and labor law. As the Gulf War was ramping up, Eden's commanding officer asked her to develop an estate-planning program for McChord, where 18,000 troops were about to ship out for Kuwait. Although Eden had never drafted a will, she quickly learned how to do so. She ended up drafting and executing over 8,000 wills, trusts, powers of attorney, and other supporting documents in less than two years.

During this process, Eden learned that "estate planning isn't just about saving taxes, avoiding probate, or directing where the 'stuff' should go," Rather, the troops she helped taught her that estate planning "is about one's heart and soul, about protecting loved ones, and about passing down one's values, instead of one's valuables." This experience became the springboard for Eden's private practice, which she calls "legacy-based estate planning," in which she develops innovative strategies to both honor and protect her clients' families and their legacies.

Other legal work she performed as a

JAG officer included giving military ethics briefings to troops shipping out for combat and counseling commanders on the law of armed conflict and rules of engagement.

Eden also served as a claims officer, evaluating civilians' claims of injury in the war zone and determining, for example, how much the Air Force would pay for destroying a building or accidentally killing a Kuwaiti farmer's camels.

When asked what it's like to be a JAG officer, Eden laughingly reports that it is a bit like being in a big national law firm, except with more discipline, more training, more "hardware," (such as guns and planes), and a top-secret security clearance. Unlike big firm practice, however, there is no "billable hour requirement." Working as a JAG lawyer did not teach her how to run a law practice or how to charge for her time performing legal work for clients.

Eden encourages law students and young lawyers to think about becoming a JAG. She says that in the military, young lawyers are not left to figure things out on their own. Instead, innumerable mentorship programs, both formal and informal, are available. "You are not just a very junior associate in a big firm," she says. "After only a few months, I was briefing colonels and generals and working on high-level criminal trials." JAG lawyers "focus on doing the best work possible," she says. "It was life-changing experience for me."

As a member of the Inactive Reserve of the USAFR, she has no monthly drill responsibilities, but is "on call" in the event JAGs are needed quickly to respond to increased operations worldwide. This gives her the chance to be involved in her teenage daughter's school activities and her firm's "Estates for Plates" food-share program. As time permits, she also likes to ski, scuba dive, fly airplanes, mentor young lawyers, and travel.



Eden Rose Brown

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*Teresa Statler is the proud daughter of a career Army officer. She has a solo immigration law practice in Portland.*



At the Queen's Bench luncheon on February 11, Laura Schroeder (right), of Schroeder Law Offices, talked about her experiences deploying for a USAID mission to an active war zone in Kabul, Afghanistan, to provide instruction on effective water law.



On March 20, the Mary Leonard Law Society and Willamette University College of Law hosted a panel titled "Combating Human Trafficking." Panelists included (from left) FBI Victim Specialist Shannon Meyer, Assistant U.S. Attorney Hannah Horsley, Chanpone Sinlapasai of Marandas & McClellan, and Joel Shapiro of Shared Hope International. Panelists not pictured were Tanith Rogers of the FBI Child Exploitation Task Force and Gwynne Skinner, director of the Willamette International Human and Refugee Rights Clinic.

## OWLS Offers Workshop on Cover Letters

By Joanna Robinson

OWLS kicked off 2014 with an event for job seekers cheekily titled "How to Write a Kick-Butt Cover Letter." Barran Liebman generously hosted OWLS members and guest speaker Susan Rich, whose new book inspired the program's title. This free event turned out to be an engaging and interactive afternoon. Susan began her presentation by asking attendees to introduce themselves and explain their motives for attending the event. It was a fitting way to demonstrate one of her key principles—that because the cover letter is "how you shake hands across the page," the single most important fact in any cover letter is the person's name.

Reasons for attending the event varied, but one thing was clear—each participant wanted to learn new tools for composing a document that could cut through the clutter of a saturated and challenging job market. Susan launched into her presentation with a dramatic re-telling of "Little Red Riding Hood," a perfect segue into the structure of a cover letter and the five components Susan highly recommends: (1) the heading, to capture readers' attention; (2) an opening 'hook,' to make the case for why you should be considered; (3) a "proof" section, to reinforce the applicant's character; (4) an "ask" section, literally, to ask for an interview, and (5) the closing, which concludes the cover letter.

Throughout the presentation, Susan emphasized the cover letter as the story of a person's career that should show how the person would meet the needs of a particular company and solve problems in ways that no one else can. She encouraged attendees to think of the cover letter as a sales pitch, with the writer as the "product" and the writer's skills as the "product features."

Susan wrapped up the program by urging job seekers to ditch the business-style format typically used in cover letters, and instead to embrace a format that might enable more storytelling to take place on one page. In the Q&A period, she addressed concerns about writing compelling cover letters for jobs found on Craigslist and stressed the importance of following instructions for submitting cover letters, whether via email or other means.

*Joanna Robinson, a member of the Tennessee bar, will sit for the Oregon bar exam in July. She is currently exploring career opportunities in commercial litigation in Portland.*

## OWLS Foundation Offers Two New Grants

The Oregon Women Lawyers Foundation makes grants to people and organizations committed to providing greater access to the justice system for women and minorities. The Foundation is now proud to offer two new grants: the Justice Betty Roberts Leadership Conference Grant and the Janis Hardman Medical Support Grant.

