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TWO OREGON WOMEN OFFER A BOLD PROPOSAL FOR COMBATING DISCRIMINATION IN COURT CASES

When it comes to combating inappropriate male conduct through the American courts, women have fought and continue to fight an uphill battle. But a new book, *A Law of Her Own: The Reasonable Woman as a Measure of Man* (New York University Press), offers hope in the form of a bold proposal for trying cases involving accusations of harassment and abuse in the workplace and at home.

Co-authors Caroline A. Forell and Donna Matthews, both of Eugene, propose that in such cases the courts apply a "reasonable woman" rather than the currently favored (and presumably neutral) "reasonable person" standard of behavior. Some courts—among them a number of appellate courts—have recognized that the reasonable person standard is far from neutral and have begun to apply a reasonable woman standard.

To develop their thesis, authors Forell, a professor of law at the University of Oregon, and Matthews, a family law attorney in private practice, offer a thoughtful and remarkably comprehensive analysis of court cases in several areas: sexual harassment at work, gender- and race-based harassment, stalking, domestic homicide, and rape. In each area, the authors examine key cases, most of which were decided using the "reasonable person" test to determine whether the target of abuse had a credible case and whether the accused was blameworthy. In most instances, the authors show what would happen if, instead, a "reasonable woman" standard had been applied.

If the standard changed, the key question would no longer be *Would a reasonable man feel intimidated by a co-worker, afraid of a stalker, terrified of a violent mate?* "Under our standard," the authors say, "decision makers [involved in cases of domestic homicide] would judge the killer in terms of whether a reasonable woman would have lost control and killed in the circumstances. Only secondarily would



Donna Matthews (left) was a senior law student at the University of Oregon when she began to work with law professor Caroline Forell (right) as her co-author. Photo © Suzanne Lewis.

they consider the victim's 'provocatory' conduct."

In rape cases, "the culpability of the accused rapist would be measured by whether, in the same circumstances, a reasonable woman would have believed consent existed and behaved similarly to the accused...." Nor would a man be able to act in a violent or threatening manner because a woman "provoked" him. Instead, the courts would recognize that each of us has a choice, where intimidation and violence are concerned, and must take responsibility

for our own actions.

This is not the first time a reasonable woman standard has been proposed in print, but the authors feel that their standard would avoid problems with earlier versions, which they feel "make women into either victims or pseudomen." The standard Forell and Matthews propose, they say, "seeks to achieve meaningful equality by empha-

Continued on page 12

SPRING CONFERENCE

Oregon Women Lawyers' Annual Spring Conference will be held **Saturday, April 29**, at the newly dedicated law school on the University of Oregon campus. This year's theme is **Making the Most of Your Practice**, and the conference will focus on various aspects of practice management. In the afternoon general session we will hear from a panel of judges from around the state, giving their tips on "How to Make or Break Your Reputation."

PLEASE MARK YOUR CALENDARS NOW. Further details will be available in a conference brochure, which will be mailed to all OWLS members well in advance of the conference.

President's Message



Marilyn
Litzenberger

If you missed the X-Party Celebration ("OWLS Turns 10"), you missed a great time. Everything about the party was first class, from the CLE Panel on "Surviving the Disciplinary Process" to the Silent Auction benefitting

the OWLS Foundation. Diane Rynerson and Kathryn Ricciardelli put together a fantastic video presentation cataloging photographs from OWLS' 10-year history. Each past OWLS president spoke about the highlights of the year when she led the organization. Entertainment was provided by Armonica Gilford. (If you have not had the opportunity to hear her sing, you are really missing something!) Lots of work went into putting on this showcase event. Hats off to the members of the planning committee chaired by Terri Kraemer and Kathryn Ricciardelli.

The holidays are behind us, and I hope you had a chance to spend a few relaxing moments with friends and family. January is the season for making resolutions and planning how we will spend our time during the new year. Work has a way of making itself a priority, espe-

cially if we let it. I remember listening to Barbara Bush's remarks to one of the graduating classes at Wellesley College when she was First Lady. Something she said has always stayed with me: Spend at least as much time and energy with family and friends as you do at work. You will quickly forget the "big deal" or "big case" that consumed your days, nights, and weekends for weeks or months on end, but memories of times spent with those you love will stay with you forever. Mrs. Bush is right. Keep work in perspective and don't let it take over the rest of your life!

Women make up a significant portion of the membership of the bar today, so we have the opportunity to redefine the traditional model of practicing law, to define success in our own terms, and to make the practice of law a bit more humane for everyone. This sort of thing does not happen overnight, but it can and will happen as more women and minorities achieve partnership in law firms and break through the glass ceilings in corporate legal departments. Retaining women and minorities in our profession is key to changing the culture. OWLS is committed to this issue. If you are interested in helping OWLS "shift the paradigm," call me or Sunny Radcliffe—Do we have a committee for you!

