



# MULTNOMAH LAWYER

April 2018
Volume 64, Number 4



## Are You Fit to Practice?

by Andrew Schpak MBA President

As a bar leader, attorney, husband, and new father, I have given a lot of thought to the idea of work/life balance. Hopefully, we can all agree that we cannot take care of our clients if we are not taking care of ourselves.

During my time as Chair of the ABA YLD, I developed the Fit 2 Practice initiative, with a goal of challenging lawyers to take better care of themselves. For me, it meant making time for more sleep and exercise, drinking more water throughout the day, eating a little

healthier, and occasionally setting aside time to relax and decompress. For others, it may mean setting aside time to pray, meditate, listen to music, sing, dance, tend to their garden, or spend time at home or with their family, friends, or pets. The most important part of this

Ultimately, it is my hope that we all find ways to concurrently take care of ourselves while connecting with each other.

initiative was to help educate lawyers that we need to stop viewing self-care as a luxury that we cannot afford, and instead start viewing it as something for which we must make time. As Virgil famously said, "The greatest wealth is health."

We incorporated health and wellness programming into our conferences and distance learning programs. We also partnered with the American Bar Endowment and Fund for Justice and Education to provide 12 young lawyer leaders with fitness trackers, and those volunteers used video blogs, social media, and the YLD website to maintain a sort of diary of efforts, successes, failures, setbacks, and breakthroughs. My hope was that this program would encourage young lawyers to not just increase their focus on their own health and wellness throughout the bar year, but also further support one another in these efforts.

The program caught on better than we expected. My Facebook newsfeed was filled with people talking about everything from "Water Wednesdays" to "Fruit Fridays" to step challenges. By the time the Annual Meeting rolled around and it was my turn to pass the gavel

...we need to stop thinking we will somehow "find" work/life balance, and instead start creating that work/life balance... to the next ABA YLD Chair, I had lost five pounds and my skin looked better due to more sleep and water intake. More importantly, I heard about a number of individual success stories of young lawyers who had started to turn their lives around after being inspired by the initiative. Perhaps the most important takeaway for me was that the recipe

was different for every single success story I heard. One person had achieved success by going for a run each day. Another adjusted his diet to cut down on alcohol and reduce carbohydrate intake after lunch time. Yet another began practicing daily yoga and meditation.

I'm proud of the fact that local lawyers have a bicycling group that meets every Monday & Thursday at lunch for a ride. I would love to see us establish a running group (even though I stink at running).

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I'm particularly excited about the possibility of the MBA bringing back its tennis event, mostly because I occasionally play tennis. Ultimately, it is my hope that we all find ways to concurrently take care of ourselves while connecting with each other. (Speaking of which, if you have a Fitbit, add me as a friend and I'll include you in the various step challenges.)

I honestly believe we need to stop thinking we will somehow "find" work/life balance, and instead start creating that work/life balance by identifying our priorities and building those into our lives and schedules. Calling it a "balance" is a bit of a misnomer, because the real question is how you prioritize the competing demands on

your time, and the result may not feel balanced. This has forced me to schedule workouts, family time, and sleep the same way I schedule meetings with clients, court hearings, and project deadlines. It also means I sometimes need to pass on a

We need to stop viewing self-care as a luxury we cannot afford.

social event or dinner with friends in order fit in a workout. Likewise, I may have to skip a workout on a given morning in order to give my body the sleep it needs. While we all have different visions of how work/life balance looks to us, achieving that goal requires proactive effort and goal-setting, rather than a vague hope for more hours in the day.

If you have ideas about how the MBA can support its members in achieving a better balance and becoming more fit to practice, please don't hesitate to reach out to me and share them.

## Multnomah Bar Association Annual Meeting, Dinner & Judges Reception

Wednesday, May 2 5-8 p.m.

Portland Marriott Downtown Waterfront 1401 SW Naito Parkway

Celebrating the profession and recognizing our colleagues

**Professionalism Award Recipient**Carolyn D. Walker

**MBA Diversity Award** Ernest Warren Jr.

MBA Awards of Merit David I. Bean Joseph L. Franco

YLS Award of Merit Amelia K. Andersen

YLS Rookie of the Year Ashley M. Carter

**Pro Bono Awards** 

Lisa M. Kenn John C. Koch Judge Peter C. McKittrick and the OSB Debtor-Creditor Pro Bono Committee

Register by April 25.
Invitations have been mailed separately.

