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OWLS Fall CLE on Exploitation of Women

By Teresa Statler

On October 18 at the Benson Hotel in Portland, OWLS presented its Fall CLE, "Exploitation of Women at Home and Abroad." The keynote speaker was Sheryl WuDunn, a Pulitzer-Prize winner and co-author of the book *Half the Sky: Turning Oppression into Opportunity for Women Worldwide*. WuDunn, who wrote the book with her husband, *New York Times* journalist and Oregon native Nicholas Kristof, told the audience of 200 that gender inequity is the moral challenge of our century.

In a 45-minute presentation, which was followed by questions and answers, WuDunn expanded on the stories of women contained in her best-selling book and discussed international sex trafficking, maternal mortality, and education for women and girls in developing countries. She noted that 60 to 100 million females are missing in the world's population due to maternal mortality and deaths resulting from the malnutrition of girls. In some countries like Ethiopia, she said, "girls get whatever food is leftover" after their fathers and brothers eat. Likewise, "what chromosomes you have determines how far you'll go in school," WuDunn told the audience.

In addition to sobering statistics and information, WuDunn provided examples of positive changes that happen in families and in communities when girls are educated. If women are allowed to have productive roles in a country's society, she said, the country's economy is stronger. WuDunn reminded her audience that as American women, "we have won the lottery of life" because we live in a land where women are valued. Her presentation included a multi-media segment, and her book, with an autographed bookplate, was available for purchase at the event.



Sheryl WuDunn at the 2013 OWLS Fall CLE

Photo by Diana Dettwyler @ Parker Logan Media

After WuDunn offered a global perspective, an informative panel made up of three professionals who work in the Portland area with victims of human trafficking and sex crimes presented a local perspective. J.R. Ujifusa, a deputy district attorney for Multnomah County, is part of the Human Trafficking Unit in the DA's office. He told attendees that combatting the sex trafficking of women and girls involves both a complex investigation and a complex prosecution. Unfortunately, sex trafficking is increasing because perpetrators believe, according to Ujifusa, that it is a low-risk crime without much of an "up front" cost. Ujifusa discussed the great demand in Portland for sex, how young women and girls are groomed by sex traffickers, and the fact that Portland has been a national leader in the prosecution of sex trafficking crimes, in both state and federal courts.

Ujifusa was followed by Lena Sinha, who counsels victims of sex trafficking at the non-profit SARC, the Sexual Assault Resource Center. Sinha told the audience about the six different programs SARC has to educate and prevent sexual violence in the community. She mentioned that Portland is an especially attractive area for sex traffickers due to the large street youth population, a "tolerant population," and its easy access to the I-5 corridor. SARC's programs

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President's Message



Kathleen Rastetter

Some of us remember life before Title IX, the act that created parity in sports for women. Before Title IX, women were denied the opportunity to learn the

lessons taught to boys and men who play sports: the value of teamwork, the pursuit of a goal outside of yourself, and leadership skills. Title IX allowed girls and women to develop expertise in these areas, which benefits them in all aspects of their lives.

When I clerked for a federal judge after law school, we handled a Title VII lawsuit filed by a former student against Princeton and one of its eating clubs (which are, in effect, fraternities). Her lawsuit alleged that as a woman denied entry into the club, she was denied the opportunities that were available to men. It was well documented in the lawsuit that men gained valuable contacts, mentoring opportunities, and job assistance through membership in these clubs, all of which were denied to women. The case settled after my judge denied the school's summary judgment motion. Later these clubs opened their doors to women. This case was one of my first real-life examples of how the law can help a group achieve social justice.

Lest you think inequities are a thing of the past, *The New York Times* recently published an article about an experiment at the Harvard Business School (HBS). Unhappy with the lower grades and professors' scores given to its female students, HBS changed its curriculum, rules, and social rituals to foster female success. Some of the changes included

placing stenographers in the classroom to guard against grading bias, since class participation was a large portion of the grade. Private coaching was provided to untenured professors. One of the goals of the program is to foster changes that will affect companies populated by Harvard alumni and propel women into the Fortune 500 companies, where only 21 chief executives are women.

As a result of the efforts, women's class participation rose, women won more awards, and the overall environment at HBS improved for women. The experiment was not without critics, including some who questioned whether the HBS environment adequately prepared women for the reality of the world that they were about to enter (which in itself illustrates problems with the way American business is structured). Most, however, found the experiment worthwhile, since it eliminated the female student's choice between achieving academic or social success.

Like sports before Title IX, social networks that exclude women or minorities teach only one segment of our society how to build the skills and develop relationships that lead to success. Specialty bar organizations like OWLS provide mentoring and assistance to its members to help them navigate the social structures within which we must all operate to achieve success in our careers. Your participation in these organizations increases our ability to offer law students and lawyers a wide variety of experiences, and it strengthens our social relationships. Join our "team" and help us foster the next generation of successful women and minority lawyers.

Kathleen Rastetter
President, Oregon Women Lawyers

For more information about OWLS activities, chapters, and volunteer opportunities, visit www.oregonwomenlawyers.org.

Upcoming OWLS Events

Winter Networking Event

Thursday, Feb. 13, 5:00 to 7:30 p.m.
No cost. No RSVP necessary.

Expand Your Network with OWLS, the Oregon Bankers Association, and the Oregon Society of CPAs.
Hotel Monaco

506 SW Washington St., Portland

"I Always Feel Like Somebody's Watching Me: Positive Paranoia in Light of Target's Privacy Fiasco"

Featuring Tatiana Perry, Tonkin Torp

Tatiana will discuss critical information surrounding privacy and security issues of concern to lawyers, bankers, and CPAs. You may have your client's best interests in mind, but many in the world do not. Come learn strategies for protecting your clients and yourself.

Heavy hors d'oeuvres and no-host bar. Bring your business cards and a colleague or friend for this intra-professional networking event. Men are welcome at OWLS events. Join us.

OAAP-OWLS

Women's Wellness Retreat

Friday and Saturday, May 2-3

Oregon Garden Resort, Silverton
The Oregon Attorney Assistance Program and Oregon Women Lawyers invite you to save the date for the seventh annual Women's Wellness Retreat for Lawyers. CLE credits, spa treatments, swimming, soaking, and more. Relax, restore, and socialize with other women in the law. Contact Shari Gregory at sharig@oaap.org for more information.

MLLS Monte Carlo Casino Night

Friday, May 16

Creekside Golf Club, Salem
The Mary Leonard Law Society (MLLS) will again host a casino night for its spring charity event. Guests will enjoy wine and beer from local producers and hors d'oeuvres while trying their hands at craps, roulette, poker, and blackjack. Community supporters will provide a wide array of silent-auction items, and representatives of our featured charity will be on hand to talk about their important work. Mark your calendars!

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

OWLS Coffee Creek Book Drive: March 3–March 17

Join OWLS for our book drive to benefit the library at the Coffee Creek Correctional Facility (CCCF) in Wilsonville. Over the past ten years, OWLS members have generously donated thousands of books to the library. The books get a lot of use, so there is always a need for more, especially books in Spanish, Russian, and other languages.

Specific information about donation drop-off sites will be provided soon. Contact Candace Hathaway at hathaway.candace@gmail.com to coordinate a donation drop-off site.

To make the book drive a success (and the work of the volunteers easier), please keep these important points in mind:

Format: Both hardcover and softcover books are acceptable. Books on CD are also acceptable (and appreciated), but please do not donate books on tape, because the cassette cases can be used to hide contraband. No magazines and no music CDs.

Content: Any form of fiction is acceptable. Mysteries, romance, and science fiction/fantasy are the most popular. The women at Coffee Creek have a wide range of reading abilities and tastes in

literature. Some are barely literate, others are college educated. If you read a book and liked it, chances are that someone at Coffee Creek will too.

Books written for young adults are particularly needed, because the reading level of those books is a bit lower, but the content is mature enough to hold a woman's interest.