I am frequently asked to address what OWLS is doing to promote women and minorities to leadership positions in the bar, on the bench, and in the community. JEWEL-PAC was a visible, but separate, arm of Oregon Women Lawyers. It has been gone for almost two years but is now being reconstituted as a special board committee made up of a cross section of practitioners (civil, criminal, family) from both sides of the bar. The Endorsements Committee is in the process of developing criteria for awarding endorsements and the procedures for reviewing requests for endorsements from judicial candidates.

Of course, endorsing candidates is just one aspect of promoting women and minorities to leadership positions. Recruiting qualified candidates is equally important. An example of effective recruiting is the recent success of OWLS member Lisa LeSage. With the full support of OWLS, Lisa announced her intent to run for the OSB Board of Governors early on and then took the necessary steps to secure informal support from a broad cross section of the bar. As a result, she was one of only two candidates for the position and is now running unopposed. Congratulations Lisa!

Marilyn

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OWLS Creates Career Panels

By Sarah Crooks

In the fall, OWLS sponsored career panels at each of the three Oregon law schools. The panels provided second- and third-year law students with valuable insights and tips on how to find the right law job to fulfill their professional goals as well as bring them personal satisfaction.

The panel at Lewis & Clark on October 12 featured Portland attorneys Su Suh, Leslie O'Leary, Donna Oden-Orr, and Nancy Cozine and was moderated by OWLS member Trish Flanagan. On October 13, OWLS board member Stephanie Harper moderated a panel of Salem attorneys at Willamette Law School that included Ann Boss, Rudy Westerland, Kim Hoyt, and Gina Johnnie. At the University of Oregon on October 18, OWLS president-elect Debra Pilcher moderated a discussion with Eugene attorneys Laura Montgomery, Carrie Cogswell, and David Jacobs.

Sarah Crooks is judicial clerk to The Honorable Owen M. Panner.

Save the Date—

The Justice Betty Roberts & Judge Mercedes Deiz Awards Dinner Is Set for March 10, 2000

Mark your calendars now for the Eighth Annual Roberts-Deiz Awards Dinner, set for March 10 at the Portland Hilton. Oregon Women Lawyers is proud to announce this year's award recipients: Maureen McKnight for the Justice Betty Roberts Award and Madelyn Wessel for the Judge Mercedes Deiz Award.



Maureen McKnight

Maureen McKnight is an attorney with Legal Aid Services of Oregon and has been providing legal services to low-income citizens for the last 19 years. She is one of the most accomplished and respected family lawyers in the state with a long history of making Oregon a better place to live for all women. Maureen has advised and supported many women lawyers over the years and created an environment at Legal Aid in which the careers of women prosper. *Congratulations, Maureen!*

Madelyn Wessel is a Chief Deputy City Attorney in Portland, where she specializes in affirmative action, constitutional and employment law, and civil rights. Her professional accomplishments include drafting the City of Portland Civil Rights ordinance and managing the Oregon Regional Disparity Study in 1996. Madelyn has been instrumental in the design and promotion of the Oregon State Bar Affirmative Action program, which is a model for other state bars. Through her tireless efforts, Madelyn has personally advanced racial, ethnic, and cultural diversity within the legal profession. *Congratulations, Madelyn!*



Madelyn Wessel

OWLS is also pleased to announce that the entertainment for this year's Awards Dinner will be provided by Obo Addy, a master drummer and bandleader from Ghana, West Africa. Obo Addy and his performance company blend ritual music standards with contemporary international music to create an enlivening and engaging atmosphere.

As a prominent member of the first generation of African musicians to bring their traditional and popular music to



Obo Addy and his performance company will provide the entertainment for the awards night

Europe and America, Obo Addy embodies the past, present, and future of Ghana's musical culture. Addy has a 20-year presence on the international performing arts scene and has become known for his ability to celebrate past traditions while expanding to embrace new ideas and foreign influences.

Please join us for the awards presentations and this international musical experience. We promise it will be an evening to remember. Look for your invitations in the mail at the end of January!

While you're in Portland for the Roberts-Deiz Awards Dinner, plan to attend the OWLS Foundation's CLE on **Communication Styles in the Workplace**. The presenter, Ann Swallow, M.A., is a frequent speaker on the topic at businesses and professional organizations. The seminar will be held at the Marriot in downtown Portland, with a morning session that repeats in the afternoon. (*CLE credit is pending.*) Only 35 participants can attend so early registration is important. Call Wendy Beth Oliver (503) 775-5032 for information.

OWLS Seeks Candidates

The OWLS board is interested in hearing from members who wish to become directors or who would like to nominate officers. Directors serve three-year terms and attend nine half-day Saturday board meetings each year, as well as working on some committees. Officers (who also serve on the executive committee) are elected from among directors who have served at least one year. If you or someone you know has the time, energy, and enthusiasm for board service, please send your nomination to: Nominating Committee, Oregon Women Lawyers, P.O. Box 40393, Portland, OR 97240 or call Trudy Allen at (503) 797-0219 for information.

