

THE BAR TAB

Clackamas County Bar Association newsletter

Quarterly Issue No. 3
October 2019

Prez Sez by Jeff Nitschke

Building a Community

I joined the board of the CCBA in January 2016. At that time, I had little idea of what the organization did or what our mission was. Over time, those purposes were revealed to me, not through explicit speeches or mission statements, but rather through the interactions of the members. My goal over the past year has been to identify and strengthen the pervasive and strong sense of professional community I saw, and I have come to the following conclusions:

- 1) *Clackamas remains a small community, and that's a good thing.* Though we are the third largest county in Oregon (reliable statistics courtesy of *Wikipedia*), the legal community which provides services to the residents of Clackamas county is much smaller than in Portland. I suspect this is due to the large firms located downtown primarily conducting business in Multnomah, rather than Washington or Clackamas. Regardless of the reason, Clackamas remains a place where you come to court and either know all of the other attorneys and judges, or at least recognize them. I believe the small nature of our community is part of what keeps our relationships operating at a high level of professionalism. The adversarial system is designed to generate conflict, and citizens involved in the legal system are seldom there for happy reasons. In order to work with each other day in and day out and not lose our minds, our members focus on building friendships and professional collegiality. The result has turned into a point of pride, that Clackamas is the best county in Oregon to work in. As Clackamas grows and younger lawyers join the community, it is incumbent on us to remember that such



Coming Up

**November 7, 2019
Fall CLE & Social**

Tumwater Room
211 Tumwater Drive
Oregon City, OR 97045

Registration at 8:30 am;
Program: 9:00 am to
5:15 pm

[http://clackamas-
bar.org/display-cle.asp?
CLEsID=27](http://clackamas-bar.org/display-cle.asp?CLEsID=27)

**December 19, 2019
Holiday Party**

Abernethy Center
6:00 p.m. to 10:00 p.m.

a reputation and community is hard work and we must endeavor to protect it, and each other.

- 2) *Friendships drive our community growth.* Earlier this year, I remarked that one of my favorite things about the CCBA is watching the senior members of our community interact, noting it was the high level comradery and respect they share with each other. Nowhere was it more apparent that this comradery extends to new members of the community than at the Young Professional Award dinner for Cierra Brown. Practitioners from every area in Clackamas came to express their support for Cierra and enjoy the party. It reminded me that though we are all from different places, practice in different areas, and have wildly varying life experiences, there is a joint commitment from our members to support each other through hardship and excellence.
- 3) *Building a new website is way harder than you think.* At the end of last year, the CCBA board commissioned a new website, which I am happy to say is still on track for release in October. I assumed that building such a website would be done by the professionals, and I could keep as far away from it as possible. Despite my efforts, it turns out that ‘someone’ has to come up with the material to put in the ‘About Us’ section, pick the background colors, set up an advertisement structure, and to set up the bat-phone line to the presiding judge. This year, that ‘someone’ was me. I leave the project with a deep appreciation of the private practitioners who have excellent web pages and the time it took for them to set them up, as well as the Board members who created the first CCBA website and the Website Committee for keeping it updated and revised throughout the years. Stuff to look forward to on the new website: membership and event signup, an online payment gateway, an interactive event calendar, ad space, individual member profiles, and most importantly, on-demand CLE videos and materials.

I hope everyone is enjoying the fall season and I hope to see you at the Christmas party!

News and Notes

Street Roots News recently published an article on Clackamas County’s innovative Service Mall project being held in conjunction with Community Court.

<https://news.streetroots.org/2019/08/02/clackamas-county-court-one-stop-shop-social-services>

Oregon State Bar approves licensed paralegals and bar admission without law school.

“Oregon has taken two major steps towards enhancing access to justice in the state, as the Oregon State Bar’s Board of Governors has voted to approve a recommendation to create a paraprofessional licensing program in the state and another to enable individuals to become licensed lawyers without attending law school, by completing a four-year tutelage program. ...”

<https://www.lawsitesblog.com/2019/10/in-move-to-enhance-access-to-justice-oregon-bar-oks-licensed-paralegals-and-bar-admission-without-law-school.html>

Oregon State Supreme Court building begins two year renovation project

<https://www.courts.oregon.gov/courts/appellate/supreme/Pages/building.aspx>

<https://www.statesmanjournal.com/story/news/2019/09/27/oregon-supreme-court-building-relocates-earthquake-renovation/2423846001/>

Remember Compassionate Justice Meetings are now being held in the Holman Law Center, 821 Main Street, Room #207. There are five meetings scheduled for the remainder of this calendar year. 10/16, 10/30, 11/13, 11/27 and 12/13 from 12:10 p.m.—12:50 p.m. Please send any questions via email to CompassionateJusticeCommunity@gmail.com.

Gathering with the intention of building a community rooted in support, respect and compassion for all professions that work closely with or within the criminal justice system in Clackamas County.

Cierra Brown Receives First CCBA Professionalism Award

by Kasia Rutledge



Awards, particularly in the legal community, are an interesting thing.