## **mba**|CLE

To register for a CLE, please see p. 4 or visit www.mbabar.org and log in as a member to register at the member rate.

## **APRIL**

# 4.3 Tuesday Non-Economic and Punitive Damages Angela Franco Lucero Erica Glaser

Kristian Roggendorf

4.12 Thursday
New Judges' Perspectives:
Views from Five New
Multnomah County Judges
Judge Patricia McGuire
Judge Christopher Ramras
Judge Benjamin Souede
Judge Xiomara Torres
Judge Katharine von Ter Stegge

4.24 Tuesday
Working Effectively with
In-House Counsel
Sid Khanijou
Chad Paulson
Heidee Stoller
Jana Toran
Tom Karnes, moderator

4.25 Wednesday
What Every Attorney Needs
to Know about Workers'
Compensation
Spencer Aldrich
Karen Ruga Schoenfeld
Steven M. Schoenfeld

## MAY

## 5.1 Tuesday

Environmental Cleanup: Could an "Ability to Pay" Settlement and Insurance Trust Get Your Client Out Early? Larry Burke Mike Farnell Emily Miller, moderator

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## mba EVENT

## The Coaching Mindset: Improve Work Performance with the Power of Questions

Thursday, May 10 Naegeli Deposition and Trial 111 SW 5th Ave. Ste. 2020, Portland 3-5 p.m.

"There are managers who coach and managers who don't. Leaders in the latter category are not necessarily bad managers, but they are neglecting an effective tool to develop talent."\*

By adopting a coaching mindset, lawyers can use the power of questions to help employees, colleagues, and even themselves improve performance, productivity, and find more satisfaction in their work.

In this interactive workshop, learn and practice coaching techniques for lawyers to improve:

- Productivity
- Communication
- Retention
- Profitability

This workshop will be facilitated by three lawyer-coaches: Career Coach **Susanne Aronowitz**, Business Management Coach **Heather Decker**, and Writing Coach **Lora Keenan**.

\*Joseph R. Weintraub and James M. Hunt, "4 Reasons Managers Should Spend More Time on Coaching" (Harvard Business Review, May 29, 2015).

Cost: \$15
The MBA will apply for 1.5 hours of MCLE credit.

Register at www.mbabar.org.

# David I. Bean and Joseph L. Franco 2018 MBA Merit Award Recipients



David Bean

the MBA.

Criteria for Selection
Recipients have an enduring
commitment to the MBA's mission
of promoting justice through
service, education or leadership to

The MBA is pleased to present its 2018 Merit Awards to **David I. Bean** and **Joseph L. Franco**.

David Bean started on the YLS Board in 2004, and went on to serve as president of the YLS Board in 2007-08. He has participated on the Membership Committee since 2015 and presently serves as chair. In addition, David founded the MBA midsize firm partner group in 2009. He has done an excellent job creating innovative approaches to recruitment and engagement of our members.



Joseph Franco

David has been a staunch supporter and advocate for the MBA since he started practicing, and he continues to be a relationship builder and ambassador for our association.

Joe Franco has been a member of the Court Liaison Committee since 2015 and presently serves as chair. He previously served on the Judicial Screening and CLE committees and recently volunteered for the Self Represented Litigants Video Project Committee. His diligence and professionalism are impressive.

The MBA is very fortunate to have so many enthusiastic and valuable volunteers. These two volunteers richly deserve their MBA Merit Awards. Congratulations.

## Calendar

## **APRIL**

5 Thursday
YLS CLE: Estate Planning 101
See insert for details

11 Wednesday Solo & Small Firm Committee Workshop Details on p. 7

12 Thursday
YLS Spring CLE Series Begins
See insert for details

12 Thursday CEJ Justice Trivia www.cej-oregon.org

18 Wednesday
Equity, Diversity & Inclusion
Committee CLE
www.mbabar.org

25 Wednesday
OSB Civil Rights Section
Implicit Bias Brown Bag Lunch

26 Thursday
Classroom Law Project Legal
Citizen of the Year CLE and

Take Your Kids to Work Day

www.classroomlaw.org

## 27 Friday

OAAP/OWLS 11<sup>th</sup> Annual Women's Retreat www.oregonwomenlawyers.org

30 Monday CourtCare Campaign begins

#### MAY

2 Wednesday MBA 112<sup>th</sup> Annual Dinner

3 Thursday Objection! Poetry Slam See insert for details

## 10 Thursday

This is Innocence - Oregon Innocence Project Event

#### 16 Wednesday

City Club "Next Century" 100<sup>th</sup> Anniversary Celebration www.pdxcityclub.org