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Breast Cancer Websites: Just a Few Clicks Away

By Meredith McKell Graff

A year ago, breast cancer was some thing that happened to someone else. Now, less than a year after my mastectomy, I am a breast cancer survivor. I learned I had breast cancer following a routine mammogram and biopsy. Fortunately, my breast cancer was non-invasive; that is, the two cancers my surgeon found in my right breast were confined to the ducts and had not invaded my

lymph nodes. The hardest part of my recovery has been my reconstruction. I chose to use my own tissue, my abdominal muscle, to recreate my right breast.

For the first three weeks, I was not able to stand completely upright, due to the large, hip-to-hip incision below my navel performed to harvest the muscle tissue. Once I was able to sit up at my computer, I began looking for information and sup-

port via the Internet. Using the Yahoo! search engine and asking for "breast cancer," I had over 350 hits, or sites. There are probably more than that, accessible through other search engines, as well as through some of the sites themselves.

The many breast cancer sites can be categorized as Information, Research, Products, Memorials, and Support. Because I never thought I would be at risk for breast cancer, I knew very little about it and needed information first. Almost as important, I needed support. The support group at my hospital met at 6:00 p.m. in northwest Portland, but even after I was able to drive I wasn't up to fighting rush hour traffic to participate.

I am now nine months out from my mastectomy and back at work. I work in a small law firm and put in long hours as a paralegal. (While admitted to the Utah bar, I missed the Oregon bar by a small margin when I sat for the exam the day before my mastectomy.)

When I get home at night, I am too tired to sit down at another computer monitor to check in on my support groups. However, knowing they are there, and there for me if I need them, gives me comfort. While I have never met any of the women and men with whom I have talked in some of these sites, I feel just as close to them as I do my real-time friends. A day doesn't go by that I don't wonder whether my cancer will come back. If it does, I am only a few clicks away from my support network.

Meredith McKell Graff is a paralegal with Steven Allen Smith, P.C.

In our next issue, we will feature an article that focuses on support systems that some women lawyers have created and relied on to help them in their battles with cancer.

* * *

NOW FORMING— BREAST CANCER SUPPORT GROUP

An organizational meeting for a breast cancer support group will be held from noon to 1 p.m. February 24 at the law office of Jan Hardman, Suite 680, 1 SW Columbia Street in Portland. Survivors, supporters, and anyone else who is interested are welcome. For more information, call Jan at (503) 224-8554 or Kathy Foldes at (503) 641-7010.

HELPFUL WEBSITES

The following sites may be of interest to others who are in my situation or who have family members experiencing breast cancer:

■ **BREAST CANCER ON-LINE SUPPORT** (<http://pages.prodigy.net/relayasap/bc/>) founded by David and Elizabeth Land. Elizabeth is two-time breast cancer survivor and is currently undergoing treatment following her second mastectomy. A visitor may write his or her story in the current guest book or just read the four guest books.

■ The "mother" of all sites—the **AMERICAN CANCER SOCIETY'S BREAST CANCER NETWORK** (www2.cancer.org/bcn/index.html). This helpful site has information on Survivorship, News, Advocacy, Information, and Resources. Under Resources, there are several programs targeted at people with breast cancer, such as the "Reach to Recovery" program, wherein other "bc" survivors visit people in the hospital following their surgeries. Other programs include, "Road to Recovery," "I Can Cope," "TLC," and "Look Good . . . Feel Better." The latter program offers undergarments for sale to women who have had mastectomies, as well as head coverings such as wigs and hats for women undergoing chemotherapy.

■ **THE NATIONAL ALLIANCE OF BREAST CANCER ORGANIZATIONS** (www.nabco.org/). The National Alliance provides information on research trials, such as the STAR trial, which is comparing the effectiveness of raloxifene to the breast cancer risk-reducing drug tamoxifen. NABCO also has information on prevention, reconstruction, support groups, and cancer events throughout the country. I learned here that in addition to Good Samaritan's breast cancer support group, there are at least three others in Oregon: St. Vincent Hospital and Medical Center/Portland (503) 291-4673, Community Health Resource Center/Springfield (541) 744-6123, and Meridian Park Hospital/Tualatin (503) 692-2113.

■ **THE SUSAN G. KOMEN BREAST CANCER FOUNDATION** (www.komen.org/sgk). This organization, which has received wide publicity due to its sponsorship of the Race for the Cure every September, is the largest private funder of breast cancer research in the United States. This organization was founded in 1982 by Nancy Brinker, whose sister, Susan G. Komen, died from breast cancer. Since its inception, the foundation has raised over \$90 million for breast cancer research, education, screening, and treatment. It is a great site on which to find products and events related to breast cancer.

■ **THE MALE BREAST CANCER INFORMATION CENTER.** The Center, started by Bob Stafford, is a great place to get support and information (interact.withus.com/interact/mbc/).