Sometimes they can feel like just a way of bringing in donors. Sometimes they feel like they celebrate the one dimensionality of people who are flattened into a narrow unrecognizable version of themselves. And sometimes they can feel insular, self-congratulatory and like the same people get honored.

The Clackamas County Bar Association's Professionalism Award ceremony honoring Cierra Brown was different. I, along with a lot of other people who love her, got to bear witness as Cierra received the award. It was different because somehow in the space of a small winery in West Linn a different story was told. The beauty and strength and complexity and struggles and sometimes ugliness and isolation of queerness were centered.

Iris Wilson, Kamron Graham and Cierra in all of their comments flipped the dominant paradigm upside down to present a whole human worthy of an award celebrating professionalism: a loaded word that normally means compliance with the dominant culture.

Cierra demonstrated that night that professionalism can be speaking your truth, talking about the hard parts not just the fun ones, allowing others to fail and holding them accountable and surrounding yourself with love and people who will do the same for you.

I am honored to be one of her 300 bears.







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Lawrence P. Blunck

Lawrence P. Blunck
larry@bluncklaw.com

Over the years I have mediated the following types of cases:

- Automobile Accidents
- Motorcycle Accidents
- Breach of Contract
- Business Disputes
- Construction Defects
- Subrogation Claims
- Personal Injury
- Product Defects
- Sexual Abuse
- Fire Loss
- Timber Trespass
- Neighborhood and Homeowner Association Disputes



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Clackamas Court News: Probate Updates

GUARDIAN AD LITEM APPOINTMENTS

The Chief Justice has approved an out-of-cycle change to Clackamas County Circuit Court Supplementary Local Rules relating to guardian ad litem appointments. Please see SLR 2.501: <https://www.courts.oregon.gov/courts/clackamas/go/Pages/rules.aspx>.

Although the effective date is October 23, 2019, new filings may be eFiled now, or alternatively filed conventionally between now and then. Starting October 23, 2019, new filings must be eFiled in compliance with this rule. This includes petitions for minor identity records (name and sex changes). In the past, it was required that a guardian ad litem be appointed at the same time as the filing of the petition. Now, petitions are accepted before the guardian ad litem's appointment to comply with Oregon Rules of Civil Procedure 27D.

Guardian ad litem statewide forms and instructions have been created and are available on the website: <https://www.courts.oregon.gov/courts/clackamas/help/Pages/GAI-Forms.aspx>. Please be sure to use the "In the Matter of" packets if you are filing an identity record case.

Court staff will be checking for compliance with ORCP 27E. This requires that the person filing the motion to appoint a guardian ad litem must provide notice no later than seven days after filing the motion. In certain circumstances, notice may be waived. There is a waiver of notice packet available on the court's website.

Please also be sure to address the certificate of readiness (UTCR 5.100), required for most proposed judgments and orders.

If you have any questions or concerns, about probate or identity record guardian ad litem filings please contact Probate Coordinator Rebecca Vance at Rebecca.M.Vance@ojd.state.or.us or 503-655-8623. If you have questions about civil or domestic relations guardian ad litem filings please contact Civil Supervisor Heather Kamin at Heather.K.Kamin@ojd.state.or.us or 503-722-6100.

VISITORS

This is a reminder that as of July 1, 2019, Clackamas County Circuit Court will appoint probate court visitors on a rotation and that the court visitor fee will be collected by the court.

Payment for the fee is expected within one day of petition acceptance. A court visitor will not be appointed until the fee is received. As explained in PJO 2019-03, the fees are:

\$400 for a Temporary Guardianship

\$550 for an Indefinite Guardianship

\$150 for an Indefinite Guardianship when a Temporary Guardianship is already filed

(within one calendar year for a total fee of \$550)

\$550 for a Temporary and Indefinite Guardianship (when filed contemporaneously)

Contact the accounting unit at 503-655-8453 option 2 to pay the appropriate fee over the phone. Payment may also be made in person at the cashier window. Please have your case number ready for efficient processing. Probate staff do not have the ability to tender funds.

The accounting clerk will notify the probate coordinator of the payment. This will prompt the drafting of the visitor appointment order. You may also email the probate coordinator upon payment. Electronic notification of the entry of the order will be sent in normal course to the attorney and court visitor.

If you have any questions or concerns, please contact the Probate Coordinator, Rebecca Vance, at Rebecca.M.Vance@ojd.state.or.us or 503-655-8623.



