



NOVEMBER/DECEMBER 2021

PRESIDENT'S MESSAGE



As we approach the end of 2021, I keep thinking about what's new in the Washington County legal community. We've been working through an exceptionally unstable two years. How we do our jobs has changed drastically, often on a day to day basis. Things then started opening up again, before we returned back to social distancing and other restrictions. However, as we wrap up the year, I see many positive changes on the horizon.

In this newsletter, you will see profiles of two new judges in Washington County. Well, I say two new judges, but one is in title only. Judge Michele Rini has been elevated by Governor Kate Brown from her long held juvenile referee position to a circuit court judge. And although it has been a few months, Judge Chris C. Colburn has been installed as a criminal referee at the Law Enforcement Center. For those of you who do not know our new judges, please read the profiles included below. On behalf of the Washington County Bar Association, I would like to congratulate both Judge Rini and Judge Colburn on their appointments.

With 2021 ending, we are also approaching the end of Presiding Judge Beth L. Roberts' term as the presiding judge in Washington County. I anticipate in future newsletters we will have more information about the transition to the new presiding judge, and I expect we will have some type of CLE presentation from Washington County judges in 2022. I would like to thank Judge Roberts for all of the hard work she has put in during what might be the most difficult period of time of any presiding judge to hold the position.

Although we are still unable to have in person events, we have had two very well attended virtual CLEs in September and October. This newsletter contains write-ups on both CLEs. If you were unable to attend either of our CLEs, please contact me or our administrator, as we recorded the presentations and have them available for purchase if you are interested. We will continue to provide high quality CLE content on a monthly basis as we move into 2022. We are scheduled to have a presentation on housing and landlord/tenant law on December 8, 2021. Richard Peel, an attorney with the Oregon Law Center has graciously put together a presentation touching on a variety of topics related to this area of law. This is a hugely relevant topic with many people in our community

COMING EVENTS

- December CLE - Landlord/Tenant
- January CLE - TBA
- February CLE - TBA

WCBA CONTACTS

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dealing with housing issues, especially evictions. Although that is not an area of my practice, I commonly receive questions on the topic from clients. Please continue to look out for Facebook and email blasts on our next presentation, as well as future presentations.

With the recent release of the bar results, I would also like to welcome all of the new lawyers into our community. Many of you, my firm included, have hired some of these new attorneys. Remember, we are a community and we have a duty to help mentor new lawyers. If you see any new lawyers in court, please go introduce yourself. We may have lost some of the social opportunities of years previous through the pandemic, but we can still find ways to interact and mentor where we can.

Lastly, I want to thank each of you for the work you are doing and the collegiality you all continue to show to each other. Again, we are a community and I believe we have shown this throughout the last two years.

Tyler Beach
WCBA President

TAKE HEED LAWYERS: OUR WORLD IS STILL CHANGING

By Larry A. Brisbee



Last year about this time I submitted an article to the WCBA Bulletin that was entitled "Take Heed Lawyers: Our World Has Changed." With the COVID pandemic persisting, the onset of what seemed like multiple uncontrollable wildfires, and the big dip in the economy, many Oregonians suffered catastrophic consequences. Those consequences included, among other things, the loss of homes, the loss of employment, renter evictions and a myriad of others issues with all seemingly staying around for the foreseeable future. Unfortunately, our world is still in big trouble and it is still changing in such ways that those that can make a difference need to step up and do what they can to come to the aid of those in dire need. Supporters of The Lawyers' Campaign for Equal Justice ("CEJ") have in the past made a big difference when that call has been made. The time is now.

I want to first express a big THANK YOU to the lawyers and people who have contributed to the CEJ in the past. Your generosity shows that you care about the needs of the poor. Despite the ever-changing circumstances that presented challenges this past year, a few good things did happen with the CEJ and those providing legal aid to the poor. Oregon has more than 16,000 licensed lawyers. During 2020-2021 the CEJ received contributions from 2,206 of those lawyers amounting to more than \$1.5M. The Hillsboro region has 1,722 licensed lawyers and 105 gave to the cause reaching \$47,174. This was really good but as one donor has suggested, we as lawyers who know what it means to be unable to obtain needed legal services should "think bigger and dig a little deeper."