■ **THE INTERNET NEWSGROUP.** From my participation in the newsgroup, "alt.support.cancer.breast," I met a wonderful group of people, many regulars to the site, who became my daily support group. It was there that I met Catherine, who is flying back and forth from Hawaii to her home on Midway Island for chemotherapy treatment.



Dave Brumer and Renee Schmeling-Brumer on their wedding day in October.

In Memoriam

Renee Schmeling-Brumer

By Heidi Van Kirk, Pendleton

Renee Schmeling-Brumer died of complications from cancer surgery on November 9, 1999. Those of us whose lives she touched will miss her greatly. She was a valued friend and colleague, and it is still difficult to accept that she is gone.

Renee had a great zest for life. She was always up for hiking, skiing, or going on a trip for the weekend. She also was active in Oregon Women Lawyers, serving on the OWLS board for three years. She swam the Columbia and climbed Mount Saint Helens, sometimes in the same week. With all her activities, she spent few weekends at home. However, she bought a house she loved in Pendleton and cherished her vegetable garden and flowers.

At the offices of Intermountain Public Defender, Renee was a very talented trial attorney who knew her cases intimately and rarely lost at trial.

When Renee found out that she had adrenal gland cancer, she faced the disease with the same life-affirming, can-do attitude with which she faced the other challenges in her life. She also did the one thing she really wanted to do: marry her longtime boyfriend, Dave Brumer. They were married on October 11, 1999, one week before the surgery from which she never recovered.

Renee was born on April 5, 1968 in Lincoln, Nebraska to Richard and Jean Schmeling. She attended college at the University of Texas at Austin and attended law school at the Northwestern School of Law of Lewis & Clark College. She is dearly missed by her husband, her parents, her sister Suzanne, her brother and sister-in-law Paul and Tammy Schmeling, the staff at the Intermountain Public Defender, and her friends and loved ones. We all wish Renee well in the Court of Final Appeal.



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On the Move.

■ **Lori Brocker** has received the Oregon Newspaper Publishers Association's 1999 President's Award. She is the ONPA's general counsel and director of government affairs.

■ **Judge Anna J. Brown** was sworn in on October 27 as the newest judge of the U.S. District Court for Oregon.

■ **Lisanne M. Butterfield** has joined Larkins Vacura in Portland as of counsel. She plans to continue her practice of real estate and business litigation, with a primary focus on disputes involving small businesses.

■ **Caroline Marnock Carey** and **Maryann Yelnosky** have been made partners of the firm of Barran Liebman LLP.

■ **Paula A. DeGrandis** has joined the intellectual property firm of Klarquist, Sparkman, Campbell, Leigh & Whinston.

■ **Shelley K. Edling** has relocated her office to 330 NE Lincoln St., Suite 100, Hillsboro.

■ **Jill Fetherstonhaugh** has opened the Business Law Centre, her new law practice in Eugene, where she provides Or-

egon companies and entrepreneurs with innovative legal options in business and employment law.

■ **Susan Hammer** has been named to the board of trustees of Willamette University and the board of directors of Planned Parenthood of the Columbia/Willamette.

■ **Natalie L. Hocken** has joined Heller, Ehrman, White & McAuliffe in Portland, where she will continue her practice of energy law.

■ **Kate Hoskinson** has been appointed assistant attorney general in the human services section of the Oregon Department of Justice's general counsel division.

■ **LeAnne K. Jabs** has joined the firm of Barran Liebman LLP, where she represents employers in litigation and disputes.

■ **Jerome LaBarre** has been appointed to the Multnomah County Circuit Court bench to replace Judge Anna Brown, who was appointed to the federal bench. He has been assigned to the regular trial docket.

■ **Kirstin E. Lurtz** and **Daniel A. Cross** have established the firm of Cross & Lurtz in Hillsboro. The firm focuses on in criminal defense, family law, personal injury matters, and juvenile law, including appeals.

The office telephone number is (503) 640-9509.

■ **Sue-Del McCulloch** has joined Ramis Crew Corrigan & Bachrach's Employment Practice Group, where she will focus her practice on civil litigation with an emphasis on employment litigation.

■ **Emi A. Murphy** has joined Tarlow Jordan & Schrader, representing business clients in employment and business disputes.

■ **Lynne Perry** has been appointed assistant attorney general in the natural resources section of the general counsel division of the Oregon Department of Justice.

■ **Brenda Rocklin** has been appointed attorney in charge of the district attorney assistance section of the criminal justice division of the Oregon Department of Justice.

■ **Cecil A. Reniche-Smith** has joined the firm of Zimmer & Bunch as an associate. The firm emphasizes family law, including appeals.

■ **Debbe Stein**, a Dallas attorney, was nominated for the Eldon Guy Schafer Champion of Small Business Award for her volunteer work with small businesses in Oregon.

■ **Theresa M. Wade** has joined the firm of Duffy Kekel LLP as an associate.