Family Law Mediation

Arthur B. Knauss

45 years experience as a family law attorney

19 years experience as a Clackamas County
Pro Tem Judge handling short docket
cases for family law

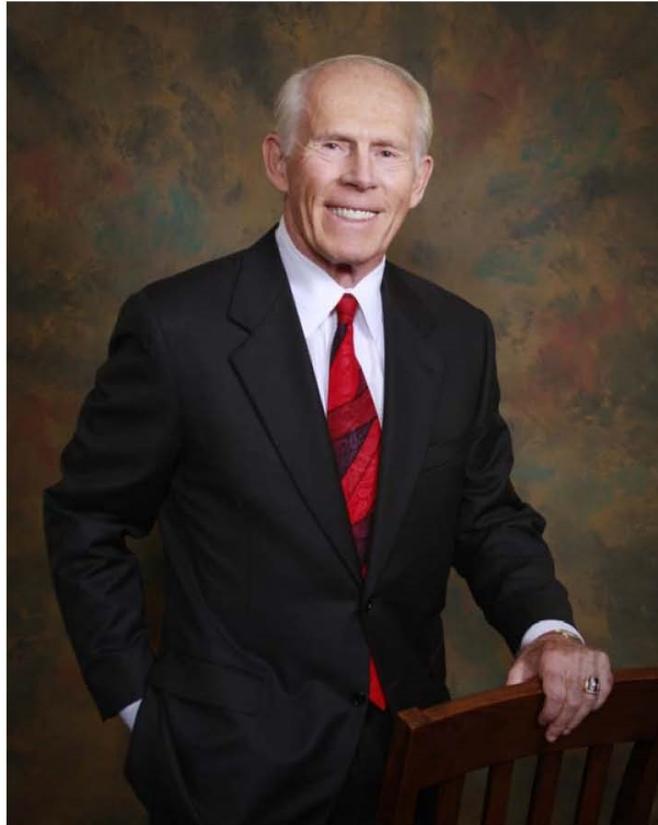
2016 CCBA Ralph Holman Lifetime
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Please contact knaussmediation@gmail.com
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Welcome LEAP Managing Attorney Marisha Childs



Marisha joined CWS in July as the Managing Attorney for the Legal Empowerment Accelerator Program. Marisha brings with her over twenty years of practice in the greater metro area. Marisha graduated from University of Oregon School of Law in 2001 and began her career as a law clerk for The Honorable Bertina Lampkin. During her three years in the windy city, Marisha was able to witness the behind the scenes chaos of the first R. Kelly trial. She also fondly remembers seeing a person enter the court wearing a purple fur coat and wondering what animal had to die for that.

After moving back to the Northwest and being unsuccessful with the Oregon State Bar by less than one point, she decided to cater to her strengths and took the all-essay Bar in Washington... and passed with flying colors. She started off in public defense at a mid-sized Vancouver firm, then opened her own practice after feeling emboldened by the range of her colleagues competencies, both good and bad. After hanging her own shingle, she focused on estate planning, Medicaid assistance and Modest Means representation. Eventually, she also represented vulnerable adults in guardianship and conservatorships hearings and juveniles in truancy and dependency proceedings. After evolving her practice for a decade, she decided to pursue other opportunities.

A virtual urban farm homestead on Mt. Tabor complete with one dog, two kids, three fruit trees, a bunch of chickens, a pond full of fish and one husband keeps her busy in her spare time. She's currently looking for a good landscaper. Email her if you have a hook-up. After utilizing the services of the OAAP, Marisha feels like she's found her dream job. As the LEAP Managing Attorney, Marisha would like the CCBA members to know she likes lunch dates and happy hour and is looking forward to meeting with as many of you as possible. Taking advantage of the wealth of knowledge, experience and skills CCBA members possess will be one of the most important keys to making this program successful. The first cohort is set to launch in January 2020. Please keep an eye out for a social event information coming soon. If you are interested in helping with the program, whether it be presenting a CLE, serving as a mentor or simply sharing your experience, Marisha wants to meet you. Please contact her at MarishaC@cwsor.org or 503-557-5802.

What is LEAP?

LEAP is the brainchild of the Executive Director of Clackamas Women's Services, Melissa Erlbaum. Clackamas Women's Services (CWS), located in the Clackamas County Family Justice Center, provides a number of services to survivors of domestic/family violence and sexual assault. The goal of CWS is to provide all things domestic/family violence and sexual assault under one roof. We provide counselling, ongoing therapy, food, clothing, shelter as well as having trained bilingual (Spanish) advocates to help participants file restraining orders. Our offices are equipped with video relay systems to allow restraining order petitioners to hold their hearings in our office away from their abuser. Our office is collocated with many partner organizations, however, participants still experience gaps in services, particularly as it relates to being able to address their civil legal needs affordably.

Gaps in affordable civil legal needs?

Although Legal Aid Services of Oregon (LASO) and Victim's Rights Law Center (VRLC) are collocated in our office (along with many other great partners), many participants do not qualify or are unable to be served by these great organizations. LASO represents those who are $\leq 125\%$ of the Federal Poverty Level (FPL): for a family of four that is less than \$32k/year. However, LASO does not have a dedicated office in Clackamas County and is only in our shared office space once a week (unless due to capacity issues, appointments must be cancelled) leaving survivors scrambling for affordable legal services. VRLC is also in our shared office space once a week, however they only represent those whose issue fits squarely within the legal definition of 'sexual assault' and are also limited by the demand for services exceeding the available supply of attorneys providing that service.

What does LEAP do?

