

# AdvanceSheet™

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## In This Issue

Chanpone Sinlapasai Okamura  
President's Message  
Upcoming OWLS Events  
Fall CLE on Oct. 26  
Yamhill OWLS Chapter  
OWLS Members on May Ballot  
Awards Dinner Sponsors  
OWLS Foundation  
Capitol Update  
OWLS Mary Leonard Chapter  
Five Justices at Willamette  
Clackamas Women Lawyers  
Nominate a Workplace Leader  
Judge Stacie Beckerman  
Thank You, Board Members  
Board Member Amanda Thorpe  
OWLS Mary Leonard Chapter  
Queen's Bench  
Book Review: *Imbeciles*

## Roberts & Deiz Award Presented to Chanpone Sinlapasai Okamura

By Amy Heverly

The 26th Roberts & Deiz Awards Dinner was held at the Portland Art Museum on Friday, March 16. OWLS presented the Roberts & Deiz Award to Chanpone Sinlapasai Okamura. Chanpone is an immigration attorney and partner at Marandas Sinlapasai in Lake Oswego.

Chanpone has dedicated her life and career to protecting the civil rights of some of the most vulnerable members of society. One example of her work is the Catholic Charities annual event called Refugee Adjustment Day, which Chanpone initiated to bring together volunteer groups to help refugees adjust their immigration status to become legal permanent residents. Additionally, Chanpone has worked with national and local law enforcement agencies to advocate for crime victims who may be afraid to come forward. Last year, Chanpone mobilized attorneys to greet people at the airport in the wake of the federal travel ban and to help Deferred Action on Childhood Arrival (DACA) recipients complete their renewal applications.

Before Chanpone was introduced at the dinner, a video was played that highlighted some of her work and personal history through testimonials from people who have worked with her. The video also featured many photographs, including photos of Chanpone and her family in Laos and in a refugee camp in Thailand, before her family immigrated to the United States.

Helietta González Hernández, consul for protection and legal affairs in the Consulate of Mexico's Portland office, and John Herrera of Catholic Charities described Chanpone's energetic and tireless work on behalf of migrant workers.

Natasha Haunsperger of the Portland Police Bureau spoke about Chanpone's work to educate



Photo: Mike Reynolds, Dreams in Bloom Photography

police officers about human trafficking, helping them understand the complexity of those cases, identify red flags, and conduct more sensitive interviews.

Luis Garcia, Chanpone's protégé, spoke about her mentorship and her work for others. He described her as "the most selfless person I've ever met."

OWLS President Angela Franco Lucero then introduced Chanpone. Angela recounted the moment she

met Chanpone in law school and spoke about Chanpone's background and accomplishments and how much she admired her. Chanpone, Angela said, is often the hardest worker in the room, yet the first to compliment others. Angela concluded her introduction by saying, "As she rises, she always lifts up those individuals behind her. Chanpone embodies the characteristics of Justice Betty Roberts and Judge Mercedes Deiz."

In her remarks, Chanpone said that her experience as a refugee inspired her to help others. At the pre-dinner reception, Chanpone and her family had provided hundreds of plumeria flowers that guests could attach to their hair or clothing. The plumeria flower is the national flower of Laos. Additionally, on each flower was the word "resist" or "persist." These sentiments were echoed in Chanpone's remarks, which encouraged each of us to get involved by volunteering in our community and at events like Refugee Adjustment Day. This year, Refugee Adjustment Day is May 12, and volunteers are needed.

Chanpone's family had placed on each table an envelope containing pieces of white string that had been blessed by a Laotian monk. Chanpone concluded her remarks by inviting each of us to

*Continued on page 6*



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## President's Message



Angela Franco Lucero

As I reflect upon this past year as OWLS president, a theme that resonates with me is that this has been a year of change. As a nation we have witnessed a harrowing shift in our political climate and an assault on the basic civil rights of marginalized individuals within our communities. We have witnessed acts of discrimination toward people of color, immigrants and refugees, members of the LGBTQ community, women, and people with disabilities, and the demonization of low-income people. I, too, have grieved for the degradation of our national discourse and for the alarming erosion of the fundamental principles of equal protection, justice, and fair play.