As of November 15, 2021 the CEJ has received contributions from 37 lawyers in the Hillsboro Region (that's us) amounting to \$14,815 averaging a bit more than \$400 from each donor. That is terrific but think about what it would mean if all of the 1,722 lawyers in this region that includes Hillsboro, Beaverton and many other communities gave just \$50 or maybe \$100. How wonderful would that be in adding resources to our legal aid effort?

The impact of what has happened to regular people and at all levels of government during the past year has been of enormous proportions. Whether personal or political, the things impacting people seem to be on a very fast roller coaster. The COVID pandemic has led to controversy, confusion, resistance, protests and a lot of push back. As lawyers, many of us found ourselves working from home. While this set up could be inconvenient and frustrating at times, think about the low-income workers who lost their employment and their income. Delays and excuses for the failure to timely deliver state and federal benefits to these people only added to their trouble and distress.

Government struggled to meet the needs of those hurting the most - the poor, the homeless and those in need of legal help.

This is why organizations like the Campaign for Equal Justice and Legal Aid are so vital. It is up to people like us, to help improve the circumstances of our vulnerable neighbors. Legal aid with respect to civil matters ensures fairness in the justice system. It provides essential legal services to low income and vulnerable Oregonians who are faced with legal emergencies as well as longer term needs. Fairness in the justice system is a basic core value in Oregon. Fairness in this context means that the poor and those in need should not in most cases have to engage their opponents in our adversarial system without legal help.

Our world is still changing and there does not seem to be any likelihood that it will find a resting point anytime soon. The COVID pandemic continues to produce serious fall out such that our culture and worldview have markedly changed. Where it will end is speculation at best. What has not changed is the growing need of the poor for meaningful access to civil justice.

As lawyers we have seen economic and basic need storms before. For most of these lawyers their clients will weather the storm. For others they will not do so well, particularly where the storm includes loss of employment, little money to buy food, being served with things like notices of eviction out to the street, along with increasing domestic violence.

The 111 Oregon legal aid lawyers assigned to the 17 widely located legal aid offices simply cannot provide for all that is needed. Try as they may to attend to the legal needs of the 24,000 clients that came for help in 2020, they still only reached about 15% of those in legitimate need for legal help.

The time has come to again "think bigger and dig a little deeper." We can get through this storm and do what is needed despite these troubled times.

To learn more about how to donate please go to www.cej-oregon.org. Together we can make a difference!



MEET THE NEW JUDGE, SAME AS THE OLD JUDGE

By Rachael C. Gray



In September, Governor Kate Brown appointed Judge Michele C. Rini to replace Judge Jim Fun who retired this year. The WCBA had the opportunity to interview the newly appointed Honorable Michele C. Rini in late October.

Prior to being appointed, Judge Rini served as a full-time juvenile hearings referee for approximately 15 years. She has presided over a juvenile docket including dependency, delinquency, termination of parental rights cases, truancy, expungement, and emancipation cases. Judge Rini explained that the juvenile hearing referee was originally only created to cover shelter hearings but that this position evolved over time.

Judge Rini shared that she will no longer be handling truancy, emancipation or expungement matters. Otherwise, her caseload will remain the same. She plans on staying in the juvenile department for the foreseeable future and is happy to provide consistency on the bench.

Among the changes that come with the appointment, she will move to courtroom 110L in the juvenile building. Her staff will also increase by one member as Kristine Hackney will be joining Judge Rini's team. When asked whether she had any "best practices" for her courtroom, she replied "as always, be on time and be prepared." Finally a fun fact for those who don't know, Judge Rini has a very distinguished purple judicial robe!

The WCBA extends a warm welcome to Judge Rini. We are grateful for her continued service, expertise, and professionalism and know that her experience will be an asset to the bench.

CIRCUIT COURT ADDS HEARING ROOM

The Washington County Courthouse is currently adding a new hearings room, located on the first floor of the Justice Building. If you have been to the courthouse recently, you have probably seen the construction. It is located in 120J, in the room most recently used as the Family Law Assistance Office.

The new hearings room will be used for Pro Tem Judge dockets starting on December 1, 2021, for Monday morning FED first appearances, Monday afternoon Small Claims Trials, Wednesday afternoon Small Claims Trials, Thursday morning Contested Restraining Order Hearings, and Friday morning FED First Appearances.