LEAP seeks to fill the access to justice gap: providing civil legal needs to CWS participants who are between 125-400% FPL: meaning the participant has a job and is likely able to sustain themselves, but the prospect of having to pay a private attorney \$200+/hour is cost prohibitive. LEAP attorneys agree to represent CWS participants in restraining order hearings 15-hours per month pro-bono as well as provide representation on other civil legal matters 30-hours per month on a sliding scale (\$50-150/hour) .

Who are LEAP attorneys?

LEAP attorneys are Oregon licensed, entrepreneurial spirited aspiring solo attorneys who are either new to the practice of law or returning after a prolonged absence.

What do we provide the LEAP attorneys?

In exchange for representing CWS participants, LEAP acts as a launching pad for the new solo attorney. We provide office space, bar dues, PLF, practice management software, membership in the Clackamas County Bar Association and many of the basic elements necessary to operate a law practice. As the managing attorney, and former solo practitioner, I provide both coaching and assisted networking as well as CLEs to give that new solo the tools they need to operate a modest means trauma informed law practice. Imagine, having someone coaching you on how to practice law and represent clients when opening a law practice? This is game-changing!

CCBA Member Launches Online Estate Planning Forms Database

Many lawyers in Clackamas County are general practitioners who are trying to expand their practice. One area of law that appeals to them is estate planning. Perhaps they have written a few wills but would like to delve deeper into the subject. They take a CLE course on basic estate planning. Perhaps they visit the Clackamas County Law Library and browse in the estate planning section. They would like to find some forms to use, but the forms they find are complicated or outdated. Perhaps they get a form from a fellow-lawyer and do a “Save As” each time they want to produce a new document. Maybe they have the embarrassing moment when a client finds someone else’s name in the “Save As” document because the lawyer or the lawyer’s legal assistant didn’t replace all the old names with new names. Isn’t there a better way?

Well there is and you can now find it on the web at www.nobleforms.com. Richard Noble, a West Linn attorney and long-time member of the Clackamas County Bar, has created an online subscription-based estate planning service for Oregon lawyers. The cost is quite reasonable — \$100 per month or \$1,000 on an annual subscription. You can try it for \$100 and there is no long-term commitment. You can quit after one month if it isn’t what you want. The website contains numerous video tutorials that explain how to use Nobleforms. <https://www.nobleforms.com/video-tutorials/>. The videos are for lawyers only and are password protected. The password is “nobleforms”. Here are some of the key benefits to using NobleForms.

Complete estate planning practice

The templates cover the logical steps in estate planning and are based on Oregon practice.

The process starts with getting information from the client about their family, their desired distribution, their desired distribution plan and their assets.

A spreadsheet is produced which lists all the assets and shows who will own them after the estate planning is completed, i.e., will the asset go into the ownership of the trust or will it remain in individual ownership. It also shows the beneficiary designations for assets that remain in individual ownership.

Produces a Will Plan which consists of a will, a power of attorney, and advance directive to physicians including a HIPAA release, and information material (including a bill) for a five tab three-ring binder.

Produces a Trust Plan which consists of a trust agreement (a single person trust for an unmarried or married person, or either a joint trust or a two trust plan for married persons or unmarried couples) trust certification, pourover will, power of attorney, advance directive to physicians including HIPAA release, all funding documents for the trust(s) including deeds, assignments of personal property, assignments of business interests and contract interests, letters of instruction to financial institutions, and requests for written confirmation of beneficiary designations from custodians of retirement accounts and insurance companies, and informational material (including a bill) for the ten tab three-ring binder.

Sophisticated templates use market leader HotDocs technology

Templates are built on the HotDocs platform which is the market leader in document assembly. <https://youtu.be/ZMXIKR-tWRs> Easy to use interview format where attorney or paralegal answers questions based on client input to create finished documents. The information is saved in an answer file and can be used in the next template without retyping thus saving a great deal of time and effort. Extensive options in the interview allow the attorney to create a will or trust to handle plans from the simple to the very complex.

Support

NobleForms provides telephone support and responds to emails. You can talk to Richard Noble directly if you have a problem or a question. NobleForms uses Zoom when providing support and you will be able to share your screen to explain your problem. The NobleForms website offers numerous recorded video tutorials which illustrate how the templates can be used to produce Will Plans or Trust plans from the simple to the complex.

Cloud Based

Works on any computer, tablet or phone. Doesn't matter if its' Windows or Mac. All you need is Word for Windows installed on your device. Unfortunately, HotDocs does not support Word Perfect. Attorney can work remotely and is not tied to the office computer. Cloud based assembly avoids having to install software or download templates. Updates are available immediately without having to download any new files or programs.

For more information on the templates visit <https://www.nobleforms.com/estate-planning-templates-for-lawyers/>. To subscribe visit <https://www.nobleforms.com/subscribe/>.



