

January 2, 2019

Vol. 46, No. 5

**FROM EUGENE TO SALEM:
A CONVERSATION WITH OREGON CHIEF JUSTICE
MARTHA WALTERS**

Speakers: **Oregon Supreme Court Chief Justice Martha Walters
Lane County Circuit Judge Suzanne Chanti**

Date: **Friday, January 4, 2019**

Time: **12:00 p.m. – 1:15 p.m.**

Location: UO Continuing and Professional Education at the Baker
Center, 975 High Street, Eugene, OR 97401

Coordinator: **Joel Korin**

Eugene's own **Martha Walters** is now the Chief Justice of the Oregon Supreme Court, with all the duties of a sitting justice and responsibility for the administration of all the state courts in Oregon. What forces led her to Oregon and to the law? Learn about her legal practice representing plaintiffs in employment and civil rights litigation law. Find out about the issues facing the judicial system in Oregon today and in the future. Learn about the changes made to the profession and the judiciary by the influx of women to the ranks of lawyers and judges. Chief Justice Walters will be interviewed by her friend and former law partner, **Judge Suzanne Chanti**, a trial court judge in Lane County. This will be a wide-ranging interview with plenty of time for audience questions.

After graduating from University of Oregon School of Law in 1977, Chief Justice Walters worked as a lawyer in Eugene and built up a specialty in employment law. She was part of the legal team that won a 2001 U.S. Supreme Court case on behalf of professional golfer Casey Martin, who sued the PGA Tour over its requirement that players must walk during tournament play. The court ruled that Martin, whose circulatory disorder made it difficult for him to walk, was protected under the Americans with Disabilities Act and must be allowed to use a golf cart.

Martha Walters has had a distinguished career in the law. She taught lawyers and law students, participated on Lane County and Oregon State Bar Association committees, and has been Oregon's representative to the National Conference of Commissioners on Uniform State Laws since 1992, serving as its President in 2007 to 2009. She is a Fellow in the American College of Trial Lawyers. She was appointed to the Supreme Court in 2006 and was unanimously elected by the justices to serve as Chief, starting on July 1, 2018.

Judge Suzanne Chanti graduated from Southern Oregon University and earned her JD degree at the UO. Prior to ascending to the bench

in 2011, she was a partner with Chief Justice Walters from 1992 to 2006. Judge Chanti served on many county, state and federal bar committees, in addition to doing volunteer work for the disability community and serving on the board of directors of the Eugene Ballet and the Lane County Public Defenders.

This program is intended for the general public, not just lawyers and law students. Come on out and meet two of the people administering justice in Oregon.

About the City Club of Eugene: The mission of the City Club of Eugene is to build community vision through open inquiry. The Club explores a wide range of significant local, state, and national issues and helps to formulate new approaches and solutions to problems. Membership is open to all and Club members have a direct influence on public policy by discussing issues of concern with elected officials and other policy makers. The City Club's mailing address is: PO Box 12084, Eugene, OR, 97440. For more information please call (541) 485-7433, or visit us online at cityclubofeugene.org.

Admission: The public is encouraged to attend; admission is \$5 per person. Admission is free for City Club of Eugene members.

Broadcast: This meeting will be broadcast **Monday, January 7, 2019, at 6:30 p.m. on KLCC 89.7 FM.**

Contact: **Silver Mogart**, City Club of Eugene Executive Director; (541) 485-7433; administrator@cityclubofeugene.org



LCBA LUNCHEON

Please join the LCBA for our January luncheon with speaker **Judge Debra Vogt**. Judge Vogt will be discussing the "*State of the Lane County Circuit Court*" for the upcoming year. The lunch will be held on **Thursday, January 10, 2019, from 12:00 p.m. to 1:00 p.m.** at the Downtown Athletic Club, at 999 Willamette St. in Eugene. The cost is \$16 for advance online registrations (payable at <https://lanecountybar.org/events/> until midnight on January 8th) or \$20 for day-of registrations (payable by cash or check at the door). If you intend to pay \$20 at the door, please RSVP by email to **Erik Bonn** or **Kristen Brouhard**, the Program Co-Chairs, at bonn@gleaveslaw.com or kristen@adastralegalservices.com. LCBA will apply for one general CLE credit.



