



MARCH 2020



## PRESIDENT'S MESSAGE

Happy March everyone! I hope you all are enjoying spring, even though we never had a real winter. Spring is a time of new beginnings and speaking of new, we have a new Judge. Please welcome Brandon Thompson to the bench of the Washington County Circuit Court. He is replacing the honorable Danielle Hunsaker who has moved on to the federal bench. Brandon was a board member of the Washington County Bar Association, chair of the Civil Bench/Bar committee, Judge pro tempore, and too many other volunteer activities to list. He has a wide breadth of legal experience and is well suited to be a judge. Congratulations Brandon!

We had an excellent CLE in February presented by attorney Elizabeth Inayoshi entitled "The Lawyer as Employer, Don't be a Cautionary Tale." Elizabeth's presentation was informative for employer and employee alike. I have already started to implement a couple of things that Elizabeth brought up.

This month's CLE will be our annual Search & Seizure CLE presented by David B. Thompson of the Oregon Department of Justice. David will also review some significant decisions from the last year. We are hoping that our April CLE will be related to protective orders and weapons. Stay tuned.

As many of you know, Judge Raines has decided not to run for reelection this year. As of this writing, the only announced candidate for this position is former WCBA president Ed Kroll. If any other candidates run, we hope to have a debate at the April meeting. Ed has already agreed to participate. For those of you who attended the April 2018 meeting will remember the debates we had that year.

Speaking of Judge Raines, he has been a constant presence in the courthouse for as long as I have been an attorney in Washington County. For those of us who know him and have appeared before him, he will be missed. Not just for his extensive knowledge of the law but his sense of humor as well. We should have a profile of him in a future edition of the newsletter.

## COMING EVENTS

- Mar 11 - CLE: Search & Seizure
- Apr 8 - CLE: TBA
  - Elections
- May 13 - CLE: TBA
- Jun 10 - Summer Social

## WCBA CONTACTS

**President:** Matthew McKean  
**President-elect:** Ralph Gzik  
**Secretary:** Jennifer Peckham  
**Treasurer:** Ben Evans  
**Directors:**

- Tyler Beach
- Gabe Biello
- Laura Burgee
- Bryce Kaufman
- Mindy Stannard
- Adam Thayne
- Vacant
- Vacant

**Website:** [www.wcbabar.org](http://www.wcbabar.org)  
**Emails:** [admin@wcbabar.org](mailto:admin@wcbabar.org)  
[newsletter@wcbabar.org](mailto:newsletter@wcbabar.org)

Save the date of June 10 for the Summer Social. It will be at the beautiful Ardiri Winery. This year we are inviting the Oregon Supreme Court and the Court of Appeals to the social.

Thank you for reading and as always, if you have ideas or suggestions, please feel free to contact me personally at [matthew@mckeanknaupp.com](mailto:matthew@mckeanknaupp.com) or the WCBA at [admin@wcbabar.org](mailto:admin@wcbabar.org).

Matthew C. McKean  
 WCBA president



## RECAP: LAWYER AS EMPLOYER CLE

At our February 12 CLE and Dinner at the Bethany Public House, Elizabeth Inayoshi presented on "The Lawyer as Employer: Don't Be a Cautionary Tale". Elizabeth is a plaintiff's-side employment and small business attorney in Hillsboro, with prior experience as a manager in high-tech. She presented on the legal ins-and-outs of employing workers in law firms, with her presentation focused on avoiding mistakes that can make employers the target of expensive lawsuits. She stressed a variety of measures to both protect yourself as an employer and to ensure a good working relationship with your employees:

1. Write job descriptions that include the full breadth of responsibilities and highlight essential functions as opposed to a list of daily tasks.
2. In choosing and interviewing candidates, be very aware of how easily we can let our implicit biases – those that we learned so long ago we don't even realize they drive our thinking – select out women and minorities, selecting for people who resemble ourselves.
3. In interviews, avoid illegal questions about prior salary, prior criminal records, or credit records when interviewing candidates – a topic which sparked a lively debate.
4. Everyone should use caution in determining whether they can appropriately hire someone as an independent contractor, rather than an employee. Misclassification can be a costly mistake, as wage and hours laws are virtually strict liability and carry relatively stiff financial penalties.
5. Discrimination and retaliation laws in Oregon come into play when you have even a single employee, with Oregon law carving out more protected classes than does federal law. Employers can be held vicariously liable for the discriminatory and retaliatory behavior of their managers, their subordinates, their customers, and their vendors.
6. The best way to avoid liability is to ensure you have policies, procedures, and training for all your employees regarding discrimination and retaliation, and when discrimination or retaliation is reported, that you properly and promptly investigate and respond to valid claims.
7. Be especially careful to respond to requests for accommodations of disabilities with an interactive process and reasonable accommodations.
8. Performance management should be ongoing, with the setting of clear goals, clear boundaries, training, timely feedback, and course corrections, as well as including employees in the financial rewards of your success.