Nonfiction is also acceptable, but a few more rules apply: No true crime books or books on gambling. No law books (the facility has a budget for those and will not take donated ones) or textbooks of any kind.

Children's books are also welcome—many of the women at Coffee Creek have children who visit them, and reading together is a great bonding experience. But please, no coloring or activity books that have already been used or played with.

Condition: Books must be in good to excellent condition. No books with torn covers. No books that have been written in. No books that are water-damaged or

have broken spines. The CCCF library is a circulating library in a place that has some fairly rough conditions sometimes, so a book that is in only fair shape to

begin with just won't last very long. So here is the basic rule: Is the book in good enough condition that you would not be embarrassed to give it as a gift to someone?

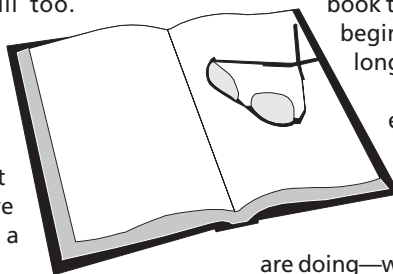
Because that is what we are doing—we are giving these women a wonderful gift. Our donations should reflect that.

All donations are tax deductible to the full extent allowed by law.

For questions about the book drive, contact one of the coordinators: Candace Hathaway, hathaway.candace@gmail.com; Jennifer Hunking, jhunking@gat-tilaw.com; Susan Krant, krant@abklegal.com; or Gail McEwen, mceweng@meritel.net.

If you are interested in helping out by providing a donation drop-off site, please contact Candace Hathaway at hathaway.candace@gmail.com.

Thank you in advance for your support!



Happy 25th Anniversary, OWLS!

2014 marks OWLS' 25th anniversary! Our yearlong celebration will culminate in an anniversary party following the Fall CLE.

Our success over the past 25 years is due to the dedicated service of hundreds of volunteers. Thank you to our founding members, past presidents, and past board members. Thank you to our members who serve on committees or are active in our local chapters. Thank you to our members who have attended events around the state. Each of you has played a critical role in OWLS' success.

We look forward to celebrating OWLS' 25 amazing years throughout 2014 and are excited about our continued growth in the years to come.

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Amending ORPC 8.4 to Address Discrimination: Stay Tuned

By Bonnie Richardson

Nearly three years ago, in March 2011, OWLS sent a letter to the OSB Board of Governors requesting that a task force be formed to evaluate and draft a revised ethics rule or policy to address the issue of discrimination, intimidation, and/or harassment by attorneys. OWLS became involved at the request of a female attorney who had been sexually harassed by opposing counsel in the previous year and filed an ethics complaint with the bar. The current rules did not clearly apply, prompting the move to amend the rules.

Three years later, OWLS continues to support a change to the ethics rules. A task force was formed in 2011 consisting of eight attorneys from various backgrounds. In September 2011, the task force recommended an amendment to Oregon Rule of Professional Conduct 8.4 to add a subsection for professional misconduct based on discrimination or harassment. The proposed amendment prohibited a lawyer, in the course of representing a client, from knowingly manifesting bias or prejudice based on race, religion, age, gender, sexual orientation, national origin, marital status, or disability. An exception was added to permit a lawyer to engage in legitimate advocacy.

Eventually, the proposed amendment went to the OSB Legal Ethics Committee, which approved a modified amendment after obtaining input from other interested groups. After several rounds of amendments, the committee presented the proposed amended rule to the OSB Board of Governors, which recommended adoption of the rule to the OSB House of Delegates. In November 2013, after vigorous debate, the House of Delegates voted to approve a slightly modified amendment to the Oregon Rules of Professional Conduct.

The approved amended rule was then presented to the Oregon Supreme Court, at which point a group of individuals voiced their concerns about the constitutionality of the proposed amendment. The Supreme Court declined to act on the amendment, and requested that the bar further examine the potential constitutional issues related to the proposed amendment. In a letter written to the Supreme Court, opponents of the amended rule expressed doubt whether the amendment was needed because the bar "only came up with one example of actual bias or prejudice exhibited by an attorney...." The opponents' letter also stated, "The proposed amendment fractionalizes the profession and enables special interest groups to use the bar to

advance social and political agendas, extending protections beyond current law." The proponents of the amendment were not informed of the Supreme Court presentation until after it had occurred.

During my involvement over the past few years with this proposed amendment, I have heard many examples of prejudice, bias, and harassment by attorneys directed at women and minorities. The attorney who contacted OWLS had the courage to come forward and tell her story about the sexual harassment she endured. She never meant for her story to be picked up by the press, and she was worried about how it would affect her career and how she would be perceived by her colleagues even though she did nothing wrong. She was not offered an opportunity to tell her story to the Oregon Supreme Court, but she spoke to the House of Delegates before it voted for the amendment. I can't imagine how difficult it was for her to speak out about what happened to her to a room full of fellow attorneys. But I am grateful for her courage because even "one example" of sexual harassment is one too many.

Bonnie Richardson is a partner at Folawn Alterman & Richardson and has served on the OSB Legal Ethics Committee Task Force since its inception.

OWLS Rainmaking Dinner Serves Up Good Advice

By Karie Trujillo

More than 50 young attorneys, eager for mentorship and guidance, attended the fourth annual OWLS Career Development and Rainmaking Dinner on Thursday, November 14, at the Portland Hotel Monaco.

Each year OWLS hosts the event, which is designed to give young lawyers and lawyers in transition a chance to learn from successful rainmakers how to build their careers and develop robust law practices. This year's mentors included Dina Alexander, Radler White Parks & Alexander; Courtney Angeli, Buchanan Angeli Altschul & Sullivan; Christine Brown, Garvey Schubert Barer; Ingrid Brydolf, Davis Wright Tremaine; Nancy Chafin, Chafin Law; Sarah Crooks, Perkins Coie; Janet Hoffman, Janet Hoffman & Associates; John Mansfield, Mansfield Law; Chrys Martin, Davis Wright Tremaine; Carol McCoog, Hawkins, Delafield & Wood; Kathy

Proctor, Proctor Law; Coni Rathbone, Zupancic Rathbone; Renée Rothauge, Markowitz, Herbold, Glade & Mehlhaf; Judy Snyder, Law Offices of Judy Snyder; Marshal Spector, Gevurtz Menashe; Val Tomasi, Tomasi Salyer Baroway; and Julie Vacura, Larkins Vacura.

Jane Paulson, a partner at Paulson Coletti, was a participating mentor as well as the evening's keynote speaker. She offered advice for young attorneys, such as be happy about where you work and with whom you work, don't take stuff personally, be yourself, trust your gut, and network with purpose. She also discussed advice from the best-selling book *Lean In*, by Sheryl Sandberg, such as sit at the table, take risks, negotiate, and consider your career path more of a jungle gym than a ladder. Lastly, she advised young attorneys who want to make partner to start thinking like a partner. Consider

how many billable hours are needed to pay for your salary, secretary, paralegal, etc.; strive to make yourself indispensable; and find a niche.

A special thanks our sponsors, Tomasi Salyer Baroway, Proctor Law Group, and Markowitz, Herbold, Glade & Mehlhaf, and to the dinner organizing committee, composed of Stacy Owen (event chair), Val Tomasi, Kathy Proctor, and Karie Trujillo.

Karie Trujillo is the director of marketing at Markowitz, Herbold, Glade & Mehlhaf.



Jane Paulson

Judge Elizabeth L. Perris and Lissa Kaufman to Be Honored at Roberts-Deiz Awards Dinner on March 14

By Lee Ann Donaldson

U.S. Bankruptcy Judge Elizabeth L. Perris has been selected to receive the 2014 Justice Betty Roberts Award for the promotion of women in the law and the community. Lissa Kaufman, the director of Portland State University's Student Legal Services, will receive the Judge Mercedes Deiz Award for the promotion of minorities in the law and the community. The award recipients will be honored at the 22nd annual Roberts-Deiz Awards Dinner on Friday, March 14, at the Nines Hotel in Portland.