NALS OF LANE COUNTY

NALS of Lane County will hold its next educational meeting on **Tuesday, January 15, 2019**, from **12:00 p.m. to 1:00 p.m.** at the law offices of Hershner Hunter, 180 East 11th Avenue, Eugene. Our guest speaker will be attorney **Megan Livermore** of **Hutchinson Cox of Eugene**, who will discuss the current status of *Marijuana Laws in Oregon*.

Please send your RSVP to Charlene Sabini, PP, CLP, ALP, Director of Education, via email at besirius@pacinfo.com. *Parking is free at the back of the building off Pearl Street.*

The class is free and worth one (1) CLE credit for those who are accumulating credits or need proof of attendance. When you RSVP, please let me know if you'll need a certificate.

Announcements

MEDIATION TRAINING JANUARY 17TH - 21ST

Dr. Clare Fowler is offering a course in Basic Mediation Training to UO School of Law for alums and local practicing attorneys who want to add mediation to their practice. Guest lecturers/practicing local attorneys to be announced. 40 hours of General CLE credits and 2 hours of Ethics credits to be requested. See flyer attached to this newsletter for information on scheduling, cost and registration.



UPCOMING LECTURE

January 24, 2019 from 12:00 p.m. - 1:00 p.m., Knight Law Center, Room 110: *The Atlantic* Contributing Editor and Constitutional Law Professor **Garrett Epps** will give a lecture, *Trump Judges and Obama Judges: Supreme Court Under Stress?*



COURTHOUSE UPDATE – SCOPING STUDY AND COST ESTIMATE

The current Lane County Courthouse, opened in 1959, is not sized to handle the over 33,000 cases filed each year. In addition, the way the building is designed makes it impossible to provide a secure, private setting for victims and opposing parties. The design also restricts access to individuals with limited mobility. ([Watch a brief video that illustrates these issues.](#))

In Oregon, counties are responsible for providing the buildings in which the state circuit courts operate while the State is responsible for funding the operations. In response to the growing statewide need for new Courthouse facilities, the Oregon Legislature will provide up to 50 percent match funding for the State portions of a courthouse building.

Lane County worked with Robertson|Sherwood|Architects and courthouse consultant DLR Group to conduct a scoping study to validate the former City Hall lot as a viable site for the new Courthouse and to refine the needed square footage to accommodate current and future needs.

The study includes a recommended program and potential floor plan diagrams that address the significant concerns regarding security and access for people with limited mobility.

[VIEW THE SCOPING STUDY ONLINE \(67MB\)](#)

The cost estimate – based on detailed pre-design analysis – includes approximately \$94 million in matching state funds and an approximately \$158 million in local funds. The opportunity to leverage nearly \$100 million in State funds is critical to help us make space for justice in Lane County.

A new Lane County Courthouse would represent our community's commitment to fair and impartial justice and strengthen the central element in our public safety system. A new Courthouse would bring together our community's heritage and future in a building responsibly designed to serve Lane County for generations.

When the Board of County Commissioners reconvenes in 2019, commissioners will have the opportunity to discuss next steps, including local funding and placing a potential General Obligation Bond before voters.

For more information about the Lane County Courthouse, visit www.lanecounty.org/courthouse.

[The full Board presentation and discussion can be found online.](#)



LAW LIBRARY FUNDING: SHOW ME THE MONEY

Sue Ludington, Law Librarian, Lane County Law Library

The start of the new calendar year typically equates to the onset of Lane County's budgeting process for the next fiscal year. As we prepare to draft the Law Library's FY19-20 budget, one of the first sources we've reviewed is the [Oregon Judicial Department \(OJD\) Chief Justice's Recommended Budget for the 2019-21 Biennium](#). Why? Because, in Oregon, counties are statutorily required to "operate a free law library that is convenient and available at reasonable hours; or provide free law library services at one or more locations that are convenient and available at reasonable hours" ([ORS 9.815](#)). To fulfill this obligation, OJD designates specific funding – in the form of pass-through payments – to each county to operate or otherwise provide public law library services. So, examining the CJ's recommended budget is obviously essential (although we'll sit on pins and needles until the Legislature actually approves – or modifies – the budget in the spring!).