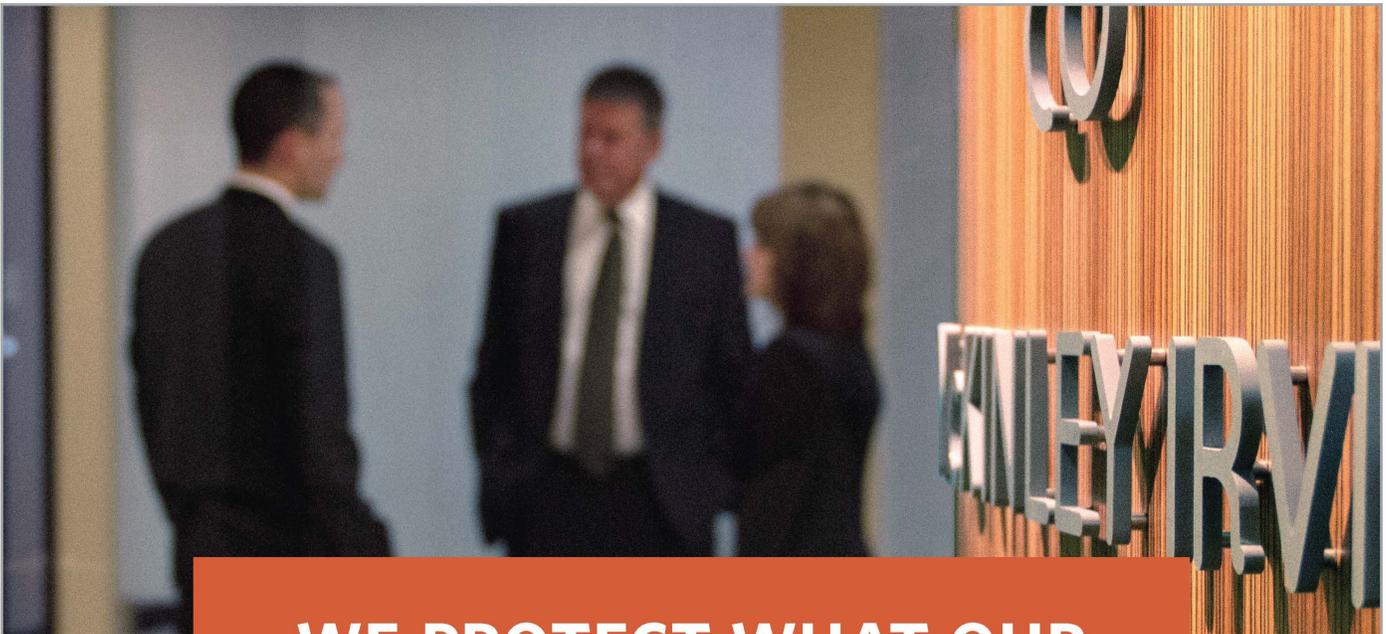
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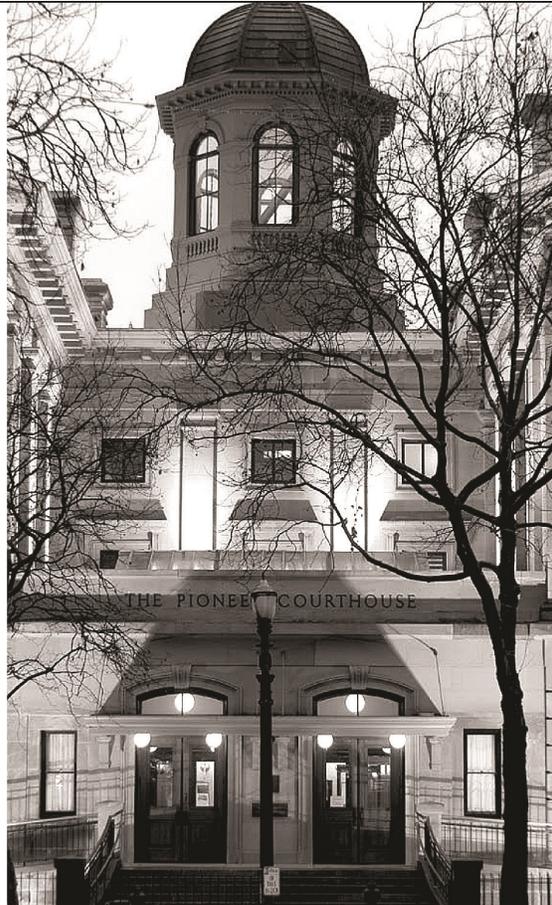
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2019 Dale Jacobs Golf Tournament



Winning team pictured above. Thank you to Key Bank for sponsoring this year's tournament!







Court Staff Profile: Lisa Edwards



1. *What drew you to work in the Clackamas County Circuit Court?* I grew up in Oregon City and wanted to stay here. I was looking for a job that allowed me to work close to home and not have a long commute to go to work.

2. *How did you end up working in Clackamas County Circuit Court?* There was a job opening in the Records Department.