The Justice Betty Roberts Award honors any Oregon-licensed attorney who has made an outstanding contribution to promoting women in the legal profession and the community.

Appointed in 1984 to the United States Bankruptcy Court for the District of Oregon, Judge Perris became only the second female bankruptcy judge for Oregon. Since her appointment, Judge Perris served on the Ninth Circuit Bankruptcy Appellate Panel from 1988 through 1993 and 1998 to 2005, serving as chief judge of the panel from 2003 to 2005. She has written many articles, handbooks, and continuing legal education materials, and her professional activities are numerous. She has taught basic and advanced bankruptcy at Lewis & Clark Law School and debtor and creditor law at Willamette University College of Law.

Judge Perris offers assistance to people outside the legal community as well. She volunteers to help educate high school students about financial literacy with the Credit Abuse Resistance Education program (CARE) and volunteers for the Portland-area pro bono bankruptcy clinic, which helps people who need to file for bankruptcy, many of whom are single mothers.

In addition to her professional duties, bar activities, and volunteer programs, Judge Perris generously gives her time to meet with women law students and young lawyers who seek her advice and guidance on how to be successful in bankruptcy law, a predominately male field. For example, after one woman attorney appeared before her once or twice, Judge Perris invited her to lunch to encourage her to focus on bankruptcy to increase the representation of women



Lissa Kaufman (left) and Judge Elizabeth L. Perris

Photo by Mike Reynolds, Dreams in Bloom Photography

in the bankruptcy bar.

As one local attorney wrote, "A woman of Judge Perris's character and caliber is a shining beacon as a role model to other women and a strong statement of what women can accomplish in the legal profession and in their community."

Judge Perris consistently encourages women in the development of their careers, especially those who show interest in debtor-creditor law. Judge Perris helped organize the Women Bankruptcy Attorneys group in Oregon, known as WOMBATS, after witnessing the success of a similar group in Washington. WOMBATS provides support for women in the male-dominated bankruptcy field, giving its members a great network of experienced female practitioners.

Many lawyers have personal stories of Judge Perris's reaching out to them, mentoring them, and encouraging them both professionally and personally. One of the attorneys personally mentored by her stated, "Through her example I know she has changed many cynics' minds about whether women can be good lawyers; her demonstration of excellence is undeniable. Through her example of excellence, and untiring dedication to the legal profession, she has transcended gender.... She would tell us that was the goal all along."

It is with honor that OWLS presents the Justice Betty Roberts Award to Judge Elizabeth Perris.

The Justice Mercedes Deiz Award recognizes an individual who has made an

outstanding contribution to promoting minorities in the legal profession and the community.

Lissa Kaufman, the director of Student Legal Services at Portland State University (PSU), will receive the 2014 Justice Mercedes Deiz Award for the outstanding contribution she has made to promoting minorities in the legal profession and the community throughout her legal career. One of her colleagues explained: "I know few people who work so persistently to promote diversity and inclusion in the legal profession. Lissa's leadership in this area is practical and direct."

Lissa began her legal career at Oregon Legal Services in Woodburn. Fluent in Spanish, she represented migrant and seasonal farm workers in employment, housing, civil rights, and naturalization cases in state and federal court. From 1998 to 2006, she represented indigent parties in the Portland metro area as a staff attorney for Metropolitan Public Defender.

In 2006, Lissa accepted the position at PSU, where she continues to overcome the barriers faced by her student clients. She has also expanded the Student Legal Services program to better accommodate the needs of the largest and most diverse university in the Oregon University System. For example, Lissa founded an immigration clinic at Student Legal Services to help undocumented students and their families find a pathway to citizenship.

As one of her colleagues stated,

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OWLS Members Discuss Working as In-House Counsel

By Rachell Hull

Just 8% of Oregon's lawyers practice as in-house or corporate counsel, according to the Oregon State Bar's 2012 *Economic Survey*. Though only a small number of attorneys choose this path, it can be the perfect fit for an attorney with a strong interest in business or a background in a specific industry. As part of an informal series on the career paths open to OWLS members, we spoke to three members currently working as in-house counsel to learn how they got there, how they like it, and most important, how they make it work.

Jennifer Allison is senior corporate counsel for Tripwire, a large Portland-based software company that provides IT security and compliance automation solutions. Jennifer graduated from Lewis & Clark Law School and started her in-house legal career at EthicsPoint, Inc. (now Navex Global) doing security and compliance work.

Kate Wilkinson is vice-president, general counsel, and human resources director for C&K Market, Inc., a company that owns and operates almost 80 grocery stores and pharmacies in small markets across Oregon and California. She attended the University of Wisconsin Law School before entering private practice in Eugene. She joined C&K Market, Inc., after representing the company as outside counsel and recognizing her interest in the business affairs of her clients.

Trudy Allen is general counsel of U.S. Bank Equipment Finance, a division of U.S. Bank National Association. After graduating from Lewis & Clark Law School, she worked as corporate counsel at banks in Oregon that ended up being merged into Bank of America. She moved to U.S. Bank in 1994. Her current role was created to recognize her increased responsibilities as the head of legal services for a self-contained unit with unique legal needs.

Most in-house counsel positions are a busy mix of practicing law, managing staff, and participating in business operations. Jennifer Allison says, "Typically I start my day by reading emails that came in overnight from my sales teams in Asia, Australia and Europe. I review and respond to contract questions and assist in closing revenue deals. My key responsibility is managing all revenue work for the company—primarily negotiating license and service agreements." She also handles confidentiality agreements and vendor,

real estate, and independent contractor agreements, along with employee training and employment matters as necessary. Jennifer estimates that she spends 90% of the day practicing law and 10% managing. Her team includes a contract manager and a corporate counsel.

Trudy Allen spends up to 50% of her time managing, "including both managing and mentoring the personnel in [her] department, as well as collaborating with the senior managers of the division and working on global issues and projects for them." Her legal practice is primarily commercial leasing and lending transactional work, negotiations, and contract drafting, and she oversees a staff of five attorneys and two paralegals. Trudy is always available to clients, which she says is both a benefit and a hazard for in-house counsel. "I often have walk-in questions from the employees in our Portland office. The variety of issues I deal with is very broad. The workload is difficult to predict, and we're always trying to catch up."

Hands-on management of employment law issues is common for in-house counsel at larger companies. Managing a staff of one attorney and seven human resources employees, Kate Wilkinson of C&K Market doesn't even try to describe a typical day. "My work life is so varied—I generally have at least one meeting, sometimes many more. I work on projects, review documents, draft policies and procedures, and consult with various departments." With most meetings scheduled in the morning, she tries to carve out quiet time in the afternoon for substantive legal work. That said, she finds that flexibility is a must in a job that encompasses many roles.

A common theme emerged in each of my conversations with OWLS members who work as in-house counsel: communication is the key to success. All three women emphasized the importance of open and continuous communication both up and down the chain of command. This means not only having an open-door policy, but also making a specific effort to speak with key colleagues regularly, including the lawyers and non-lawyers they manage, executive boards, clients, and retained outside counsel.

Trudy's team includes staff in other states, and she starts every day with phone calls to at least two of those attor-

neys, getting updates on their projects and discussing strategy and workload. Because her team is not centrally located, these regular phone calls are designed

to keep her team feeling engaged and supported. Regarding communication with internal clients and executives, she says, "Don't be afraid to ask questions. Learn about the business and how they have handled legal issues in the past. Be as accessible as possible to employees, so they feel free to consult with you. They will also be a source of information about what is going on in the business."

Part of good communication in a business environment is the ability to present legal issues in a way that makes sense to business people. "It's like having the ability to translate language," says Jennifer. When using legal terms like "indemnification," which may have a vague meaning to someone who has never sat through a 1L contracts class, she uses fact scenarios to illustrate potential consequences. She focuses on the effect of the language, not the language itself.