MEET THE NEW REFEREE OF THE LAW ENFORCEMENT CENTER

By Gabriel Biello



Known for his sharp sense of humor and approachable manner, Judge Chris Colburn has been a fixture of the Washington County Legal community for over 30 years. In April, he left his longtime job as the Felony Crimes Supervisor at Metropolitan

Public Defender to become the referee in the Washington County Circuit Court courtroom located in the Sheriff's Department, known as the Law Enforcement Center (LEC). He brings a wealth of practical experience and respect from both sides of the justice system to his new position.

Judge Colburn was born in California and lived there for 10 years prior to moving to Oregon in 1977. He attended Crescent Valley High School in Corvallis Oregon before becoming a history major at Oregon State University. He obtained his law degree from the University of Oregon. After law school, Judge Coburn worked at the Coos County Public Defender until moving to the Hillsboro office of Metropolitan Public Defender in 1998. There, he tried the full gamut of cases, from misdemeanors to murder and was a mentor to many attorneys.

Judge Colburn lives in Dayton with his wife Nicole and their multitude of family pets. In his free time, he enjoys rooting for the Beavers, Forty Niners, and the San Francisco Giants. Serving in the Law Enforcement Center during the pandemic has presented unique challenges to how LEC has operated in the past. He hopes to make his courtroom work efficiently and fairly for everyone who passes through it and is open to suggestions about how to best facilitate the experience for practitioners. He hopes to create good experiences for those appearing before him for many years before eventually retiring to the Oregon Coast.



LOCAL BAR UPDATES

We want to know what you are up to! Send announcements and changes, professional or personal, to newsletter@wcbabar.org.

RIDEHALGH & ASSOCIATES, LLC WELCOMES FOUR NEW ASSOCIATE ATTORNEYS

Kylie Cin grew up in Boulder, Colorado before moving to Iowa to obtain her undergrad and law degrees at Drake University. After law school, Kylie practiced as a prosecutor in Colorado for two years before coming to Oregon. Kylie's practice includes criminal law and juvenile dependency.

Angus Dunlavey grew up in Delaware before moving to Oregon to attend the University of Oregon for undergrad. After graduation, Angus worked at the Oregon Health Plan for four years before attending Lewis and Clark School of Law. While in law school, Angus clerked for the Metropolitan Public Defenders and Youth Rights & Justice. Angus' practice focuses on criminal defense and juvenile dependency.

Jennifer Kinzey grew up in Iowa and continued her education within the state when she attended Morningside College, before graduating from Drake University School of Law. Jennifer later obtained her LLM at the University of Durham in the United Kingdom. Jennifer practices juvenile dependency.

Gabriel Walsh is a lifelong Oregonian, having grown up in Forest Grove. Gabriel attended the University of Phoenix for undergrad before attending Willamette University School of Law. After law school, Gabriel worked doing document review for mass tort cases. Gabriel Joined Ridehalgh & Associates, LLC wanting to do more trial work. He is now doing criminal law with some juvenile dependency.

CLASSIFIEDS

Office Space

Beaverton attorney office building for over 40 years on S.W. 2nd and Tucker has a 2nd floor office available. Free parking, shared reception area, library, and conference room on 1st floor. \$500 monthly or longer lease an option. Eight sole practitioners in building with some overflow/referral. Call Sheila at (503) 641-7888 or email sheilawagnon@lawyer.com.

Your Job Here

The WCBA offers basic job listings at no charge! Please send your plain text job information to newsletter@wcbabar.org. Free postings must be 50 words or less and may be edited for length.

CLE REVIEW – MANDATORY ABUSE REPORTING

By Pendrey Trammell

Senior Deputy District Attorney Allison Brown presented WCBA's October CLE on Mandatory Abuse Reporting for Attorneys. Sr. DDA Brown provided attendees with updates regarding reporting requirements as well as refreshers on long-standing requirements of the abuse reporting requirements.

Attendees were trained on issues surrounding both child and elder abuse. Brown gave the attendees scenarios to discuss based on real scenarios that have been evaluated. The group joined in with opinions from various perspectives on each issue, which resulted in all attendees gaining valuable insight into their reporting requirements. Attendees learned about principles of reporting as well as about what to do regarding attorney-client privilege when the reporting requirement is triggered.

This was a highly successful CLE with over 40 attendees virtually. Though we did not get to meet in person for this CLE, attendees certainly benefitted from their regular training on child and elder abuse reporting. The WCBA is grateful to Brown for presenting on this important topic and to all our attendees for joining us.