3. *How long have you been worked here? What other kind of work have you done?* I have worked at the courthouse for 22 years. 14 of those years I have worked with Judge Jones. Prior to working with Judge Jones, I worked in Records, Case Processing and Calendaring. Outside of the courthouse, I am active in my community and

volunteer with various organizations.

4. *In what area(s) of the Clackamas County Circuit Court do you work?* I work with Judge Jones and process several types of Domestic Relations documents.

5. *What is your educational background?* I have been able to learn from many people and have gotten on the job training.

6. *What aspects of your work do you enjoy the most and the least?* I enjoy working in the courtroom with the variety of cases we see there. I do not enjoy writing letters to litigants or attorneys telling them the documents they filed can't be processed.

7. *What have you learned through working in the Clackamas County Courthouse that surprised you?* Normal, I have learned, is a relative term. Someone may look great on the outside, but may be battling drugs, alcohol, family problems or any other demon.

8. *What advice would you give to new attorneys, or attorney hopefuls?* Be kind to everyone around you. (Especially court staff.) :-) You are most likely interacting with people who are at a low point in their lives and sometimes just need to know someone is listening, is advocating for them and someone cares.

9. *What do you hope, or expect to be doing with your career five years from now?* I hope to be continuing to work with Judge Jones.

10. *Who is your favorite CCBA member(s) and why?* That's not a fair question. There are so many to choose from! The CCBA is lucky to have the great attorneys they do. Most members are passionate, hard working and committed to helping people.

Clackamas County Bar Association

TEXAS HOLD'EM POKER TOURNAMENT



Saturday, November 2, 2019, at 5:30pm

Philadelphia's Cheesesteaks & Hoagies

18625 Willamette Dr.

West Linn, Oregon 97068

Tournament limited to 30 players. Check in begins at
5:15 p.m.; play begins at 5:30 p.m.

REGISTER NOW! Buy-In \$20.00 cash; Re-buy \$20.00 cash (Complimentary Food)

Socialize with your fellow Clackamas County Bar Association Members while participating in Texas Hold'em tournament style play with tournament size table and professional dealers.

You do not have to be a current member of the Clackamas County Bar Association to play in this event.

Name: _____ Phone No. _____

Email the Registration Form to Bill@KnoxLawNW.com

Fax the Registration Form to Bill at (503) 882-0624



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CLACKAMAS COUNTY BAR ASSOCIATION

CCBA FALL CONFERENCE & SOCIAL

6.75 MCLE Credits Applied for: General 5.75, Ethics 1.0

When: Thursday, November 7, 2019

Registration: 8:30pm Program: 9:00am – 5:15pm

Where: Tumwater Ballroom, 211 Tumwater Drive, Oregon City

Innovations in Forensic Science

For criminal, civil and family law practitioners and those who love CSI and who-done-its! Our panel includes Robert Jones, Forensic Supervisor with the Oregon State Crime Lab, Scott Healy, Senior Deputy District Attorney with Clackamas Co. DA's Office, and Janis Puracal, Executive Director at the Forensic Justice Project.

Mental Health Aid & Assist Laws and Procedures in Oregon

Mental health problems appear to be on the rise. Gain valuable information on how to handle aid & assist cases and deal with mentally impaired clients from our panel of experts including Judge Heather Karabeika, Deputy DA Chelsea Jones, defense attorney Cierra Brown, and Licensed Professional Counselor, Mindy Coronado.

Clackamas Co. Presiding Judge & Court Staff Update

As always, there are some important procedural changes and reminders of how to successfully practice in Clackamas County Circuit Court presented by Judge Kathie Steele, Trial Court Administrator Debbie Spradley and department supervisors.

Options for Dealing with Dysfunctional Parents

Family law practitioners, and those of us with dysfunctional family members, will benefit greatly from the information presented by Mediator Lauren MacNeill, custody evaluator, Dr.

Landon Poppleton, Ph.D., and parenting coordinator and therapist, Stephanie Hughes, M.Ed.

What Lawyers Can and Cannot Say – When is a Representation Unethical?

Don't make the mistake of saying something that will result in an ethical violation. Linn Davis of the Oregon State Bar Disciplinary Counsel's office will inform us of when statements cross the line.

IMMEDIATELY FOLLOWING THE CLE, PLEASE JOIN US FOR FOOD,
DRINK AND GENERAL MERRIMENT HOSTED BY THE CCBA

Full-day program: \$120 for CCBA members

 \$180 for non-CCBA members

Half-day program: \$65 for CCBA members

 \$85 for non-CCBA members

Lunch included with purchase of full-day program.

Social open to all attendees.

Send your check payable to "CCBA" and the information below to CCBA,
P.O. Box 852, Oregon City, OR 97045. If paying by credit card, follow the
link at the CCBA website or click on this page: www.clackamas-bar.org and
send a copy of the info below to administrativeassistant@clackamas-bar.org.

Name

Email

Bar#

CCBA member? Y/N

Full Day

Half Day

PLEASE REGISTER BY OCTOBER 31, 2019!