Working in a very technical business, Jennifer sometimes finds herself on the other end of this issue; lawyers aren't always equipped to understand the specifics of industrial or technical products. She recommends cultivating relationships with company experts who can break down the specifics of a product and help you understand your company's risks, the buyer's risks, and how the product's specifics affect negotiations.

When we discuss the ups and downs of in-house practice, a conflict emerges. The great thing about being in-house is that you're part of the team—an invested, day-to-day player in the life of a company. The hard thing about being in-house is convincing your colleagues that you are just as committed to the success of the business as they are. Kate was initially surprised by the negative view of lawyers held by some people in the business world. While lawyers are well-respected,



Trudy Allen

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Working as In-House Counsel

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she says “[m]any people view lawyers as an impediment to getting things done. It’s important to demonstrate that you understand and respect the core business.”

Jennifer echoes this sentiment. “People see lawyers as difficult to work with, unnecessarily argumentative, and an impediment to business. None of these traits can be part of a successful in-house attorney’s approach.” While attempts to mitigate risk can naturally conflict with the desire for continued and growing revenue, “you need to understand that your legal opinion is going to be weighed against the profit of the business. Just saying ‘no’ is not going to earn you a continuing seat at the table.”

In-house attorneys also develop skills in a rather unique area: selecting and using outside counsel effectively. Kate cites expertise and responsiveness as the most important factors to consider during selection. C&K Market, Inc., retains California counsel to assist with California-specific employment and corporate regulatory issues. Jennifer coordinates with local counsel around the world on international issues, including attorneys in Germany, the United Kingdom, and Japan. As a smaller player on the international scene, Tripwire tends to choose boutique firms with specialized experience, giving repeat business to those who provide the best service. Tripwire relies on local managers and local counsel to provide recommendations based on previous experience.

Another challenge is determining whether to hire new attorneys or retain outside counsel. Trudy has expanded her department three times; she values the deeper understanding of company operations and goals that an in-house attorney has. For her division, outside counsel provides specific expertise and a safety valve for work overflows.

Jennifer, Kate, and Trudy offered tips for law students and attorneys interested in pursuing a career as in-house counsel. Law students should take all the business classes available, as well as securities law. Seek internships with corporate legal departments. If your law school offers co-enrollment with MBA or accounting courses, these can also provide important skills and insight. Jennifer has found that lawyers with a business background are “grounded in practicality” and able to solve business problems effectively and explain why legal decisions make sense from a business point of view. “It is useful

to not only wear a ‘legal’ hat. The more you understand what makes a business successful, the more value you will bring to that business.”

Trudy advises attorneys looking to move to in-house counsel to network with employees of the company or, better yet, work for them as outside counsel or consultant. Get to know the employees and the industry, and be patient. Once you’re in the door, Kate’s advice is succinct: “Focus, and listen.”

With a relatively small number of attorneys in Oregon practicing as in-house counsel, it is difficult to paint an overall picture of the nature and conditions of the practice. The OSB’s 2012 *Economic Survey* shows that attorneys who work in-house rate their career satisfaction at a 3.9 on a scale of 5, very slightly higher than the 3.8 average score of attorneys in private practice. (The survey does not capture 100% of Oregon attorneys, but it is considered a good representative sample.) The average salary for in-house counsel is \$157,000, higher than the \$135,000 average for private practice. Salaries at the 75th and 95th percentiles are also higher for in-house counsel. One persistent myth—that in-house counsel



Jennifer Allison

work fewer hours than those in private practice—does not hold up in Oregon. While those in private practice work an average of 180 hours a month, in-house counsel average 188 hours.

Of course, numbers alone can’t tell you if a career path is right for you. But the attorneys who generously made time for this article are proof that these positions can be satisfying for the attorney and beneficial for the company, including its bottom line. As Kate says, “I love the variety and the constant challenge. I really enjoy working as part of a business.”

Rachel Hull is a contractor specializing in privacy at the Bonneville Power Administration.

“A Portland lawyer called me at 4:12 pm and asked if I could get him a reporter that afternoon and again the next day. The location was aboard a Greek ship which could only be reached by a short ride in a small boat and a long climb up a rope ladder. There was only one thing to say.

“Of course.”

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CLE on Gender Equity in Partner Compensation

By Bonnie Palka

On December 13, OWLS and the Oregon State Bar co-sponsored a CLE program on gender equity in partner compensation, making extensive use of written materials compiled by the ABA Task Force on Gender Equity.

Sunny Petit, executive director of Portland State's Center for Women, Politics, and Policy, provided context for the discussion of gender inequity in compensation, its possible causes, and solutions. She covered cultural challenges and teen-girls leadership programs designed to overcome them; the "imposter syndrome" experienced by some professionals; the fact that men are more likely to negotiate compensation than women; sponsorship as distinguished from mentorship in developing careers; identifiable, objective factors in determining compensation at law firms; the "Women Attorneys Business Development Study" by Harry Keshet, PhD, of Keshet Consulting; and law firm women's initiatives.

Following the presentation, Oregon Attorney General Ellen Rosenblum moderated a panel discussion. Panel members were Robert L. Aldisert, Perkins Coie; Nena Cook, Sussman Shank; and Renée E. Rothauge, Markowitz, Herbold, Glade & Mehlhaf.

Robert Aldisert is the Portland office managing partner for Perkins Coie, which has over 60 attorneys in Portland, over 900 firm-wide, and is ranked #49 on *The American Lawyer's* 100 List for 2013. Rob described some of the factors that his firm's 18-member compensation committee employs. The committee's membership is designed to include representatives from all compensation levels, offices, genders, and practice groups. Members are rotated off the committee every three years.

Compensation at Perkins Coie, Rob said, is "data-driven, though not formulaic." Credits are given for origination, productivity, supervision, lead responsibility for clients and matters, and client retention. In recent years, four measures for evaluation have been increased to twelve measures, to better capture a partner's overall contributions. Attorneys are compensated for important administrative responsibilities, such as serving on the compensation committee, though not as highly as for origination credit. Everyone is educated about the system and knows what to emphasize in their yearly reviews.

Nena Cook identified origination credit as key to compensation, particularly in small and medium-sized firms. She offered these suggestions: (1) Do good work as a prerequisite for developing business. (2) Develop relationships with colleagues, not just externally but also internally, because in succession planning your partner needs to be able to trust you with his or her clients after he or she retires. (3) Volunteer for leadership committees, such as the compensation committee. Nena's presentation might best be summarized as follows: Know what is important to you. Identify what is in the best interest of your law firm. Empower yourself!

Renée E. Rothauge said that she avoids sitting on compensation committees because she prefers to spend that time marketing and trying cases, but she loves to navigate the compensation system for herself or others. She offered a three-step approach: (1) get a compensation coach, (2) write a tightly written "brag memo," and (3) negotiate for someone else. She elaborated as follows.

Your compensation coach should be

a member of your firm who likes to negotiate his or her own compensation and who can help you identify three people similar to you in the firm with whom you

can compare yourself. Compensation committees read "brag memos." Describe in the memo what you've done to advance business for the firm. Include dollar figures from origination and supervision credit, but also monetize the "soft arts." If you've mentored or recruited someone above his or her billable hour goal, for example, note that you've saved the firm an estimated \$500,000 in turnover costs.

Also describe what you've done for the firm itself (training, for example) and what you've done for the community. Because women excel in negotiating for others, tell the committee members who will benefit from your increase in compensation. Renée herself once delineated to a compensation committee how much of an increase in compensation she would need as a good parent to provide braces for her daughter. Committee members, after all, are human and want you to be happy. You might also negotiate for an increase that would provide you the means to do more in your life, such as supporting a cause or nonprofit that is important to you.

Reflecting afterward on the CLE, Attorney General Rosenblum commented that the program was a good beginning of an important conversation. She was very pleased to see the turnout of both men and women. David Wade, a 2011–2013 OSB Board of Governors member who had urged that this CLE be presented, and Tom Kranovich, the 2014 Board of Governors president, participated in energetic discussions from the audience.