The Justice Betty Roberts Leadership Conference Grant honors the late Justice Betty Roberts, who created an enduring legacy for her contributions to women in the legal profession. The grant is available to women and minority executive committee members of an Oregon legal association who would like to attend a leadership conference, such as the National Conference of Women's Bar Associations or the American Bar Association Leadership Institute, but do not have sufficient conference funds available through the organization they serve.

An eligible conference must be publicized and open to regional, national, or international attendees, and it must focus on enhancing the attendees' leadership skills in the legal profession or as a nonprofit board member. Preference is given to individuals with a demonstrated financial need. Applicants and recipients must be active members in good standing of the Oregon State Bar.

The Janis Hardman Medical Support Grant honors the late Janis Hardman, who showed grace and poise in her battle with cancer and received tremendous support from the OWLS community. The grant is available to women and minority lawyers who need financial support because they are unable to work or can work only a reduced schedule during a time of medical need. A maximum of \$1,500 may be awarded per grant, and preference is given to individuals with a demonstrated financial need.

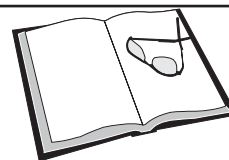
Recipients must be active members in good standing of the Oregon State Bar. They must also intend to continue in, or return to, the practice of law. A short statement from a doctor indicating an inability to work or a need to reduce one's work schedule will be required.

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## ***What Works for Women at Work: Four Patterns Working Women Need to Know***

By Joan C. Williams and Rachel Dempsey (NYU Press, 2014, 394 pages)

Book Review by Shaun Morgan



**W**hat *Works for Women at Work* is a dynamic how-to guide for women, aimed at helping them develop skills to succeed in the workplace. Authors Joan C. Williams and her daughter, Rachel Dempsey, identify four patterns of gender bias at work and offer suggestions on how to address them.

The first pattern, “prove-it-again,” requires women to repeatedly demonstrate their competence in a way not expected of their male counterparts. Women are judged on their achievements, while men are judged on their potential. As the authors write, “everybody makes mistakes ... the problem is, as a result of our biases about what success looks like, women’s mistakes tend to be given more weight and remembered longer than men’s.”

The authors advise women to deal with prove-it-again bias by repeatedly demonstrating their competence through hard work, but not so much that burnout results. They also caution women against calling out bias every time it occurs, advising instead that bias be pointed out only when it can be effectively used to identify a solution to a specific problem.

The authors also advise women to avoid overly self-deprecating behavior, and they recommend building a record of achievements. For example, if a woman receives a compliment, she should send a thank-you email and retain a copy.

The second pattern of gender bias in the workplace is “the tightrope,” which is the tension women face in countering their perception as either too nice or too mean. In this section of the book, the authors walk their own tightrope as they

give women suggestions on how to best be perceived in the workplace, without trying to advise women to conform to unfair gender stereotypes. The authors discuss the balancing act faced by women when they appear overly feminine or too nice and are subsequently viewed as doormats. On the other hand, women who display overly masculine traits risk coming across as overly aggressive and alienating threatened co-workers.

The authors suggest balancing the masculine and feminine, contending that truly successful women tap into the best parts of femininity and masculinity. They note that women can achieve this through humor, which “allows women to create group cohesion and camaraderie and establish dominance in a group.” Again, however, the authors caution women against self-deprecating humor.

Many of the suggestions in this section simply boil down to advising women at times to be more feminine, which the authors are clearly uncomfortable with to a degree, writing that “advising women to act more femininely borders on heresy.... it turns out that there are a lot [of useful feminine] qualities...if you use them strategically.” The authors’ discomfort in advising women to play up either their masculine or feminine traits merely underscores the difficulty faced by women in the professional workplace.

The third pattern identified is “the maternal wall,” defined as the particular challenges experienced by mothers in the workplace as they are marginalized as either distant, unfit mothers or simply too busy to competently do their jobs. The

authors cite anecdotal evidence that new fathers do not experience the same limitations as women. In fact, fatherhood may actually help men, as employers assume they are breadwinners with families to support and deem them more committed to their jobs.

The authors offer many practical tips for succeeding in the workplace and at home, such as setting boundaries and demanding help at home, but the essence of the advice is that women should not be too hard on themselves. Working allows women to be positive role models for their kids, and women should not berate themselves for not attending every soccer match.

The fourth pattern is the “tug of war” pattern, defined as the gender dynamics that create conflict among women in the workplace. The authors advise women to “stop judging other women on the right way to be a woman, and keep in mind that we’re all fighting our own battles.”

The authors have concluded that their suggestions are useful in making women savvier and helping them navigate gender bias. In the authors’ view, however, real institutional change is necessary to level the playing field. For example, companies need to stop marginalizing flexible-schedule arrangements and move away from negotiation as the primary basis of the salary system.

*What Works for Women at Work* is an insightful, practical guide to dealing with gender bias in the workplace.

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