22 Tuesday Tillicum Gathering www.mbabar.org

## JUNE

7 Thursday Topgolf Social www.mbabar.org

## Lisa Kenn 2018 Michael E. Haglund Volunteer Lawyers Project Award Recipient

by Erin White Legal Aid Services of Oregon

Lisa Kenn is the 2018 recipient of the Michael E. Haglund Volunteer Lawyers Project Award. This award goes to a young lawyer, who, in the tradition of Mike Haglund, founder of the Volunteer Lawyers Project (VLP), has displayed a special commitment to pro bono services via a VLP or MBA YLS project in the previous year.

Lisa grew up in Lexington,
Massachusetts. She received
her BA in Political Theory from
the University of Massachusetts
at Amherst and obtained a
MA in Political Science from
the University of California at
Berkeley. Lisa worked in the
nonprofit sector in both New
York City and Portland for
approximately 20 years before
obtaining her law degree from
Lewis & Clark Law School in 2014.

Upon admittance to the OSB in 2015, Lisa began volunteering with Legal Aid Services of Oregon's (LASO) VLP. Lisa has been a consistent volunteer ever since. Initially, she volunteered with the Domestic Violence Project, representing survivors of domestic violence in contested restraining order hearings, donating 65.5 hours in just three months. Lisa also spent time volunteering with the Senior Law Project (SLP). SLP volunteers sign up for monthly clinics and provide six half-hour consultations for Multnomah County seniors at each clinic.



Lisa Kenn

Since joining Kramer & Associates as an associate attorney in 2016, where she focuses her practice on family law, Lisa has been volunteering with LASO's Pro Se Assistance Project (PROSAP). The firm has long been committed to pro bono service, and Mark Kramer, Principal, is a regular, long-time PROSAP volunteer. Additionally, Mark continues to represent those underserved individuals and groups, including his ongoing representation of Right 2 Dream Too, a nonprofit dedicated to addressing the needs of the homeless community and our housing crisis. According to Mark, "Kramer & Associates is proud and honored by Lisa Kenn's selection as the recipient of the MBA Pro Bono Michael E. Haglund award. Lisa's pro bono

Continued on page 5

#### Lisa Kenn

Continued from page 2

service has been truly above and beyond. She has demonstrated a personal as well as a professional commitment to those in need of counsel but cannot afford an attorney."

During weekly PROSAP clinics, experienced family law attorneys assist two or three pro se family law clients with discrete family law issues. In 2017, Lisa volunteered nearly

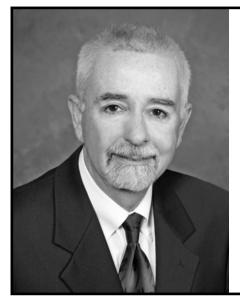
every month and met with at least 14 clients, one of the highest PROSAP volunteer rates that year. Furthermore, she kept at least one dissolution case with serious domestic abuse issues for full representation. In 2017, Lisa donated over 100 hours of pro bono service with the VLP. In addition to her pro bono service with LASO, Lisa also volunteers monthly with St. Andrew Legal Clinic, and represents children through the Multnomah County Children's Representation Project.

Lisa strongly believes that it is a privilege to be an attorney, and that she has a responsibility to give back to others. Early in 2017, Lisa met with a PROSAP domestic violence survivor and within 20 minutes knew she would keep the case for representation. "It was an immediate intuitive decision on my part," Lisa said. "This person had a complex, difficult case ahead of them, and I believed they were in great need of legal assistance." That case recently

settled, with a just outcome for the client. "It was incredibly satisfying to help this particular client navigate the legal waters pertaining to the case," Lisa noted. "And during the course of my representation, I also learned civil and evidentiary procedural rules that I might not otherwise have learned for years, if ever."

Lisa encourages attorneys, especially other new attorneys, to consider pro bono service. "For a newly admitted attorney, volunteering with LASO

provides excellent practical experience," Lisa shared. "LASO has multiple volunteer opportunities in many areas of law, so you're bound to find something that will coincide with your interests. It's a great way to start your legal career, and of course you get to provide a valuable service to low-income clients who might otherwise never be able to afford legal representation."