It wasn't always this way: Up until 2011, funding for law libraries came from county court filing fees. From 1927 to 1963, counties collected a portion of these fees to support library services. From 1965 to 2007, the Legislature would set the amount law libraries could collect; beginning in 1997, that amount was reduced with each subsequent biennium. Reductions were the result of a number of issues, including increased costs of the judicial system, the loss of federal funding for legal aid, the integration of circuit and district courts, and a filing fee increase that resulted in a favorable law library increase, which was argued as unjustified.

In 2011, the Legislature passed [HB 2710](#) which revised the laws to establish standard court fees, making them uniform across the state. It also required that all fees collected by circuit courts be deposited in the General Fund, and changed county law library funding to General Fund appropriations. That year, the total amount allocated for law libraries was \$7.4 million, but was reduced in the 2012 session by nearly \$260,000 ([SB 5701](#)). Moreover, it was also during that year that [SB 1579](#) allowed counties to use law library funding for mediation and conciliation services (it wasn't until the next year that [HB 2322](#) specified that no more than "one-half of the amount distributed to the county [may be used] for the provision of conciliation and mediation services in circuit courts").

During this and the 2013-15 biennium – in which the approved \$7.2 million total law library appropriation was reduced by about \$144,250 ([HB 5008](#)), further compounded by the same fate befalling on mediation/conciliation services – Lane County was detrimentally impacted, resulting in cuts to Law Library staffing and services. While \$7.4 million was appropriated for county law libraries in the 2015-17 biennium, total funding once again decreased to \$7.1 million in 2017-19 due to [HB 5006](#).

Which brings us to the 2019-21 biennium and law library appropriations: OJD's recommended budget has again allocated \$7.4 million, and there's optimism that the total funding will actually stick this time. However, based on past experience, we recognize "it's not over 'til it's over" and, here in Lane County, we will embark on crafting a budget that remains conservative yet flexible. With a little bit a luck, creativity, and persistence, I feel confident we will find success, no matter what!

2018-2019 LANE COUNTY PROBATE CLEs**Place: Judge Holland's Courtroom #302****Time: 12:00 p.m. – 1:00 p.m.**

(Subject to change.)

DATE	TOPIC / SPEAKER
February 12, 2019	Wrongful Death in Probate: Single Action vs. Class Actions - Asbestos, Drugs & Others Speaker: Panel Discussion
March 12, 2019	Probate & Trust Litigation: Pre-filing Considerations & Post-filing Practicalities: Motions, Discovery, Evidence & more Speakers: Jessica Rogers & David (Jake) Jacobs
April 9, 2019	Small Estate Affidavits: Requirements, Limits, Operation, Considerations Speaker: TBA
May 14, 2019	Postmortem Trust Administration: The Settlor died: What now? Speaker: TBA
June 11, 2019	Annual Planning Meeting Place: TBA

Coming in February**FREE 1 HOUR PROBATE CLE**

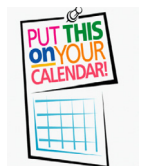
The February Lane County Probate Committee CLE will be held on **Tuesday, February 12, 2019, from 12:00 p.m. to 1:00 p.m. in Courtroom 302**. This will be a panel discussion on the topic of *Wrongful Death in Probate: Single Action vs. Class Actions - Asbestos, Drugs & Others*.

2 hour CLE and hosted reception.*Free Speech/Hate Speech:**Is there a First Amendment Problem?***Wednesday, February 13, 2019**CLE: **4:00 p.m. - 6:00 p.m.**Reception: **6:00 p.m. - 7:00 p.m.**

University of Oregon School of Law, Room 175

*Hosted by Oregon State Bar Diversity Section, Oregon Hispanic Bar Association, and Lane County Women Lawyers***Registration Now Open!**24th OLSPIF Auction**Friday, February 15, 2019**

Eugene Hilton, 5:30 pm

<https://law.uoregon.edu/explore/OLSPIF>

Tuesday, February 19, 2019 from 12:00 p.m. - 1:15 p.m., Knight Law Center 110, UCLA Professor **Cheryl Harris** will deliver the Derrick Bell Lecture.