SIGN UP FOR LEXISNEXIS DIGITAL LIBRARY

By Washington County Law Library

You can sign up for eBooks through LexisNexis Digital Library via the [Washington County Law Library's website](#). eBooks can be accessed on a web browser or mobile device app.



Patrons may borrow one eBook at a time, but can renew if an eBook is not on hold. Law Library staff are happy to help navigate the system or answer any questions.

This project was made possible in part by the Institute of Museum and Library Services through the Library Services and Technology Act, administered by the State Library of Oregon.

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

NOTICES FROM THE DISTRICT ATTORNEY'S OFFICE

SB 751 EVIDENCE DISCOVERY CHANGES

To comply with the requirements of SB 751 the District Attorney's Office is working with local law enforcement agencies to actively collect evidence and discover it to the defense rather than provide an authorization to obtain or view it. We are currently working with a few local defense firms and police agencies on a pilot project, testing the new process. As part of the new process, digital evidence will be stored in a secure folder on an external SharePoint site for the defense. A link to the shared folder will be emailed to the defense when our office obtains it. Defense attorneys will have 30 days to access and download the evidence. If additional digital evidence is received by our office, a new link will be emailed to the defense. Retained attorney firms will be invoiced for discovery and evidence rather than requiring prepayment. A flat fee will be charged for digital evidence. This fee will be in addition to the current discovery flat fee rates that are based on the case type. We hope to include the cost of sharing additional evidence into the initial flat rate to avoid additional billing. We are still working on determining what the new flat rate will be for digital evidence. Please contact DA Administrative Manager Jessica King at Jessica_King@co.washington.or.us or Senior DDA John Gerhard at John_Gerhard@co.washington.or.us if you have any questions about this topic.

UTCR 21.100(1)(A) ELECTRONIC SERVICE

Consent to Electronic Service and Withdraw of Consent reads "A filer who electronically appears in the action by filing a document through the electronic filing system that the court has accepted is deemed to consent to accept electronic service of any document filed by any other registered filer in an action, except for any document that requires service under ORCP 7 or that requires personal service". **UTCR 21.100(2)(a) Contact Information** reads "At the time of preparing the filer's first electronic filing in the action, a filer described in section (1) of this rule **must enter in the electronic filing system the name and service email address of the filer, designated as a service contact** on behalf of an identified party in the action. If the filer withdraws consent to electronic service under subsection (1)(b) or (1)(c) of this rule, then the filer must remove the filer's name and service email address as a designated service contact for a party".

The majority of Washington County Court Appointed firms are not adding their attorneys as a "Service Contact" in OJD's eFiling system as required under the UTCR. Therefore, the District Attorney's office is not able to serve documents via File and Serve. We are asking defense firms to please reach out to Tyler Technologies at **1-800-297-5377** for [eFile support](#) on how to add their attorneys as a service contact in order to comply with UTCR 21.100. The issue could be related to how your office eFile account was initially set up. For additional information on this topic please contact District Attorney Administrative Manager Jessica King at Jessica_King@co.washington.or.us. Thank you.

HARRIS VELÁZQUEZ GIBBENS WELCOMES NEW ASSOCIATE

Sean McGuire recently began working as an associate attorney at Harris Velázquez Gibbens in the field of criminal defense. A native of Houston, Texas, Sean joined the Navy at 18 and served for 10 years as a Nuclear Qualified Electrician. His first duty station was onboard the USS Ronald Reagan out of San Diego, California for 5 years. He was later stationed at Pearl Harbor, Hawaii, where he learned to surf. He eventually moved to Portland and attended Portland State University majoring in Philosophy. He enjoyed reading the works of Rousseau, Nietzsche, and Foucault. He briefly worked at the medical device manufacturer Acumed in Hillsboro before beginning law school at Lewis & Clark. Sean's hobbies include reading the news, "trying to watch every YouTube video," traveling within Oregon, and spending time with his young daughter.



Classified Advertising Rates

50 or fewer words	\$20	51-100 words	\$40
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101-150 words	\$60	151-200 words	\$80
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1/4 page (3.6" w x 4.75" h)	\$60
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1/2 page (7.5" w x 4.75" h)	\$90
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LAWYER WELL-BEING: CHALLENGES AND HEALTHY SOLUTIONS

By Adam Thayne

The WCBA was pleased to host Douglas Querin from the Oregon Attorney Assistance Program (OAAP) for a CLE on September 29, 2021. The Zoom CLE, entitled "Lawyer Well-Being: Challenges and Healthy Solutions," offered some perspective and insight into individual wellness challenges facing the legal profession. An "attorney counselor" with the OAAP for over 15 years, Mr. Querin began by explaining the purpose of the OAAP. The program's mission, as explained by Mr. Querin, is to help lawyers, judges and law students meet their professional responsibilities in the healthiest way possible. Oftentimes individuals in the legal profession will reach out to OAAP for various types of personal problems, including relationship issues, anxiety/depression, compulsive behaviors, and substance abuse, among others. Counselors at the OAAP provide confidential assistance and can direct the affected to other available resources for help.