■ The American Judicature Society has elected its first board and officers: **Judge Sidney A. Galton**, President; **Mary Ellen Page Farr**, Vice President/President-Elect; **Heather J. Van Meter**, Treasurer; and **Jerome E. LaBarre**, **Nancy S. Tayman**, and **David A. Hytowitz**, board members.

Candidate Alert—

OSB/ABA Filing Deadline Is March 17

The election for the Oregon State Bar House of Delegates will be held the third Monday in April, as will an election for two positions in the American Bar Association's House of Delegates. As we go to press, OWLS member Katherine H. O'Neil is running for reelection to the ABA House of Delegates as the state delegate for Oregon, and we strongly encourage other OWLS members to consider running for the OSB and ABA positions.

All nominating petitions must be delivered to the OSB offices by 5 p.m., March 17. To receive information, nominating petitions, and candidate statements, call Carol Guile at (503) 620-0222 or (800) 452-8260, ext. 308. Or visit the OSB website at www.osbar.org.

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The OWLS 10th Anniversary "X-Party," a tribute to the history of Oregon Women Lawyers, was a wonderfully meaningful and entertaining evening, as the photos on this page show. Our thanks to the X-Party Planning Committee: Co-chairs Teresa Kraemer and Kathryn Ricciardelli and committee members Karen Adams, Pat Chor, Jan Hardman, Lisa LeSage, Helle Rode, and Joanne Southey.

**Thanks to Those
Who So Generously
Supported Our Celebration**



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Flowers Tommy Luke**

**KEEPSAKE VIDEO
AVAILABLE**

For the X-Party, a collection of memorable OWLS photographs was compiled in a 30-minute video, which is now for sale at \$25. This keepsake captures special moments in OWLS' history, ranging from its early events to the 1999 Roberts/Deiz Awards Dinner. A contribution of \$10 from each sale will be donated to OWLS. To place your order, please call Kathryn Ricciardelli at (503) 671-7225. Allow 3 weeks for delivery.



Top left. Diane Rynerson, executive director for most of OWLS' formative years, with Trudy Allen (right), OWLS Foundation historian. Top right (from left to right). Pat Chor, Kathy Foldes, and Connie Wold



Left (from left to right). The Honorable Betty Roberts, Nancy Moriarty, and Susan Glen



Left (from left to right). President-elect Debra Pilcher, with Janet Regnell

Below. OWLS founding president Katherine O'Neil blows out the candles on the X-Party cake as the current and past presidents look on.



When Judge Ellen Rosenblum asked me to write this article last summer, I agreed—thinking I would discuss such things as professionalism in the courtroom and in the practice of law, blending our families and our careers, working part time, or courtroom practice tips. Of course, I didn't write this article last summer but waited until the deadline for submission approached. And then a few weeks ago, my mother died after over a year in hospice care. This was after my husband had lost his father to a heart attack last June and his sister to breast cancer in July the year before. So not surprisingly, my thoughts these days are focused on the larger picture of what our lives and our professions mean for us, our families, and the world in which we live.

As difficult as these events have been, there have been many gifts and lessons to come from them as well. One of the lessons is how little control we have over so many of the things that can happen. Learning to let go of the need to control has been a big lesson for me, and one I continue to struggle with. These lessons have led to a greater appreciation of how "It could be me" as I encounter those who appear before me in court—many of whom are mentally and emotionally ill, injured and sick, poor, dysfunctional, or under other tremendous stresses.



BY THE HON. REBECCA ORF

I've also seen how very lucky I am. To have been born with the intelligence and opportunity to engage in the legal profession in a country where disputes are primarily resolved through the courts puts all of us ahead of the majority of the world's people. To have access to good medical care is something that many lack. To have been raised in a family that cares about and takes care of its members is something that many people never experience. With my mother's death, I became a "parentless child" (my father having died twelve years ago). The process of adjusting to the loss of my mother has caused me to ponder what it must be like for those who—like many of the children and adults with whom I deal—have never really had a parent to provide care, sustenance, and guidance. The list of things to be thankful for goes on and on. And as I read somewhere recently, it is almost

impossible to feel sad, angry, or depressed while feeling gratitude. I've found this to be true.

My mother's long illness has also shown me that we still have a way to go in having society see family obligations as something to be shared by both men and women and has underscored how important it is for us to teach our sons, as well as our daughters, to nurture. I was fortunate to have a husband who cared about my mother as if she were his own and shared in her care. However, I've had numerous conversations with other women on whose shoulders fell the sole or major responsibility for caring for aging parents, while husbands and brothers stood by. At my mother's funeral, my aunt made a comment about how lucky she was to have three daughters to take care of her. Realizing as soon as she said it that I have two sons and no daughters, she quickly added, "Hopefully your boys will marry good women." As much as I may also hope that this will happen—it is for their sake, not mine. Rather, my hope is that my sons will grow up realizing that men, as well as women, can provide emotional and physical care for those they love. One of the most touching moments in my mother's final days was watching my fifteen-year-old son spoon-feed her after she became unable to feed herself. When I later thanked him, he said to me, "You don't need to thank me—she's my grandma." Indeed, one of the greatest gifts from these events is the sense of family nurturing and closeness that has grown, especially for my sons.