The audience had a lot of questions for Elizabeth, so it was a good reminder to review the employment laws on a regular basis if you have employees.



## WASHINGTON COUNTY BAR ASSOCIATION SEEKS NEW DIRECTORS

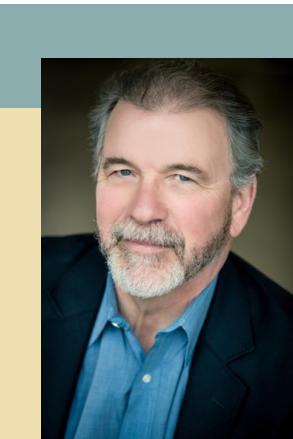
Do you want to help improve the local bar? Do you want your voice to be heard? Do you know someone else who should be a leader in the legal community?

The Washington County Bar Association has two openings on its board of directors. These vacancies will be filled by an election at the April 8th dinner following the CLE.

You may nominate yourself, or another. Please send the nominee's name, brief history, and why you/they should be on the board to [admin@wcbabar.org](mailto:admin@wcbabar.org). Nominations can also be made on the floor prior to the vote.

### Mediation & Arbitration Services

#### John S. Knowles



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Successful Trial Attorney  
34 Years

Representing Plaintiffs &  
Defendants

Pro Tem Circuit Court Judge,  
State of Oregon

Civil Case Settlement Judge,  
Washington County

Arbitration Panel, Washington &  
Multnomah Counties

2017 Professionalism Award,  
Washington County Bar  
Association

20 Years AV Preeminent Peer  
Review Rating

Reasonable Rates

## WILLAMETTE SEEKS VOLUNTEER MOOT COURT JUDGES

Greetings members of the Washington County Bar!

The Willamette University Moot Court Executive Board is actively seeking volunteer judges to participate in the upcoming First Year Appellate Competition (FYAC). We are excited to see over 120 1Ls participate in this event, and would greatly appreciate your willingness to volunteer as a judge, and any effort you may be able to make to spread the word to others in the legal community who may be interested in participating.

FYAC occurs on March 17, 18, 19, and 20 this year. The competition will be held at the Willamette University College of Law in Salem. Competition rounds begin promptly at 6pm on Monday through Thursday with a complimentary dinner provided beginning at 5:15 at the Willamette University College of Law. Friday's session will begin at 12:30 with refreshments provided after the round is completed.

In gratitude for your participation in this event, CLE credit is available for each night of volunteering as a judge. Additional information regarding the fact pattern for the competition and any additional logistics will be

forthcoming.

We hope that you will consider joining us as a volunteer judge. If you are interested in participating, please complete [our Google form](#) so that we may do our best to accommodate your schedule and needs. Judging is a task greatly appreciated by our students and competitors, and is also a great opportunity to gather with and meet others in the legal community -- please feel free to spread the word about the competition, and invite friends and colleagues in the legal community to participate!

If you have any questions or concerns, please feel free to contact us:

Nathan Claus ([nmclaus@willamette.edu](mailto:nmclaus@willamette.edu))  
Anne Adams ([badams@willamette.edu](mailto:badams@willamette.edu))  
Chapell Hailey ([cehailey@willamette.edu](mailto:cehailey@willamette.edu))  
Marcus Gunn ([magunn@willamette.edu](mailto:magunn@willamette.edu))

We hope to see you in March!

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## CIRCUIT COURT UPDATE

Presiding Judge Beth Roberts has moved to courtroom 202C, and Judge Ricardo Menchaca has moved to courtroom 301C.

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### LAURA L. SCHANTZ

Offering divorce and family law mediation services to Washington county's family law attorneys.

Laura has 25 years of experience creatively settling family law cases and knows what trial outcomes are likely to be.

Consider hiring Laura Schantz to mediate and help resolve your family law case.

P: (503)466-9626  
Email: [Laura@schantzfamilylaw.com](mailto:Laura@schantzfamilylaw.com)

## LIBRARY FOUNDATION OF WASHINGTON COUNTY SEEKING NEW BOARD MEMBERS

Do you have a passion for literature, law and literacy? The LFWC was formed in 2017 to support the Washington County Cooperative Library Services (WCCLS) and Washington County Law Library (Law Library). The Law Library and WCCLS are separate departments of Washington County, but they share the goal of providing or supporting access to information resources by the public and serving a diverse county containing large and small cities and unincorporated areas, and an ethnically and culturally diverse population.