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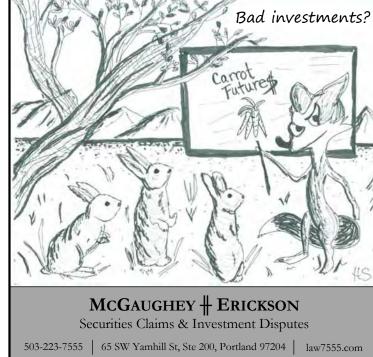




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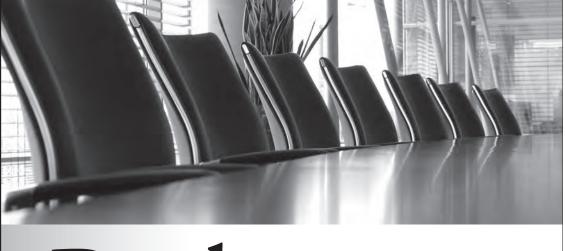
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## MULTNOMAH LAWYER

June 2018 Volume 64, Number 6



## What Don't I Owe to the MBA?

by Andrew Schpak MBA Past President

Typically, outgoing MBA Presidents use their final article to recap the MBA's accomplishments in the past year and reflect more broadly on how the year went. However, when I sat down to start drafting this article, I could not

help but reflect a bit more broadly on what my MBA involvement has done for me. With membership declining in not just the MBA, but also the ABA and OSB, it is more important than ever that bar associations deliver value to their members. I cannot help but feel like I am a walking case study for what MBA involvement can do for an attorney's life and career.

I'll start with the most personal example: I have the MBA to thank, albeit indirectly, for meeting my wife. I met Colin Andries through the MBA YLS and got to know him better through our involvement with the ABA YLD. We hang out socially from time

to time, and back in 2014, he invited me to a dinner party at his house. I was slightly hesitant I am a walking to go to a dinner party at which I worried I might be the third (or fifth) wheel. However, it was a great mix of people, and I ended up sitting next to a smart and charming woman with whom I immediately clicked. She and I started dating shortly thereafter, and fastforward a little over four years, we are married with an eight-month-old daughter. What is the

case study for what MBA involvement can do for an attorney's life and career.

moral of the story? There are two: 1) you never know where your MBA connections will lead you and 2) never turn down an invite to a dinner party hosted by Colin.

As if having the MBA to thank for connecting me to my wife was not enough, I have the MBA to thank for introducing me to a number of people who have become close friends. My first form of MBA involvement was the 2004-05 MBA YLS Membership Committee. I remain good friends with over half of those committee members, and I count one of them as a best friend (and former roommate).

On a more professional note, I have met at least seven people through MBA involvement who Barran Liebman went on to hire, including two people who are now partners at the firm. Traci Ray might not have joined Barran Liebman and eventually become our firm's Executive Director if I had not met her and Sean Ray at a young lawyer event and raved about the people and culture at our firm. I think it is fair to say that, if you or someone you know is either actively looking for a job or else just considering a move, the MBA and its Mentor Program can be invaluable, and your MBA connections make all the difference in setting your application apart from the pack.

For those who are most concerned about the cost-benefit analysis of membership, I'm a poster child for the value that MBA service can have on client development. I did not join the MBA or its committees to generate business, but it has been a clear side effect of my involvement. Although I now get referrals from past clients, ABA contacts, and through presentations and publications, my first

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PRSRT STD U.S. POSTAGE PAID PORTLAND, OR PERMIT NO. 00082 few referrals came through MBA contacts. The MBA gives you the opportunity to get to know lawyers from all practice areas and to see how they perform in volunteer capacities within the organization. If you work hard, do good work, and treat people well, people notice. Whether it is an MBA or MBA YLS committee, I encourage attorneys not to underestimate the possibility that the person sitting next to you in a meeting or CLE may be a current or future referral source.

Perhaps what I am most thankful for is the opportunity that the MBA has given me to serve the public and the bar. I have friends who

are lawyers scattered across the United States and the globe, and our association is unique in how easy it is to get involved. Just sign up for a committee, identify a couple of preferences, and you will probably get an appointment. The more involved you get, the more opportunity there is for innovation in service delivery and public service. My involvement with the MBA has

...[Our] association is unique in how easy it is to get involved.

allowed me to bring together stakeholders to help brainstorm about collaboration and addressing common challenges, unify the tech and legal communities to develop innovative approaches to bridging the access to justice gap, and help create tools to promote procedural justice for self-represented litigants.