Gender equity in compensation is a win-win situation for law firms, including their male attorneys, and for all women attorneys. We can each do our share to raise awareness and implement change. Choose to make it happen!

Bonnie Palka, admitted to the bar in Ore., Calif., and Mass., resides in Beaverton.



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113 Women Judges and Growing

By Gloria Trainor

On December 10, Queen's Bench members enjoyed the 23rd annual Queen's Bench Holiday Luncheon honoring and celebrating women members of the judiciary. Justice Martha Walters of the Oregon Supreme Court was the keynote speaker. Queen's Bench President Julie Lohuis began the event, held at the Governor Hotel in Portland, by introducing the 41 state and federal judges who were present. The energy in the room was high as the audience dined on a festive buffet luncheon while recognizing and applauding female members of the bench who are also our mentors, role models, colleagues, and friends.

Next, following holiday luncheon tradition, OWLS President Kathi Rastetter announced the 2014 recipients of the Justice Betty Roberts and Judge Mercedes Deiz Awards. [Please see page 5.]

Julie Lohuis then took the stage for a 2013 Queen's Bench year-in-review. Following the themes of diversity and leadership, Queen's Bench hosted monthly luncheons that included presentations on topics ranging from the need for a new Multnomah County Courthouse to the effects of the fall of DOMA and the importance of pro bono work. Julie also announced a \$500 donation from Queen's Bench to Multnomah County CourtCare, which provides free child care to parents

with business at the courthouse. She then welcomed the incoming board and passed the Queen's Bench president's crown pin to incoming President Mary Dougherty.

Julie then introduced Justice Martha Walters, who spoke about the evolution of the role of women in the law in Oregon. Justice Walters touched on the history of Queen's Bench, which was founded in 1948 by a group of 25 women lawyers that included no judges. She encouraged the audience to marvel with her at the "wonderful and wondrous" transformation that resulted in the invitation of 113 female judges to the 2013 Queen's Bench Holiday Luncheon.

Justice Walters recounted her own experience as a young attorney and opening a law firm in Eugene, where they did not know any other women who had formed their own firm. "We raised our dogs and kids, sometimes in that order, at the firm," she laughed, adding, "We didn't work together—we lived our lives together."

She spoke about the invaluable relationships she had and continues to have with the women who inspire her, support her, and collaborate with her, from Attorney General Ellen Rosenblum—a law school classmate—and her former business partners Jackie Romm and now-Judge Suzanne Chanti to her fellow female justice on the Oregon Supreme



Photo by Mike Reynolds

Justice Martha Walters

Court, Justice Virginia Linder. Justice Walters told entertaining and uplifting stories about these relationships and their role in inspiring her to reach new and greater heights. She also mentioned many of her male mentors and friends, but focused on women, she said, because they haven't always been able to be lawyers and partners and judges. For that reason, their history and accomplishments are especially sweet to celebrate.

Justice Walters left the audience with a message of encouragement for women attorneys to continue to do the work that inspires them and to find joy in each other while doing so. She closed with a reading of the poem "To Be of Use," by Marge Piercy.

Gloria Trainor practices personal injury and family law at Summer Trainor LLP in Portland and serves on the OWLS board.

OWLS Members Receive OSB Awards

By Megan Lemire

Several OWLS members received awards from the Oregon State Bar (OSB) at a luncheon in Portland on December 5.

In recognition of her contributions to the profession, Gina Johnnie received the President's Membership Service Award. She served on the OSB Board of Governors (BOG) from 2008 through 2011 and has been active in the Marion County Bar Association (including serving as its president), OWLS, and the Mary Leonard Law Society.

Judge Angel Lopez received the President's Affirmative Action Award for his contributions to the goal of increasing minority representation in the legal profession. He has served on several committees dealing with the issue, and during his term as OSB president, he advocated the adoption of the bar's Diversity CLE requirement.

For her outstanding contributions to the bar, bench, and community, Attorney General Ellen Rosenblum received the President's Special Award of Appreciation. She has guided judges throughout the state on judicial ethics issues, served as a mentor throughout her career, and served the OSB and the ABA in many capacities.

Gerry Gaydos also received the President's Special Award of Appreciation, for his service on behalf of the legal profession and the Eugene-Springfield community. A champion fundraiser for the Campaign for Equal Justice, he has served as OSB president and is the only Oregon lawyer to have served two four-year terms on the BOG.

The Edwin J. Peterson Professionalism Award was given to Oregon Supreme Court Justice David Brewer, whom Judge Lopez referred to as "the living definition of professionalism in our community." Justice Brewer has dedicated his time to the Campaign for Equal Justice, the Lane County Relief Nursery, Legal Aid, and court reform.

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

Queen's Bench Luncheons in 2014

The theme for the 2014 Queen's Bench luncheons is "Authentic Communication: The value of including diverse perspectives." Join us as we explore strategies to improve communication between people with different experiences and expectations. Luncheon speakers include these:

- March 11: Cheryl Myers, director of economic and business equity for the state of Oregon. RSVP by March 5.
- April 8: Marilyn Bergen of Confluence Wealth Management. RSVP by April 2.
- May 13: Gail Shibley, chief of staff for Portland Mayor Charlie Hales. RSVP by May 7.

Luncheons take place on the second Tuesday of every month from 11:45 a.m. until 1:00 p.m. at the Governor Hotel in downtown Portland. To register, visit www.owlsqueensbench.org/monthly-luncheons.html. You'll also find there a complete list of the 2014 speakers.

A Tribute to Judge Gayle Nachtigal

We see no better platform than the "Judges' Forum" to recognize the professional competence and special talents of Judge Gayle Nachtigal. This article's purpose is not to offer meaningful tips or advice to attorneys, but rather to say farewell to an inspirational judge who has been a prominent example to many. Judge Nachtigal has blazed a path with poise and authority. She was the second female judge in Washington County. She recently retired, and as we celebrate her retirement, the women judges in Washington County would like to share a few thoughts in recognition of her mentorship, guidance, and encouragement.

I first met Judge Nachtigal in the mid-1970s when we were both attending Lewis & Clark Law School. Our schedules rarely meshed, but what I do remember is that it seemed that when she and I did have a class together, Fred Nachtigal was also in the same class. Of course, it was not long before they married.

Surprisingly, since we seemed to be roughly on the same career path, were among the relatively few women lawyers



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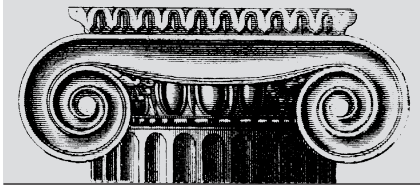
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THE JUDGES' FORUM



By Women Judges on the Washington County Circuit Court

at the time, and were both working in Washington and Multnomah Counties, we only occasionally ran into each other. As it turned out, I was appointed to the Washington County bench only a few years before Judge Nachtigal. I was delighted when she was appointed, as there was now another female on the bench with me, and that female was a person I knew, liked, and admired. We ended up working closely as the domestic relations "team" for a few years, even sharing staff for a period of time. We often had lunch together, and shared a lot of laughs (Judge Nachtigal has a wonderful sense of humor).

As we gradually had more women judges on the bench in Washington County, Judge Nachtigal suggested we calendar in a monthly lunch when all of the female judges (and occasionally one or two of the male judges) would get together. These afforded a great opportunity for us to get to know each other better and also discuss any issues we may be having with cases we were handling. These lunches continue to this day, though they are not as frequent or regular as they once were; this is probably because as our numbers have increased it is much more difficult to find a time when everyone can get together.

Judge Nachtigal was always very caring and thoughtful. When my mother died, I found flowers on my doorstep from her and Fred. When Judge Upton was pregnant with twins, it was Judge Nachtigal who had a shower for her at her home with all of the women judges. Those of us who know Judge Nachtigal and have worked with her know how organized and efficient she is, but what comes to my mind when I think of her is her kindness, compassion, and sense of humor. Judge Nachtigal knows how to have fun and will have a wonderful retirement.