There are other OWLS members who also have cared or are currently caring for their aging parents, ill children, partners, or other family members and loved ones, as well as those who are dealing with their own illnesses and disabilities. Many of them are dealing with situations much more difficult than what I have related. I appreciate this cathartic chance for me to discuss some of my recent personal experiences, and I hope that in some way what I have written may be helpful to others in similar situations. One of the primary reasons I became an OWLS member was the occasions the organization provides to share with other lawyers our personal experiences and how to fit our professional lives around them. OWLS continues to provide us with a unique opportunity to support one another in this way.

Rebecca Orf is a Circuit Court judge in Jackson County.

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OWLS is pleased to present this series, designed to provide practical information and useful tools for those who are interested in pursuing a change in work setting or in the conditions under which they work. Programs will be held from 4:30 to 6:00 p.m. in the Standard Insurance Center Café Classrooms, 900 SW 5th Avenue, Portland. Registration is at the door and is \$10 per program or \$30 for the series.

The Inside Scoop on Making a Move (February 3). Attorneys who have jumped to jobs they love will offer their insights on conducting the search for a position that better suits you, negotiating the interview process without endangering your current job, and terminating your relationship with your current employer. Sylvia Stevens of the Oregon State Bar will discuss the ethical issues that arise when lawyers change workplaces. (.5 Ethics Credits Applied For)

Earning What You're Worth: How to Negotiate a Fair Salary (February 24). Conducting successful salary negotiations is a skill that can be learned and improved upon. Lisa LeSage of Northwestern School of Law of Lewis & Clark College will offer practical advice on preparing for and conducting successful salary negotiations. Darcy Norville of Tonkon Torp will join Lisa in demonstrating good negotiation techniques. Rod Wegener of the OSB will discuss the OSB's Economic Survey, which revealed significant gender-based salary gaps. Allen Barteld of The Associates Legal Staffing & Recruiting will offer information on the job market and current salary levels.

Negotiating an Alternative Work Arrangement (March 16). Interested in adapting your work situation to better accommodate personal or family needs? Panel members will offer advice on how to approach your firm, issues to consider during negotiations, what to include and omit in the alternative work agreement, and how to deal with issues that will likely arise in the course of working an alternative schedule or working from a remote location.

Starting Your Own Practice (April 6). Dream of being your own boss? Find out how to start your own practice from women attorneys who have done it. A representative from the PLF will discuss the information and assistance the PLF provides to lawyers starting a practice. A representative from the U.S. Small Business Administration will present information about SBA programs and services.

Around Oregon

■ **Lane County Women Lawyers** will meet at the Oregon Electric Station at noon on February 18 to hear **The Honorable Virginia Linder** discuss "Appellate Practice—How To Change a Judge's Mind!" Her talk will cover helpful oral argument and brief writing tips. Everyone is welcome to attend the luncheon, which costs \$9. Please call in your reservation to Sharon Jutila at (541) 485-0220, or e-mail her at sharon.jutila@harrang.com by Wednesday, February 16. Lane County Women Lawyers also says **VOLUNTEERS ARE NEEDED** for the **Truffle Shuffle** on Sunday, February 13, 2000. To volunteer, contact Sharon Jutila.

■ **Mary Leonard Law Society** meets on February 10, March 9, and April 13 (Thursdays) in Salem. Society board meetings will be held on February 17, March 16, and April 20 (Thursdays). For more information, contact Mary Mertens James at (503) 371-3330.

■ **Queen's Bench in Portland** has chosen new officers and board members for the year 2000. They are Norma S. Freitas, President; Katherine Foldes, Vice President; Adrienne C. Nelson, Secretary; Kimberly A. Kaminski, Treasurer; Ingrid M. McTaggart, Immediate Past President; Lori E. Deveny, OWLS Liaison; Kathryn J. S. Fritz and Susan C. Glen, Members at Large. In January, Queen's Bench was addressed by Karen Garst, Executive Director of the Oregon State Bar. On February 8 the speaker is Multnomah County Chair **Beverly Stein**, discussing "Priorities for the County: Where Will the Money Go?" Meetings are held from noon to 1 p.m. in the tenth-floor Georgian Room at the downtown Meier and Frank store.

■ On January 26, **Rogue Women Lawyers** co-sponsored a confidentiality workshop with the local chapter of the Oregon New Lawyers Division. The event featured speakers from the Oregon Attorney Assistance Program.