CCBA Members Shows Appreciation for Clackamas Circuit Court Staff

by Katie Baker

This year's Courthouse Staff Appreciation was held at Oregon City Brewing on June 21, 2019. It was the perfect way to end a busy week, thanking the staff who work so tirelessly for us. Drinks, snacks and fun were had by all. The CCBA went with a "luau" theme this year – thanks to all the courthouse staff who joined in the fun and were willing to wear flower leis on such a hot afternoon. I chose the Hawaiian theme not just because the décor was so tempting but because I also truly believe in the Aloha spirit. Aloha isn't just a greeting or a bumper sticker. It's actually been codified into law in Hawaii (Hawai'i Revised Statutes, section 5-7.5). According to the law, all Hawai'i citizens and government officials must conduct themselves with aloha. The "Aloha Spirit" law states in part:



§5-7.5 "Aloha Spirit". (a) "Aloha Spirit" is the coordination of mind and heart within each person. It brings each person to the self. Each person must think and emote good feelings to others.

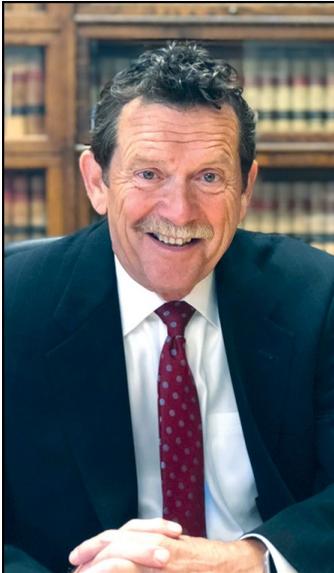
(b) In exercising their power on behalf of the people and in fulfillment of their responsibilities, obligations and service to the people, the legislature, governor, lieutenant governor, executive officers of each department, the chief justice, associate justices, and judges of the appellate, circuit, and district courts may contemplate and reside with the life force and give consideration to the "Aloha Spirit".



The courthouse staff and the attorneys and judiciary they support embody this "Aloha Spirit" every day. They carry the premise of thinking and emoting good feelings to others both in and out of the courthouse. This working philosophy of mutual regard continues to making practicing in Clackamas an honor.

Mahalo nui loa to our Clackamas Courthouse Staff!





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- Gene Haliman, Oregon attorney

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- AV® Preeminent Peer Review Rated™, Martindale-Hubbell
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Mindfulness In The Legal Profession with Katie and Shannon



K: Okay Shannon. Thank you for agreeing to do this with me; of course I knew that you would, because you're always there for me.

S: Oh, thank you Katie. I would say the same for you.

K: So what I wanted to do was start off with sharing how we met and how long we've known each other. You don't have to go into all the details about the story

of how I patched your pants because I think we've told half of Clackamas County by now.

S: But the other half can know too. We met in law school. We started in 2002 and I saw you and immediately had heart eyes and knew you were going to be my best friend in the world. No, but really we met in law school.

K: I think we really bonded during the summer we took Indian Law.

S: We got to go visit the actual reservations and meet people.

K: I think that was both our first time in going and actually talking to people that were connected to what we were studying. It took it out of the theoretical.

S: And how gracious they were in letting a bunch of law students listening to them. But are we going to talk about the patch and that was how I knew you loved me? I had two pairs of brown corduroy pants and I had packed the one with a hole in them [right by the front zipper]. Those were the only pants I had with me to meet all these tribes. And unfazed you and I decided we had to work with it and went to the general store and found two patches: a moose and an eagle. And of course it was the moose.



K: So what I really want to focus on with this conversation is mindfulness and how you and I fold in ways to decompress into our practice. I remember you telling me years ago (because we used to practice together) that an older attorney told you that if you needed to practice mediation, then maybe you were in the wrong career. My question is – what’s that guy’s name? But really, my question is do you think that is a minority view?



S: I think that for a certain group it is not a minority view. I give a mindfulness presentation and I had an attorney a couple of years ago and he came up to me after and said that he loved every moment of practicing law and he was pretty sure that I was in the wrong career because this job is too much for me. And then someone locally told me the same thing.

K: How do you feel when you hear that?

S: The fact that other people’s experience in the law or in practicing law, that they hold that to be the only experience for individuals who practice law, for me I get I triggered and my reaction is “your awareness doesn’t go much further past the tip of your nose” because people come from different backgrounds and different points of access and privilege and you know, that shapes a lot of ways that you can practice law. If we’re not open to experiences, good or really build a community-practitioners? And it’s that practicing without whether it be mindful-community or a group you can really count on difficult life in this pro-very isolating, you can self-talk, that you’re not strong enough.



K: That good enough or it makes me think about

hearing each other’s bad, then how do we ty among been my experience a community, ness or social of colleagues that make for a very fession. It can be have a lot of negative good enough or strong enough, what is sometimes there’s



the perception that flexibility is weakness. And then people are worried about asking questions or meeting you in the middle because then it appears like they are weak. And that inflexibility is what is going to wear on you and I want to practice for a very long time, but I don't think I'd be able to sustain it mentally but especially physically, the physical toll of being a lawyer has been significant.