Nancy Campbell Mead, Senior Circuit Court Judge, Washington County

My first meeting with Judge Gayle Nachtigal was in the juvenile hear-

ing room in the Weil Arcade in downtown Hillsboro, though I can't remember the exact date—this appearance must have been in about 1991, just

at the beginning of Judge Nachtigal's judicial career. My client was the parent of an abused child; I was representing my client in divorce and juvenile proceedings. Judge Nachtigal ruled quickly and pragmatically on my client's request to have more control over the next treatment steps for her child.

Over the years, this was my experience with Judge Nachtigal—she came to decisions quickly, and ruled with confidence and clarity. She had a gift for finding pragmatic answers to the questions presented. As an attorney, I looked up to Gayle. As the first female presiding judge for Washington County, and only the second female judge on this bench after Nancy Campbell, Gayle was blazing trails for those of us who were beginning our practices a few years later.

When I joined the Washington County bench in 2002, I learned that there was another side to Gayle Nachtigal—that of supportive mentor, colleague, and friend to a new judge who was learning the ropes. She organized monthly "lady judges" lunches so that the female judicial officers would have the opportunity to get together and socialize on a routine basis. She arranged a baby shower for a judicial colleague expecting her first children, which in turn inspired grandbaby showers for the grandchildren who arrived later for a couple of us. Gayle is a consummate pro as a judge, with a fierce intellect—I knew this before I worked with her, but I didn't realize that she was also a supportive friend to the people with whom she works. This has been a delightful component to these past eleven and half years of service on the same bench. Particularly when I transitioned into the job of presiding judge in 2011, I knew that Gayle was only an email or phone call away—willing to answer a question, or bounce around an idea.

Gayle's service to the Washington



Judge Gayle Nachtigal

Continued on page 11

A Tribute to Judge Gayle Nachtigal

continued from page 10

County Circuit Court has been broad and varied—from Juvenile to Family, Criminal, Civil, and serving as presiding judge. With Gayle, there is a sense of humor that can't help but come out, and a kindness that shines through in her actions. Even after retirement, she continues to volunteer her time to work on a court reengineering effort. She is a role model for judges in her public service, and in combining her family life and professional life in a truly balanced way. It has been a privilege to appear in her courtroom, and to serve with her as a judge.

*Kirsten E. Thompson, Presiding Judge,
Washington County Circuit Court*

Gayle Nachtigal was the first woman to serve as presiding judge in Washington County. She brought her considerable talents and energy to the position at a time when the county was experiencing exponential growth and all of the issues that come from a rapidly expanding population. She became instrumental in developing policies and procedures necessary to address the increasing caseload and still maintain a functioning court. Gayle's ongoing commitment to collaboration with others in the justice system resulted in a number of innovations, including the early case resolution program. Most recently she has been a catalyst for the current reengineering project in the Washington County Court.

Gayle has always been generous with her time, sharing her legal knowledge and experience with her colleagues and specifically this judge. When I was elected, Gayle went out of her way to answer my numerous new-judge questions. She also provided very practical advice, including the suggestion that I make sure I had a decent bathrobe handy when officers came to my house in the middle of the night to request the review of a search warrant. Over her judicial career, Gayle's dedication and commitment to the rule of law is a standard we in the legal community should all aspire to emulate.

*Rita Batz Cobb,
Washington County Circuit Court Judge*

When Gayle Nachtigal joined the bench in 1991, I was young lawyer in the DA's office. I admired her from the start and was pleased we had gained our second female judge. I enjoyed trying cases in her court and always found her to be strong and principled.

When I joined the bench I gained an opportunity to know Judge Nachtigal better. Gayle Nachtigal was a strong and effective presiding judge. She has always been a trusted colleague and became a dear friend as well. We miss her but wish her a long and enjoyable retirement. She deserves it.

*Suzanne Upton,
Washington County Circuit Court Judge*

When I was a young lawyer, Judge Nachtigal was an imposing figure on the bench. As time went on, I began to expect and appreciate her consistency, preparedness, and control of her courtroom. You could rely upon her to treat your clients in similar situations the same, and never in an arbitrary manner. She prepared for her docket, was a master of OJIN (just ask any defendant who couldn't or wouldn't accurately disclose their criminal history), and ran her courtroom smoothly and efficiently. As a hearings referee, I have found myself appreciating those traits from a new perspective, and it has given me a new level of respect for Judge Nachtigal. She has never shied away from taking a leadership role, both within and without the courthouse. She


will be missed on the bench.

*Michele C. Rini-Hearings,
Referee, Judge Pro Tem*

Judge Gayle Nachtigal has cast a lasting impression on me, both as a lawyer and as a judge. She was the presiding judge when I first arrived in Washington County as a young female attorney. It was very important for me to see a woman on the bench. She managed her courtroom in a way that was consistent, organized, and clear. I saw a distinct professional who was knowledgeable and efficient. I will also always remember, warmly, my last jury trial as a lawyer—it was before Judge Nachtigal.

As a new judge, like many before me, I found Gayle to be very dynamic and at times extremely hilarious. Always willing to take your call, Gayle was there—whether the question was simple or complex. She constantly proved to be generous with her time and energy. I want to extend a big "Thank-you" to Judge Nachtigal for being that indispensable guiding presence. I will miss you, and Washington County will miss you.

*Janelle Factora Wipper,
Washington County Circuit Court Judge*



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Meet Sixth District Circuit Court Judge Eva Temple

By Denise Case

Some may say that Judge Eva Temple was destined to become a judge, even if she had other plans.

Graduating from Pendleton High School with dreams of being an architect, she went to Carnegie Mellon University in Pittsburgh. There the college freshman realized that she was a “people person” not meant to be tethered to a drafting table. So she came back to Oregon, where she worked at Timberline Lodge and lived for a year as a self-proclaimed “ski bum” before returning to her college studies at the University of Oregon, focusing on psychology and international studies.

While an undergraduate, Judge Temple found herself the beneficiary of efforts by the University of Oregon School of Law to enroll more female students; she was invited to a recruiting lunch, an opportunity that few starving students would pass up. By the end of that lunch, her path was set: she would attend law school, joining the 1993–1994 1L class, the first in history to contain more women than men. (See www.catalyst.org, “Women in the Law in the U.S.,” May 2010 (citing American Bar Association, “First Year and Total J.D. Enrollment by Gender 1947–2010”).)

She did not, however, intend to practice law. Instead, she wanted to work for the State Department as a Foreign Service officer, an interest cultivated while studying in Germany as an undergraduate and in Cape Town, South Africa, during law school. She therefore set out to join the Peace Corps. But the physical assessment revealed a congenital heart defect requiring surgery and leaving her stateside.

Fortunately, Judge Temple had already passed the Oregon bar exam, so after she recuperated, she took a job with Intermountain Public Defender, Inc., in Pendleton, where she practiced until 2001, at which point she joined the firm Mautz Baum & O’Hanlon as a civil litiga-

tor. She was named partner in 2002, a position she retained until she relocated to Hermiston in 2008, when she joined Anderson Hansell & Temple as a shareholder. She remained there until January 2011, when she was appointed by former Governor Ted Kulongoski as a judge in the Sixth Judicial District, comprising Umatilla and Morrow Counties. She was the second female judge in District Six.

During her entire legal career, Judge Temple has been an active member of Oregon Women Lawyers, including her current participation on the OWLS membership committee. In fact, when asked how she reached her current position, her immediate response was, “It’s because of OWLS.” More specifically, Judge Temple attributes her success in the judicial appointment process to things she learned and people she met while serving on an OWLS committee.

Another invaluable experience occurred early in her career, when Judge Jeffrey Wallace took her aside and encouraged her to pursue a career on the bench. He told her, however, that “he loved his job, so [Judge Temple] couldn’t have it—yet.” She was appointed to his position when he retired.