■ **Washington County Women Lawyers'** planning committee (Kirsten Thompson, Barbara Fredericks, Neisha Saxena, and Leslie Gordon) have been mapping out plans for the year 2000. WCWL holds regular lunch meetings at Miller's Homestead Restaurant at 640 SE 10th Avenue in Hillsboro. For information about upcoming meetings, call Kirsten Thompson at (503) 648-3020.

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THE CONTRACT LAWYER REFERRAL SERVICE

By Katherine Foldes

As a service to our members, the OWLS Contract Lawyer Referral Service will answer questions about contract work and contract attorneys. Feel free to submit your question for upcoming issues. For more information about the Referral Service, call Kimberly Kaminski at (503) 228-0097.

QUESTION: As a contract lawyer, I'm trying to keep up with technology and the Internet. Can you tell me about the latest free legal research on the Internet?

ANSWER: Terry Weiner, an Oregon State Bar member and founder of TMW Consulting, spoke to the November net-

working meeting of OWLS Contract Lawyer Referral Service about this very subject. Did you know that free Internet legal research now has its own acronym, ILR?

Terry pointed out the important facts to know about ILR. First, ILR is divided into two categories: primary and secondary sources. Primary sources are cases or other resources that can be cited to directly support the assertions in a brief. (The only problem that may arise is how to cite from these primary sources, but we'll get to that later.) Secondary ILR uses the Internet to find facts, evidence, discussion of cases, news stories, law journal articles, and other resources that can build or support a case.

There has been enormous growth in the number of government entities now putting primary sources on the Web. For example, Oregon cases began to be available on line in January 1998. However, according to Terry the cases available through the Oregon Judicial Department have no pagination and are linked to a fairly weak search engine. Willamette Law Online is a free subscription service providing slip opinions via e-mail for state and federal courts in Oregon, Washington, California, and Alaska. Oregon Laws includes links to the Oregon Revised Statutes, The Oregon Constitution, and legislative materials from 1995 to the present. Oregon Administrative Rules are available both by their number and through a search engine. State agencies have Web pages also. An easy way to find these links is through Terry's website at www.tmw-consulting.com. Terry provides this information as a free service.

Before you start your ILR project, explore the mega sites—legal Web sites that offer links to federal, state, and local resources. Do a test run on interesting links, try

a search, and see what happens. Some legal mega-sites are Findlaw, ILRG, legalonline, and The Law Runner. Secondly, plan your strategy. Just as you wouldn't spend hours meandering around Westlaw for a fee, you should remember that your time is money.

The final question is whether you can actually use the results of your search. In 1996 the ABA passed a resolution calling for a uniform citation system for Internet case information. A typical case would be cited with its name, the year it was decided, the number in sequence of the opinions of that court decided in that year, and the paragraph number. An example would be *Smith v. Jones*, 1999 Or 28, 5. The citation would then be followed by a Westlaw citation, if known. This system has been adopted in 11 states and one federal circuit court jurisdiction. Another and more difficult problem with citations to primary sources is cite checking. At this time, there is no reliable way to check the subsequent case history on the Internet. At the present time, ILR is a supplement to other methods of legal research and not a substitute. Keep tuned for more information on ILR!

Katherine Foldes is a facilitator of the OWLS Contract Lawyer Networking Group.

THE CONTRACT LAWYERS NETWORKING GROUP meets the third Wednesday of each month from 12 to 1 p.m. in the Standard Insurance Center, 900 SW 5th Avenue, Cafe Classroom A, in Portland. For more information, call Kathy Foldes (503) 641-7010 or Kim Kaminski (503) 228-0097.

OWLS LIST SERVE

OWLS has created a free e-mail list serve for our members. It is intended to facilitate communication about issues of interest to women lawyers business referrals, substantive legal issues, alternative work arrangements, family-friendly workplaces, and other challenges facing women lawyers. It is also a place to post job openings and announcements of events and speakers around the state.

You can subscribe to the list by visiting the OWLS website at <http://www.oregonwomenlawyers.com>. You will receive a welcome message once our list master adds your e-mail address to the list. Members can then send messages to the list serve's e-mail address and they will be distributed to everyone on the list. Please note that you must be a member of OWLS to join the list serve and only members of the list serve may post to it.

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People often think that once the legislative session ends, nothing happens in Salem until the whole process begins again two years later. However, that is simply not the case. Now is when the tough work begins and the foundation for future legislation is laid. For legislators, that means doing the hard work of researching and drafting legislation; for the rest of us, it means making contact with legislative candidates in our own districts. In fact, it is very important for lawyers and judges to establish and nurture positive relationships with local legislators as we deal with issues important to all of us during the fast-paced 2001 session that will follow the election cycle.

The only lawyers of the 90-member legislature expected to return next session are Reps. Kathy Lowe, Lane Shetterly, and Max Williams and Sens. Kate Brown and Peter Courtney. Other lawyers expected to return who are not active members of the Oregon State Bar include Sens. Dave Nelson and Randy Miller and Rep. Bill Witt. This dearth of lawyer-legislators—which has been felt more acutely with the advent of term limits—should concern the legal community. New legislators who take office face a steep learning curve, with enormous amounts of complex information. Fewer lawyers in the process translates into fewer legislators who understand the need for separation of powers in government and know the importance of adequately funding the judicial branch, establishing new judgeships, and strengthening other components of the system.