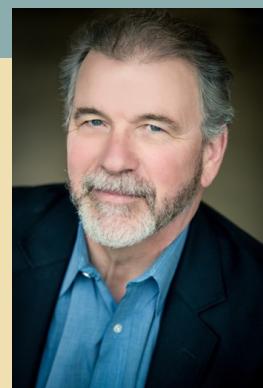
After discussing the mission and purpose of the OAAP, Mr. Querin spoke generally about the comprehensive meaning of the term "well-being." For counseling and OAAP purposes, "well-being" refers to fulfillment in the following areas: occupational, emotional, physical, intellectual, spiritual, social, and cultural well-being. Citing recent studies, Mr. Querin explained that lawyers are statistically much more susceptible to unhealthy behaviors and lower levels of well-being when compared to the population at large. In one study spearheaded by the American Bar Association and Hazelden Betty Ford spanning 15 states and 13,000 lawyers, 21% of the lawyers surveyed suffered from alcohol abuse (as compared to 8% of the general population). Other key findings from the study included 28% of respondents suffering from depression, 19% from anxiety, and 23% dealing with unhealthy stress levels. The study also found that many lawyers who needed help did not seek help. The main reason cited by those needing help who did not seek help was essentially the "stigma" attached to reaching out for help. Other common reasons cited by participants in the study included fear of repercussions, privacy/confidentiality concerns, lack of knowledge of appropriate resources, self-reliance ("I can handle it myself"), or denial that a "problem" existed. A separate study found similar concerning trends amongst law students.

Mr. Querin pointed out that the above-mentioned well-being issues are treatable. He offered several "tools, tips, and reminders" to anyone suffering from deficiencies in

any area of well-being. His recommendations included self-awareness (remembering to be introspective and self-evaluating), being proactive (attending to all dimensions of well-being), staying connected to support groups (family, friends, colleagues), practicing setting healthy boundaries, being willing to seek help when necessary, learning how to be present, learning how to identify and become comfortable with emotions, and developing the trait of resilience. Mr. Querin also discussed how to identify a colleague or friend in need. He noted that "if you have concerns about a potentially impaired colleague/friend, there are likely others who have similar concerns." It may be useful to have a conversation with the individual and share your concerns and observations. As explained by Mr. Querin, it is important to avoid judgment and confrontation, have compassion, really listen to the individual, and recognize that helping is a process, not a one-time event.

Mr. Querin was quick to emphasize that resources are available through the OAAP for anyone in the legal profession struggling with self-defeating behaviors. The certified counselors at OAAP stand ready to assist. A quote attributed to Maria Robinson (former president of Ireland) found on Mr. Querin's bio page seems to sum up his mission and that of OAAP: "Nobody can go back and start a new beginning, but anyone can start today and make a new ending."

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Trial Attorney 37 Years

Pro Tem Circuit Court Judge

Settlement Judge, Washington
County

Arbitration Panel, Washington
& Multnomah Counties

2017 Professionalism Award,
Washington County Bar
Association

AV Preeminent Rating by Peers
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Questions? Email Kate Glasson: Kate_Glasson@co.washington.or.us



evictions and disputes, COVID updates

LANDLORD - TENANT LAW

The best way to advise your clients



A CLE presented by Richard Peel
December 8, 2021

5:00 - 6:00 pm

Zoom Webinar - \$10 members,
\$15 non-members



Link will be provided a few days prior to event.

Register online: mkt.com/wcba

Rick Peel is a Staff Attorney with Oregon Law Center, focusing on Housing law and Family law matters. Rick obtained his JD from Lewis and Clark Law School in 2013, before moving to the Northeast, where he practiced at a Legal Services organization in Fall River Massachusetts, specializing in Housing Law from 2014-2020. He has since returned to Oregon, and the Hillsboro Regional Office--to continue his representation of tenants.