As a result of that early conversation, Judge Temple pursued opportunities to act as a pro-tem judge, which greatly prepared her for the day-to-day pace of life on the circuit court, where daily activities include criminal trials, traffic cases, civil litigation, and Judge Temple’s favorite, matters in the Hermiston Drug Court.

In the drug court, Judge Temple feels that she is able to “make a tangible and positive difference in people’s lives,” and she enjoys seeing people move toward living healthier lifestyles. She also sees the potential that treatment courts have to positively intervene in the lives of people who are mentally ill.

When she is not in court, you may find Judge Temple engaging in activities typical to a working mother of two: cleaning, doing laundry, shopping, and traveling between recitals, classes, and games. Judge Temple freely admits that she doesn’t handle domestic life alone, giving all due credit to her “amazing” husband, Patrick, who also works full-time but manages to share equally in household duties.

Judge Temple’s advice to young female lawyers is loud and clear: “Join OWLS!” Through OWLS, she notes, young attorneys can meet other attorneys, form communities, establish mentors, and participate in a multitude of committees and panels. Merely joining OWLS, however, is not sufficient: “Even if you feel overwhelmed as a new lawyer, you need to make time to make connections with other women lawyers who can be your mentors.”

Judge Temple also implores those seasoned in the practice of law to “go out of our way to meet new women lawyers,” since “one conversation can make a huge difference in a young lawyer’s career.” It was, after all, through the advice and encouragement of mentors like retired Judge Wallace, U.S. District Court Judges Ann Aiken and Anna Brown, Federal Magistrate Patricia Sullivan, and attorneys Sally Anderson-Hansell and Leslie Harris that Judge Temple made her way to the bench.

Denise Case is of counsel at Radler White Parks & Alexander in Portland.



Judge Eva Temple

CWLS Offers Engaging Events

By Sonya Fischer

Lackamas Women Lawyers (CWLS) topped off an amazing year of camaraderie, connectedness, and fun at its holiday party on December 7 at the home of Judge Katherine Weber. About 30 people gathered for the event, and we simply shared stories about our lives, professions, and families. One of the wonderful aspects of being a member of CWLS is all the opportunities it provides

for professionals in our community to gather and get to know one another outside the office or the courtroom.

The new CWLS board includes Ericka Langone as president, Jenn Dalglish as vice president, and Talia Stoessel as treasurer. CWLS will host its fifth annual “Evening with an Author” event on February 20 at 5:30 p.m. at the Lake Oswego Country Club, featuring local

*Sonya Fischer,
Ericka Langone,
Talia Stoessel*



author Jennie Shortridge and her novel *Love Water Memory*. In 2014, CWLS also plans to host a wine tour in April, several roundtable discussions, three CLEs, and a holiday party.

OWLS Foundation Awards 2013 Bar Exam Grant

By Jill E. Brittle

The Oregon Women Lawyers Foundation awarded its 2013 Bar Exam Grant to Lewis & Clark Law School student Heather Murray (class of 2014). The grant is awarded annually to a law student who is a single custodial parent, and the funds are meant to assist the recipient in paying for and preparing for the Oregon bar exam.

Heather's path to graduation demonstrates the dedication to service and the drive that OWLS Foundation board members hope to encourage in other women entering the legal field. With a bachelor's degree in ministry and leadership from Multnomah University and Seminary, Heather's work before and during law school has been assisting the disadvantaged. She has worked with people who have completed GEDs and drug and alcohol programs, and found housing or jobs through the community court programs.

The custodial parent of two teenage daughters, Heather has worked full-time during law school (up to 76 hours per

week), serving as a managing editor for the *Environmental Law Review* and working at the circulation desk at the Boley Law Library and as a certified law student in the Multnomah County DA's Office. She studies as her busy schedule allows, sometimes while attending her daughter's cheerleading and robotics tournaments.

In May 2013, the father of Heather's children passed away after a battle with cancer, just a few weeks before his daughter graduated from high school. The life insurance policy meant to provide for the girls in his absence had lapsed. The monthly support used to pay the mortgage and utilities was gone. With resources tighter than ever, Heather began cutting expenses: no annual parking pass at school, conserve resources at home, and no textbooks. She studied using borrowed books from the library and worried about spending \$100 for a book needed for an open-book exam.

Given her tight finances, Heather worried that she would have to delay taking

the bar exam until she could afford the application fee and course costs. The OWLS Foundation grant has alleviated some of those fears, and she plans to take the bar exam this summer.

"Please let the OWLS members know that this grant is a lifeline," Heather writes. The chance to take the bar exam on time means that she will be closer to her goal of continuing to combine her legal knowledge with her passion for service to others. The OWLS Foundation congratulates Heather Murray and wishes her the best. We look forward to her joining the Oregon State Bar in 2014!

Jill E. Brittle, an OWLS Foundation board member, practices law at Brittle & Brittle.



Heather Murray

Law Offices of WILLIAMS LOVE O'LEARY & POWERS, P.C. is changing!

Mike Williams, Linda Love, Leslie O'Leary, and Tom Powers, partners in Williams Love O'Leary & Powers, P.C., Beaverton, Oregon, announce the following new developments:

- 1 Mike Williams and Leslie O'Leary will continue practicing as Williams O'Leary, LLC, and will continue to represent plaintiffs injured by defective drugs, medical devices, other dangerous products, and medical negligence, as well as to handle consumer class actions against insurance companies and other financial institutions for unfair dealing.
- 2 Linda Love will practice as Linda Love, Attorney at Law, LLC. She will continue to represent injured consumers, and to resolve and litigate civil and administrative disputes. Also, Linda will serve as a patient advocate for those who have suffered physical injuries as a result of medical treatment, "adverse health care incidents," which can be reported and resolved under the new Oregon law starting July 2014.
- 3 Tom Powers will continue his practice as Thomas Powers, Attorney at Law, LLC, in eastern Oregon. Tom will continue to handle personal injury, products liability, and wrongful death cases, as well as representing clients in criminal defense matters, commercial litigation, nursing home negligence, and elder abuse cases.
- 4 The firm's associate, Steve Seal, has accepted a position as associate with the Berkshire Ginsberg firm in Portland. We wish Steve the best.

While Mike, Linda, Leslie, and Tom are reorganizing and separating their practices, they continue to have the highest personal and professional regard for each other and they continue to work together as friends on several cases. Both Linda and Tom will be working with Williams O'Leary as of counsel while they finish up a few remaining jointly shared cases. Mike and Linda continue their 13 year old marital relationship.

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OWLS Fall CLE

are confidential, survivor-focused, and involve referrals to treatment facilities, hospitals, shelters, and the like. In addition, SARC works collaboratively with law enforcement and provides long-term case management for young victims "across the system," according to Sinha.

The panel's last speaker was immigrant advocate Christopher Killmer of Portland's Immigration Counseling Service (ICS). ICS's mission is to provide high-quality legal services to immigrants who cannot afford attorneys. In 2012, ICS started a comprehensive program to provide legal and social services to immigrant victims of human trafficking.

Killmer told the audience that when considering immigrants and trafficking, it is important to realize that a big part of the issue concerns labor trafficking. Often, immigrant women are trafficked into the United States for sexual purposes, but then later are turned over to shadowy individuals and organizations ("recruiters") who put them to work in restaurants, agriculture, factories, assisted living facilities, and construction. Killmer said the trafficking of immigrants for their

labor is truly a hidden crime, in which the victims are held in "darkness," afraid to speak up due to their fear of deportation. Killmer told attendees about ICS's work in helping victims obtain special "T" or "U" visas under the immigration laws, which permit certain crime victims to legalize their immigration status. He also invited attorneys who wish to do pro bono work for ICS for immigrant victims of trafficking to contact him.

The OWLS Fall CLE was eye-opening and raised attendees' consciousness on these important international and local issues involving women. Following the CLE, OWLS' annual Fall Reception was held. OWLS thanks the Fall CLE committee: co-chairs Kathi Rastetter and

Kendra Matthews, and committee members Jacqueline Alarcon, Eryn Hoerster, Kristina Holm, Teresa Jacobs, Sara Kobak, Teresa Statler, and OWLS Executive Director Linda Tomassi. OWLS thanks Naegeli Deposition and Trial for its videotaping sponsorship of the CLE.