INTERIM GROUPS THAT ARE MEETING

During the legislative hiatus, numerous groups are meeting to deal with substantive changes in the law that will be of great interest to lawyers and judges alike.

• The Joint Interim Judiciary Committee met on November 15, 1999, at the State Capitol. Co-chaired by Sen. Neil Bryant and Rep. Lane Shetterly, the committee (Sens. Kate Brown, Ginny Burdick, Peter Courtney, Verne Duncan, and David Nelson and Reps. Kathy Lowe, Kevin Mannix, Floyd Prozanski, and Max Williams) reviewed projects that it will address before next session. Along with the civil commitment process, judicial selection, and child abuse reporting, the committee will review diversion in domestic violence assault cases, sentencing in criminal cases, criminal appeal costs and procedures, and minority shareholder rights in closely held corporations.

The Judiciary Committee is scheduled to meet February 23, April 26, June 21,



BY SUSAN EVANS GRABE

and September 6. This meeting schedule is subject to change, so confirm date, time, and place before appearing. Agendas will be developed within one month before the meeting date. For more information, call committee staff Bill Taylor or Anne Tweedt at (503) 986-1474.

• The Oregon Law Commission met December 1, 1999, at the Capitol to review the progress of its work groups and the program committee and discuss the status of funding for the commission's executive director. Currently the Oregon Law Commission has a number of ongoing work groups dealing with a variety of issues, including revisions to the juvenile code; spouses' elective shares; judgments and garnishments; consistency in language relating to civil rights; consistency in language relating to public bodies; conflict of laws; landowner liability; and judicial review of government action. Additionally, the commission intends to

consider changes to the statutes of ultimate repose and whether a "procedural clean up" of the constitution is necessary. Created by the 1997 Legislative Assembly, the Oregon Law Commission was established to provide a continuous substantive law revision program.

Chaired by Rep. Lane Shetterly, with Sen. Kate Brown as vice chair, the commission works closely with the three law schools, the Attorney General's Office, and bar groups in achieving its objectives. Its next meeting will be March 3, 2000. If you have questions or are interested in the progress of these groups, contact committee staff Bill Taylor at (503) 986-1485 or Dave Heynderickx at (503) 986-1243.

Susan Evans Grabe is public affairs attorney with the Oregon State Bar.

Our Thanks

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PRACTICE AREAS: _____

MAIL TO: Oregon Women Lawyers, P.O. Box 40393, Portland, Oregon 97240

Bold Proposal for Combating Discrimination in Court Cases

Cases continued from page one

sizing that reasonable women want and demand respect, personal autonomy, agency, and bodily integrity."

Another important concern the authors address is whether the reasonable woman standard is appropriate in cases that involve gender, sexual orientation, and race issues, as well as in cases of male-on-female harassment or abuse. Their conclusion is that the reasonable woman standard should apply in most of these situations, arguing that the harm is analogous and that all persons should be entitled to "the same high standard of respect and dignity." In the workplace, that means people want to be treated as workers rather than sex objects. "This is the difference with our book," says Forell. "It breaks out of the box."

The authors have no illusions that their book will change the legal system, but they hope it will, in Forell's words, "help to move the dialogue forward." To that end, they have written in a highly readable style and used plain English to delve into the background and legal complexi-

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OWLS CONTRACT LAWYER REFERRAL SERVICE. Oregon Women Lawyers maintains a list of contract lawyers who can provide temporary or ongoing help with legal research, trial and document preparation, litigation and transactional work, and more. Recent graduates to experienced practitioners. To request the names of lawyers in specific practice areas, obtain a current copy of the list, or request that your name appear on the list, please call Kimberly Kaminski at (503) 228-0097.

NANNY-SHARE REGISTRY. The OAAP and OWLS will match people who are interested in sharing a day-time nanny. If you would like to participate in the registry, send your (1) name, (2) mailing address, (3) work and/or home phone numbers, (4) children's ages, (5) home address and cross streets, (6) days and hours you need child care, (7) preference as to which home is used for providing care, and (8) preferred areas of town for sharing (example "southeast" or "near downtown") to Barbara Fishleder, Professional Liability Fund, P.O. Box 1600, Lake Oswego, OR 97035.

ties of various types of cases (most of them appallingly unfair to women or minorities). The book, in fact, is a fascinating read and requires no legal background.

"People who aren't lawyers can read it and have a discussion," says Forell. "It

will help them if they're employers, employees, jurors. In fact, we'd like it to be on Oprah."

A Law of Her Own: The Reasonable Woman as a Measure of Man should be in bookstores and online in March.

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