The Board is currently looking for four members to fill expiring 3-year terms. Ideally, new Board members would represent the legal community or the public library community. Terms begin in July. The Board is all volunteer, and is engaged in fund-raising to support projects of WCCLS and the Law Library that promote equity of access to information and resources for residents of all ages. The Board meets approximately 6 times per year, and has a Winery fund-raiser planned for the September. Skills in marketing & communications, web management, and bookkeeping are a plus. To learn more about the LFWC, visit the [LFWC website](#).

If you are interested in joining the Board, please email Eva Calcagno, President, at [lfcoregon@gmail.com](mailto:lfcoregon@gmail.com). Include a brief description of why you are interested, your availability and a resume or brief bio.

The [Washington County Law Library](#) is a free legal research resource for all. Contact: (503) 846-8880, or [lawlibrary@co.washington.or.us](mailto:lawlibrary@co.washington.or.us).

## GETTING TO KNOW THE BAR – HILLSBORO LAW GROUP

First incorporated in 1989, Hillsboro Law Group PC ("HLG") is a general practice law firm located in Hawthorn Farms. Grant Burton has served as HLG's president since 2006, and leads HLG's dynamic Estates and Trusts Team. Shareholder James Zwaanstra leads HLG's six attorney Family Law Team. Shareholder David McCaffery provides zealous representation in personal injury cases, while shareholder Peter Tovey has built a successful immigration law practice.

Attorneys Kelly Neilan and Yvana Mols lead guide our Juvenile Law Team. In 2019, we welcomed attorneys Roger Wong and Matthew Hall to our Criminal Defense Team.

HLG has excellent support staff with many decades of experience. Office manager Melissa Cornish and legal assistants Kym Bateman and Theresa Furness have each worked at HLG for more than 15 years.

HLG is committed to deploying advanced legal technology to better serve for our diverse clientele. This year we are working hard to transition to fully cloud based applications and to further automate key tasks such as scheduling, document creation, and client payments.



## CLASSIFIEDS

### YOUR JOB HERE

The WCBA now offers job listings at no charge!

Please send your plain text job information to [newsletter@wcbabar.org](mailto:newsletter@wcbabar.org). Free postings must be 50 words or less and may be edited for length.

#### Classified Advertising Rates

50 or fewer words	\$20	51-100 words	\$40
101-150 words	\$60	151-200 words	\$80

Over 200 words, a quote will be provided upon request.

Classified ads must be prepaid.

#### Display Advertising Rates

Business card size (3.5" w x 2" h)	\$30
1/4 page (3.6" w x 4.75" h)	\$60
1/2 page (7.5" w x 4.75" h)	\$90

Purchaser is responsible for providing a properly sized image at the desired resolution.

**Please submit your classified text or display ad in JPEG format to: [newsletter@wcbabar.org](mailto:newsletter@wcbabar.org).**

**Pay for your ad at: [mkt.com/wcba](http://mkt.com/wcba)**



### Monthly Lawyer Coffee

3rd Wednesdays 8:00-9:30 am

**Insomnia Coffee**  
317 E. Main Street  
Hillsboro

build friendships & make connections

Washington County Bar OWLS Oregon Women Lawyers

Come join the WCBA and the local chapter of Oregon Women Lawyers the 3rd Wednesday of the month. Visit with new and experienced lawyers practicing in Washington County. This is a great opportunity for young lawyers to build friendships and connections and for the us to welcome new attorneys joining our community.

# WASHINGTON COUNTY DISTRICT ATTORNEY'S OFFICE BROADENS COMMUNITY OUTREACH

## Washington County DA's Office

Prosecutors with the Washington County District Attorney's Office attended the 23rd Annual OLO Employment Retreat on January 25, 2020 in Tigard. Hosted by the Oregon State Bar's Opportunities for Law in Oregon (OLIO) program, both felony and misdemeanor attorneys staffed a table to provide details on employment opportunities and general information about the office. They also conducted mock interviews with law students to help them prepare for the real thing once they graduate.



The Washington County District Attorney's Office has a thriving [law clerk program](#). Overseen by Senior Deputy District Attorney Jeff MacLean, graduates from the program have gone on to launch prosecutorial careers not only in Washington County and other counties across the state, but at district attorney's offices nationwide. MacLean says he would like to grow this program in the years to come by reaching out to a more diverse pool of applicants.

"Washington County has grown by leaps and bounds over the past several decades. An area once dominated by farmlands and agriculture is now home to major international businesses like Intel and Nike. We are also the

most diverse county in Oregon, and we are dedicated to serving the residents who call Washington County home. Partnering with groups like the Oregon State Bar helps us to reach a more diverse crowd of potential applicants," MacLean said.