Teresa Statler has a solo immigration law practice in Portland.



Photo by Diana Dettwyler © Parker Logan Media



At the OWLS Fall CLE, from left: Top: Serena Morones, Sheryl WuDunn. Bottom: J.R. Ujifusa, Christopher Killmer, Lena Sinha.

New Format for OWLS Foundation Auction

The Oregon Women Lawyers Foundation is pleased to announce that we will be "working smarter, not harder" to raise funds for our Vernellia R. Randall Bar Exam Grant, our Armonica Law Student Grant, and our endowment through our annual auction. This year you can plan to have an amazing time at the OWLS Roberts-Deiz Awards Dinner while you enjoy a new OWLS Foundation Auction format, which will include the following:

- Two raffles to give away one-of-a-kind experiences, such as travel, sports, and VIP treatment,
- One live-auction item you won't want to miss, and
- Only five auction baskets of inclusive unique and amazing packages.

Raffle tickets are limited and will be available at the event as well as for pre-sale when you purchase your dinner tickets. We hope you enjoy our new platform, keeping in mind that raising money for the Foundation's grants and endowment are at the forefront of this enhanced auction experience. To purchase raffle tickets, go to the events tab at www.oregonwomenlawyers.org.

Roberts-Deiz Award Recipients

"Dr. Kaufman is an inspiration to students and community members. She is not only a mentor, but she is a true educator; she cares for her students beyond the college campus and makes it a priority to engage them in a way they value and respect."

In addition to serving undergraduate students, Lissa mentors law clerks at Student Legal Services. Her advice and guidance runs the gamut from managing cases to managing student loan debt, always focusing on giving the law clerk the best experience to enhance his or her career. Lissa ensures that the clerks under her supervision get direct experience in the courtroom, direct experience with client meetings, and direct experience networking with professionals.

Lissa institutionalized her passion for expanding the pathways for underserved populations by developing the Exploring the Law (ETL) is a pipeline program for students to learn about, prepare for, and pursue careers in law through a partnership between PSU, the Oregon State Bar, and the Multnomah Bar Association (MBA). Lissa currently serves on the MBA Board of Directors.

ETL hosts about five students each term, and Lissa mentors each one. Her

dedication continues as those students attend law school. For example, when one of the ETL graduates became the only African American student in her law school class, Lissa helped sponsor her attendance at the annual convention of the National Black Law Students Association.

While improving access to justice and access to careers in justice in minority communities in Oregon, Lissa Kaufman also inspires and motivates experienced attorneys firmly within the establishment. One of her co-committee members described her influence on practicing attorneys: "She reminds us lawyers of our professional responsibility to lift and encourage the future leaders of communities of color. She impresses upon students that the law is worthy, and more importantly, accessible, and that lawyers are approachable and human and not that scary and maybe even a little fun."

Oregon Women Lawyers is honored to present the Justice Mercedes Deiz Award to Lissa Kaufman for her outstanding work promoting minorities in the law and the community.

Lee Ann Donaldson is an attorney at the Law Offices of Charles Robinowitz in Portland.

Contract Attorneys: Managing Expectations and Getting Paid

By Josephine Ko

Working as a contract attorney raises unique issues in the practice of law. Since contract attorneys lack traditional attorney-client relationships with clients, it becomes critically important to define the relationship between the contract attorney and the hiring attorney or law firm. Contract attorneys and hiring attorneys must take care to define the scope of the project and the access to the client and confidential documents. Contract attorneys must also determine a marketable billing rate for themselves and assess when PLF coverage is required.

The OWLS leadership committee designed a program to address issues facing contract attorneys and those who hire them. On November 19, OWLS presented the program, entitled "Contract Attorneys: Managing Expectations and Getting Paid." Panel members included Lisa C. Brown of Bullard Law, Emilee Preble of the Oregon State Bar Professional Liability Fund (PLF), and Jim Voegel of Voegel & Christiansen. Contract attorney Andrew Grade moderated the panel. Attendees filled a large conference room in Portland provided by Stoel Rives.

Panel members discussed factors to consider when deciding what rate to charge, noting the rates they had earned on different projects over the years. There is no one rate that will apply universally to every project or to all contract attorneys. Contract attorneys should consider fac-

tors like for whom they will be working and the hiring party's ability to pay, the nature of the project, the rates they have charged in the past, and the current rates in the local legal market. Rates will also vary depending on whether the project will be billed hourly, under a blended formula, as a flat fee, or according to a contingency arrangement.

Once a project has been negotiated, contract attorneys should consider whether to formalize the arrangement in a written agreement. Some contract attorneys work on a handshake or an email exchange. While a handshake might be sufficient for a small project, the panel noted that the better business practice is to use written agreements, especially on projects involving a lot of hours or spanning a long period of time.

When preparing a written agreement, contract attorneys should consider including language that sets the expectations for everyone. The panel suggested setting forth a description of the project, the number of hours anticipated, the applicable state law, the party who will pay for PLF coverage, the location where the work will be performed, the role of the contract attorney as an independent contractor, and invoicing and payment procedures. Contract attorneys should update the agreements as their roles evolve.

Contract attorneys should also pay careful attention to PLF coverage requirements. Generally, PLF coverage is required

for individuals who hold themselves out as attorneys in the private practice of law. However, contract attorneys who market themselves only to other attorneys for contract work may fall under the exemption for supervised attorneys. Contract attorneys without PLF coverage must be supervised by an attorney with PLF coverage and also follow other restrictions.

The panel answered questions from the audience and offered valuable advice based on their many years of experience as contract attorneys. Attendees left with useful materials for contract attorneys, including a checklist, forms, and informative articles, most of which are available on the PLF website.

The presentation was recorded on video by the PLF. Details for online access will be available later. The program has been approved for two hours of Oregon Practice Skills MCLE credit.

Josephine Ko is an experienced business and employment attorney who is licensed to practice law in Oregon and California. Her blog at www.employitright.com.



Lisa Brown

MLLS Presents Panel on Networking

On October 24, the Mary Leonard Law Society (MLLS), in partnership with Willamette University College of Law, presented a panel discussion on tips and strategies that women can use to network and market effectively. Panel members were Martha Pagel, shareholder and leader of the environmental, energy, and natural resources practice group at Schwabe, Williamson & Wyatt; Debra Ringold, dean and JELD-WEN professor of free enterprise at the Atkinson Graduate School of Management at Willamette University; Vanessa A. Nordyke, assistant attorney general in the Trial Division at the Oregon Department of Justice (DOJ); and Stephanie Palmblad, associate attorney with Collier Law. The panelists agreed that networking is important and that developing a reputation for excellence is essential.



From left: Vanessa Nordyke, Debra Ringold, Martha Pagel, Stephanie Palmblad

In Memoriam—Barbara H. Fredericks

We were saddened to learn that longtime OWLS member Barbara Fredericks of Beaverton died in October. Born and raised in the Chicago area, she graduated in 1973 from DePaul University College of Law and then worked as a trial attorney in Chicago and Boston. She and her husband, Jim Jandacek, and their son Paul moved to Portland in 1991, and she was admitted to practice in Oregon in 1995.

Barbara devoted countless volunteer hours to civic education, holding many leadership positions in the League of Women Voters. She chaired its studies of the Oregon judiciary and was a staunch public advocate for judicial independence. In addition to the legacy left by her work on behalf of Oregon's citizenry, she will be remembered and treasured by her friends for her good humor, kindness, and cheerful presence.

Winter 2014

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Thank You

Our thanks to members who renewed or joined OWLS at an enhanced level

\$500

Hon. Jodie Mooney
Kathleen Hansa Rastetter

\$350 to \$499

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Carmen Calzacorta
Ann Chapman
Angela Franco Lucero
Hon. Jill Tanner

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