Announcements



Jonathan M. Hood has recently joined the Eugene law firm of **Hutchinson Cox**. Jonathan's practice focuses on civil rights and employment law litigation at both the state and federal level. Jonathan may be reached at 541.686.9160.

The **Local Government Law Group** (a member of *Speer Hoyt LLC*) is pleased to welcome the newest addition to our legal team, **Daniel Lawler**. Dan grew up in Virginia and received his undergraduate degree in Environmental Policy and Planning from Virginia Tech in 2015. Dan then ventured across the United States to attend the University of Oregon School of Law, where he fell in love with the Northwest and developed passions for environmental and government law. He graduated from law school this year and spent the last six months as an Assistant Planner at the City of Eugene. Dan will focus his practice on serving the firm's government clients, with an emphasis on land use, labor and employment.

Strohman Ford, LLC is pleased to announce that **Sarah Fudge** has joined the firm as an associate attorney. She joins the firm after 8 years as the Probate Commissioner at Lane County Circuit Court. Ms. Fudge will assist clients with estate planning and administration, business, and real estate issues.



Positions Available

Blackwell Law, P.C., is seeking both a law firm administrator and paralegal to join our growing commercial and civil litigation practice. Qualified candidates should be enthusiastic about the law and experienced with computers and learning new software systems. Skills and experience in a law office are desired but not required. Please send all resumes and cover letters to **Lainna Olson** at Blackwell, Law, P.C., PO Box 10326, Eugene, OR 97440 or assistant@blackwell.law.

Position Available

Oregon Pacific Bank is seeking a full-time Trust Officer for its branch in Eugene, Oregon. Qualified applicants must have a minimum of 3 years of experience reading and understanding Last Wills and trust agreements, probate and trust administration, and fiduciary laws and practices. This job requires attention to detail and strong interpersonal skills – often in a fast-paced and stressful environment. This is a career position with a competitive salary, incentives, and benefits. The successful applicant will become part of a team of highly trained professional fiduciaries and will work in an excellent environment. Qualified applicants should complete the Bank's online employment application form at www.opbc.com and include a cover letter with a current resume.

Office Space Available



On the Willamette River in the Northbank Office Complex – 2 office spaces available: Office sharing with congenial group of attorneys and professionals. River view office space available, (approximately 10.5' x 10') and one non-river view office space (Size: 10.9' x 10.6' (approximate)). Rent together or separately. Monthly rent and common expenses: included. Common areas include conference room, reception area, lunchroom, restroom, & free parking. Shared receptionist, multi-line telephones, business internet, copier, scan, fax and free parking. Locker & Shower available. Next to McMemans Northbank Restaurant near the Ferry Street Bridge on Coburg Road. Call 541-485-0777 for more information. Northbank Professional Offices, LLC.

Downtown Eugene, 975 Oak Street. Spacious, view office in upper level of Class A Citizens Building. Ample staff space, copier and conference/library provided. Congenial atmosphere. Some work overflow probable. Would consider shared reception. \$975/mo. Contact Terri at 541-345-3333.

Services Offered



BOOKKEEPING SERVICES

Paralegal with 10 years of experience specializing in small practice bookkeeping and payroll. Contact Marisela Taylor, 541-942-0000, or mari@paintedmountaindesign.com

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ATTENTION FAMILY LAW ATTORNEYS!

Are you having a busy winter and need extra help in getting projects off your desk? If so, then let me help you. I am **April Hatcher**, a highly experienced family law certified paralegal. I am the owner of [Assisting You Paralegal Services \(AYP\)](http://www.assistingyouparalegal.com), a freelance, virtual paralegal business. AYP provides quality, timely, and affordable family law legal support assistance to family law attorneys on a project-by-project basis. **Whether you need assistance with one project, with one case, or for an hour or two each day or week, I can assist you.**




Please visit my website: www.assistingyouparalegal.com, or call me at (541) 653-9656. *I look forward to assisting you!*

BAR NEWS SUBMISSION DEADLINE

Please help us get the Bar News to you in a timely manner. While all submissions are welcomed, remember, the **deadline is the 20th of each month**. We try to accommodate the inclusion of all submissions, but cannot guarantee that any submissions received after this deadline will be included in the next issue. Submissions that do not make one issue of the newsletter will, of course, be included in the subsequent issue. The preparation of this newsletter is a labor of love, but it does take some time and effort. Your support of this process is greatly appreciated. Thank you.