S: There have been a lot of times where what you would call flexibility I would call openness, there's been several times where if I took a rigid approach to what my objective was, I'm not really present and paying attention to what's actually happening on the record and I'll miss the nuggets that are important to my client because I'm so over focused on what

the plan was.

K: What I wanted to tie this mindfulness, flexibility and community conversation to, was how informative growing up playing sports has been to how you practice law or live your life. Because I know you also grew up playing sports. How did you feel that helped you be this community-oriented flexible lawyer?

S: Well for me, I grew up playing soccer and I was a Division 1 [goal] keeper. I'll never forget that I was having a really hard time in high school, and this plays into mindfulness. My parents were younger parents and that stress was so much as a kid. I was playing and doing drills and just doing terribly because I was so not present. And my coach who was Victor Arbules, please put his name in this, and he came over to me and I'll never forget, and he took my face in his hands with his little Columbia hands, and he took my face and he looked at me [K: which by the way is such an important lesson, that touching and looking and his presence], and he looked me deep in the eyes and he said "when you're here, when you step on this field, this is your time, this is for you, this is your space,



don't let the rest of the world in here." And for whatever reason that message at that time meant a lot. And I thought about it and instead of it being an extra thing on my plate or a task, it became a sanctuary. And not an escape, because it was a lot of work, but it was always something very for me and positive. It was in my control, it was my decision to be there and I had a coach who really cared about me and where I was going in life. He taught me that you choose to be with the people that care about you and love you and not worry about the other people that are not able to emotionally there for you.

K: When you tell think about the crew surrounded yourself Clackamas County.

K: For me, person-people about what I sports is ... to learn I lost a game, no- is bad a sports, we skilled, we don't hard" [S: it's her ...once I was able to my friends and my was then able to way in other areas practice. That's not practice and now I my result, it's my presence.



me that story, I that you have with in

ally, what I tell learned from that just because body says "Katie don't think she's think she works fault]. Yes. And realize, through community, I start feeling that like my legal a good way to realize it's not effort and my

S: Exactly. And being mindful of what are we really doing here? We have value in doing in our profession, but not being present or being a good listener or being open – the softer things. The sharper things - the objections, the motions, the aggressiveness – those are really celebrated. But if it's not balanced out with another perspective then you're not the most effective attorney. If I can take the most difficult client facing a long prison sentence and I can help them know that someone heard them, fought for them and gave a tremendous amount of time and energy to their life the result of what actually happens is important – I get that, but if the relationship is preserved regardless of what happens then that is a win. If someone could say that what happened wasn't because of a lack of my attorney's effort or lack of my attorney's care - that is a win. How do

really that is

we measure that?

K: Why don't you tell me some of the ways that you relax or come back to center?

S: It's really interesting because this has been a long road to learning this, but I've had to teach myself that if I'm not going out and having adventure in my life, then I'm out of balance. I take a lot of walks. I've been working out and doing boxing in my home gym. It's such a good outlet. Love doing stuff with my kid. This summer we finally got some wetsuits. I've been here for 18 years and I finally purchased wetsuits and we're in the water and it's amazing. My kid says "it feels like you're in nothing" and it feels so awesome to be out in the water and your body is exhausted – I think that ties back into sports. Just being able to incorporate into your life where you're making time for yourself and to connect with your passion and the outdoors. I love music and goofing off and writing songs with my kid and embracing those aspects.

S: Being a lawyer, what are some of the things you find the most helpful to decompress?

K: Well, to be honest lately I have not been good at it. But what I usually do is sports or exercise – I go running.

S: I just saw you do that run on Facebook with Erin [Rickards] in lederhosen. 6 miles.

K: Yeah, 6 miles. They were really hard but my goal was to start really slow and pace myself and so each mile I ran was faster so my final miles were a minute and a half faster than my first. And that's how I should be living my life and pacing myself. My husband told me today "you can't run any machine at full speed and expect it to last forever." I try and let go and watch my kids. To decompress and to come back to self, the thing that I do is spend time with my sister Erin (shoutout). Because, she doesn't agree, but she's someone who has balance.

K: Shannon, I am so appreciative that you were willing to do this with me. I wanted to do an article with you and I wanted to do this format because I knew the content would be awesome. And I knew you wouldn't look at me like a crazy person, I knew you would be all in.

S: Cheers!

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Editor:

Jennifer Dalglish

lawlibrary@co.clackamas.or.us

(503) 655-8248

Administrative Assistant:

Jean Wilson

administrativeassistant@clackamas-bar.org

President:

Jeff Nitschke

j.nitschke@gmail.com

2018 President:

Hafez Daraee

hafez@luda-law.com

President Elect:

Katie Baker

Katie@clackamaslawyer.com

Secretary:

Alec Laidlaw

alec@laidlawandlaidlaw.com

Treasurer:

Aubrey Hoffman

hoffmanlaw5@gmail.com

Member At Large:

Alex Hayes