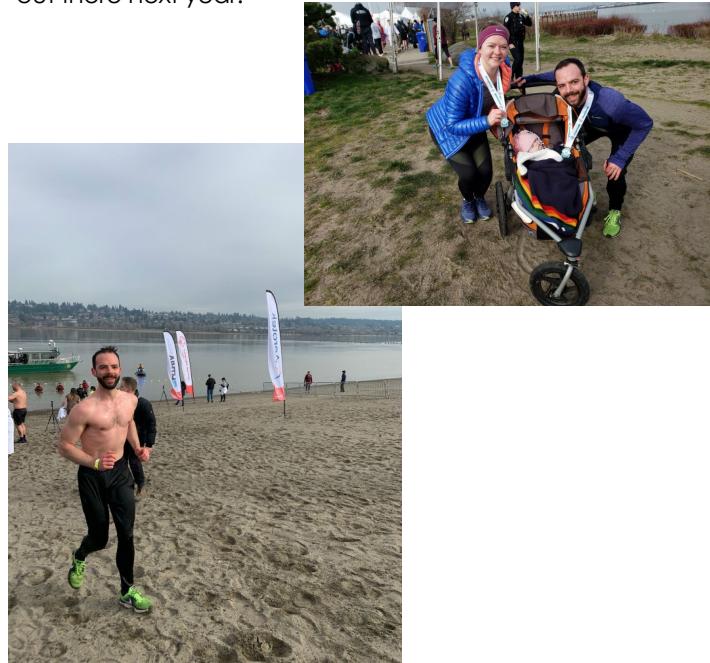
MacLean and the team also attended a similar job fair hosted by the Lewis and Clark Law School in February. They will be back at Lewis and Clark on March 14th to interview additional candidates for the law clerk program. Anyone interested in learning more about the District Attorney's office and employment opportunities is encouraged to attend.

The office is also currently hiring for the position of deputy district attorney. You can view additional employment details by visiting [the DA's website](#). They also encourage you to follow them on [Facebook](#) to learn more about the office and the work they do on behalf of Washington County.

## BAR TAKES POLAR PLUNGE

### Bryce Kaufman

On Saturday February 22, 2020 the Washington County Brrrrrr Association participated in the 11th annual 5k, 10k, and Polar Plunge, a fundraiser for Special Olympics Oregon. The event took place in Broughton Beach Park in Northeast Portland, where plungers enjoyed the brisk 39-degree water. Organizers said they expected to reach their goal \$275,000 which included more than 1,200 plungers and runners. All funds raised go to support the programming and events or more than 12,000 athletes statewide. Law enforcement agencies including the Washington County Sheriff's Office, Multnomah County Sheriff's Office, the Oregon State Police, the Port of Portland Police, and the Portland Police Bureau took part. Special Olympics Oregon and the WCBA hopes to see you out there next year!



# AMERICAN MUSLIMS KEY CONSIDERATIONS FOR LEGAL SYSTEMS

## A presentation by Dr. Anjabeen Ashraf on Cultural Humility

### ABOUT DR. ASHRAF



Dr. Anjabeen Ashraf holds a PhD in Counselor Education and Master's degree in Counseling. She has over 10 years of experience in the field spanning across contexts, age groups, and clinical concerns. Her work has included training master's and PhD students in graduate programs and conducting trainings on diversity and equity within organizations inside and outside of academia. Her scholarly work has focused on trauma, discrimination, systems of oppression, and their effect on the well-being of South Asian Americans and American Muslims.

This is an Access to Justice Credits Presentation for Washington County Attorneys, sponsored by Beaverton Municipal Court. The CLE Credits are pending OSB approval. The course will cover the following topics:

01

Unique mental health challenges of American Muslims and South Asians

02

How the intersection of identity, faith and Islamophobia affect such challenges

03

How to work towards wellness and healing through systemic work



Where

Beaverton Municipal Court  
Courtroom B  
4755 SW Griffith Drive



When

Friday, April 17, 2020  
12 - 2 p.m.



FREE CLE CREDITS



Questions

Email Judge Britton at  
[jbritton@BeavertonOregon.gov](mailto:jbritton@BeavertonOregon.gov)



Register

By email to [ja@BeavertonOregon.gov](mailto:ja@BeavertonOregon.gov)



# Search & Seizure

## THE Top Ten LIST

1 CLE Credit—Pending

A review of significant decisions in the last year.

A CLE by

Assistant Attorney General in the Appellant Division of the  
Oregon Department of Justice



**David B. Thompson**

"He's a little long in the tooth and buried in search and seizure cases."

**March 11, 2020**  
**5:15 - 6:15 pm**

Bethany Public House  
4840 NW Bethany Blvd, Portland

**Join us for dinner! 6:15 - 7:15 pm**