If you are still reading, you now have the impression that I have the MBA to thank for my wife, many of my closest friends, some great co-workers, my book of business, and for service opportunities. All of that is true. I have certainly dedicated tremendous amounts of time and effort to the association, but I think it is fair to say that I have gained just as much if not more than I have given. Thank you all once again for the opportunity to serve as your 2017-18 MBA President. It has been a tremendous honor, and a highlight of my career. I am excited to pass the gavel to incoming President Rima Ghandour, who will bring her own fresh perspectives and insights to the role and continue a long legacy of leaving this organization better than we found it.

# BATTLE OF THE LAWYER BANDS

**Thursday, August 9** 7-9 p.m. **Kennedy School** 5736 NE 33rd Ave., Portland

Join the MBA Events Committee for this CourtCare fundraiser. Bands comprised of at least one Oregon lawyer will compete for the title of "Best Oregon Lawyer Band 2018." Judges from the MBA legal community will decide the winner at the end of all the performances. Bring your family and friends and cheer for your favorite band! Crowd applause and interaction will be one of the criteria on which judging is based, in addition to the Audience Choice Award. Suggested donation: \$10.

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## JUNE

#### 6.5 Tuesday **Washington and Clackamas County Court Updates** Judge Kathie F. Steele

Judge D. Charles Bailey

#### 6.6 Wednesday **Multnomah County Trial Practices Update**

Judge Stephen Bushong Judge Kathleen Dailey

#### 6.12 Tuesday

**Environmental Cleanup: Could** an "Ability to Pay" Settlement and Insurance Trust Get Your **Client Out Early?** 

Larry Burke Mike Farnell Emily Miller, moderator

#### 6.20 Wednesday **Application of New Tax Laws**

Mandy Chan Bill Manne Jason Orme

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## Congratulations, **Award Recipients**

The May 2 MBA Annual Meeting, Dinner and Judges Reception recognized exemplary members of our profession, the MBA Professionalism Award recipient Carolyn Walker and the MBA Diversity Award recipient Ernest Warren. In addition to Carolyn and Ernest, seven outstanding volunteers were recognized. MBA Awards of Merit were presented to David Bean and Joe Franco. The YLS Award of Merit was given to Amelia Andersen. Ashley Carter received the YLS Rookie of the Year Award. Pro Bono Awards recognized Lisa Kenn, John Koch and Judge Peter McKittrick and the OSB Debtor-**Creditor Pro Bono Committee.** 

Congratulations to all the very deserving award recipients!

Thank you to MBA Annual Meeting sponsors

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Andrew Schpak and Mary Tollefson pictured with award recipients Amelia Andersen, Joe Franco, Ashley Carter and David Bean



Andrew Schpak with Pro Bono Award recipients Lisa Kenn, Judge Peter McKittrick and John Koch



Justice Rives Kistler, Judge Kathleen Daily and Judge Chris

## Calendar

## JUNE

6 Wednesday OAPABA Annual **Elections Meeting** www.oapaba.org

7 Thursday **Topgolf Social** Details on p.4

12 Tuesday

Coalitions of Communities of Color Summer Soiree coalitioncommunitiescolor.org

14 Thursday Solo and Small Firm Social Details on p. 4

27 Wednesday YLS Summer Social at **Thorns FC Match** Details on p. 12

## JULY

12 Thursday

Oregon Women Lawyers Foundation Summer Event www.oregonwomenlawyers.org

19 Thursday **MBA Family-Friendly Golf Event** Details on p.4 or see insert

**OWLS Dress for Success** Fundraiser and Fashion Show www.oregonwomenlawyers.org

26 Thursday

**OMLA Summer Social** and Auction www.oregonminoritylawyers.org

## AUGUST

9 Thursday **Battle of the Lawyer Bands** Details on p. 1

16 Thursday **YLS Pro Bono Pour** 

30 Thursday **OAPABA Annual Dinner** www.oapaba.org



Andrew Schpak and Bonnie Richardson present Carolyn Walker with the Professionalism Award



Vera Warren and Andrew Schpak present Ernest Warren with the Diversity Award



Chief Justice Tom Balmer and Judge Michael Simon



Justice Adrienne Nelson and Laura Salerno Owens



Judge Ben Souede and Elisa Dozono