Upcoming Events

- January 1 Holiday - Court closed 
- January 4 A Conversation with Oregon Supreme Court Justice Martha Walters
The Honorable Martha Walters
The Honorable Suzanne Chanti
975 High Street
12:00 p.m. - 1:15 p.m.
- January 10 LCBA Luncheon
State of the Lane County Circuit Court
The Honorable Debra Vogt
Downtown Athletic Center
12:00 p.m. - 1:00 p.m.
- January 15 NALS Educational Meeting
Marijuana Laws in Oregon
Megan Livermore
Hershner Hunter
12:00 p.m. - 1:00p.m.
- January 17 - 21 Basic Mediation Training
Dr. Clare Fowler
UO School of Law, Room 142
10:00 a.m - 4:00 p.m. 1/17
8:00 a.m. - 5 p.m. 1/18 - 1/21
- January 21 Martin Luther King, Jr. Day
- Court closed 
- January 24 Garrett Epps
*Trump Judges and Obama Judges:
Supreme Court Under Stress?*
Knight Law Center, Room 110
12:00 p.m. - 1:00p.m.
- February 12 Probate CLE
*Wrongful Death in Probate:
Single Action vs. Class Actions -
Asbestos, Drugs & Others*
Panel Discussion
Courtroom 302
12:00 p.m. - 1:00 p.m.
- February 13 CLE
*Free Speech/Hate Speech:
Is There a First Amendment Problem?*
UO School of Law, Room 175
CLE: 4:00 p.m. - 6:00 p.m.
Reception: 6:00 p.m. - 7:00 p.m.
- February 18 Holiday - Court closed 
- February 15 24th Annual OLSPF Dinner & Auction
Eugene Hilton
5:30 p.m. - ?
- February 19 Derrick Bell Lecture
Cheryl Harris
Knight Law Center, Room 110
12:00 p.m. - 1:15 p.m.



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BASIC MEDIATION TRAINING

with Dr. Clare Fowler

WHERE:

University of Oregon School
of Law, Room 142

WHEN:

January 17-21, 2019
17th: 10am-4pm
18th-21st: 8am-5pm

COST:

\$300. UO Student and alumni
discounts available. Includes
course materials and refreshments.

Mediate.com invites you to complete your 40-hour Basic Mediation Training in Eugene, Oregon. This training will give you the basic education necessary to begin mediating disputes.

Participants are encouraged to connect with their local courts and mediation centers to gain experience. Participants will also create their Mediation Practice forms during the training, including Agreement to Mediate, Confidentiality Form, Opening Statement, Note-taking Form, Written Agreement Template, and Evaluation Form. The course will be recorded.

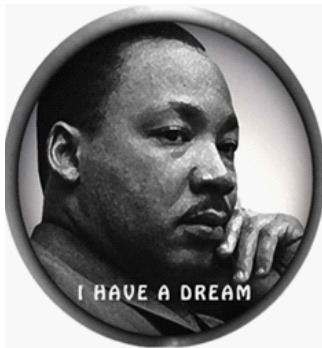
REGISTER AT CLAREFOWLER.COM

Lane County Bar Association
 c/o Erin Fennerty Secretary-Treasurer
 Post Office Box 11379
 Eugene, OR 97440



Freelance Legal
 Secretaries/Assistants:

Kelly Lee (541) 515-2962
 Tamara Banavige (541) 431-0812



January
 winter frosty
 COLD FUN
 Snowflakes
 HOT COCOA
 WARM BLANKETS
 cuddling together
 snowball fight
 MITTENS
 JACK FROST NIPPING AT YOUR NOSE



Bar News

Next Submission Deadline: **Monday, January 21, 2019**

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Issues of the *Bar News* are available at:
<http://lanecountybar.org>



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