Yet in the face of hateful and mean-spirited acts we have witnessed a heartening response. People across Oregon and throughout the nation have joined together to rise up and work to protect the rights of communities under attack.

OWLS is committed to fighting to make our legal community and our community at large more diverse and inclusive. We have joined with the specialty bars in taking a stand against white nationalism. We are currently partnering with the Multnomah Bar Association to develop programing that will address the lessons of the #MeToo movement for our legal community. We are committed to continuing to partner with lawyers and advocates across Oregon to help create and implement policies that disrupt discrimination in all forms. The OWLS board is taking steps to educate ourselves about anti-racism and structural bias while seeking funding to engage in in-depth board-wide training. As an organization, we want to be educated and mindful when exploring ways to promote and increase diversity, equity, and inclusion in the OWLS community.

OWLS is also committed to asking hard questions about our own institution and its practices. While this work takes time, we are starting to see meaningful change. Those who attended our most recent Roberts & Deiz Awards Dinner will have noted a change of structure; this year, OWLS began recognizing the recipient(s) of a unified Roberts & Deiz Award. This shift was the result of a long conversation about how we can mindfully address and remedy the implicit and structural bias that we found to exist within the Justice Betty Roberts and Judge Mercedes Deiz Awards nomination and selection process. We observed that historically, the awards process had resulted in the Justice Betty Roberts Award being bestowed on a white lawyer, and the Judge Mercedes Deiz Award being most often bestowed on a lawyer from a non-dominant culture.

The OWLS Board of Directors, Roberts & Deiz Awards Dinner Committee, and other OWLS committees sought to face this pattern with transparency and a self-critical eye. After receiving meaningful and welcome input from specialty bar groups and members of non-dominant cultures and marginalized communities, OWLS reached a decision last year to alter the structure of the Roberts & Deiz Awards. As of 2018, the Justice Betty Roberts Award and the Judge Mercedes Deiz Award have been unified into a singular award honoring the contributions of both of these seminal OWLS leaders.

Any attempt to engage in undoing institutional racism will be a formidable process. We did not arrive here in a day, and it will take time to see change. So, we must continue with stamina and hope. Going forward, OWLS will continue this important work by considering how to overcome implicit and structural bias within the current vetting and selection process for the award. While 2018 has presented important opportunities for change, I will be proud to stand with OWLS as we identify additional opportunities for growth and implement changes still to come.

Without reservation, it has been a great honor and a privilege to serve on the OWLS board and as OWLS president this past year. As the first Latinx OWLS

*Continued on page 3*

*Our mission is to transform the practice of law and ensure justice and equality by advancing women and minorities in the legal profession.*

## Upcoming OWLS Events

### Professionalism Panel: Practicing Diversity

OWLS & Multnomah Bar Assoc.  
Portland  
Friday, April 13, 12–1:30 p.m.  
Mark O. Hatfield U.S. Courthouse  
1000 SW Third Ave.  
Jury Assembly Room

### CLE: Bystander Intervention Training

Portland  
Wednesday, April 18, 1–5 p.m.  
Mark O. Hatfield U.S. Courthouse  
1000 SW Third Ave.

### CLE: Immigration Law

OWLS Mary Leonard Chapter &  
Oregon Minority Lawyers Assoc.  
Salem  
Wednesday, April 18, 12–1 p.m.  
State of Oregon Law Library  
1163 State St.

For more info, visit [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org).

### OWLS Contract Lawyers and Sole Practitioners

Portland and remotely  
Friday, April 20, 12–1 p.m.  
OWLS Headquarters  
121 SW Morrison St., Suite 1100

### CLE: Implicit Bias in the Workplace

OWLS, OSB Diversity and Inclusion  
Dept., and American Constitution  
Society, Oregon Lawyer Chapter  
Portland  
Wednesday, April 25, 12–1:30 p.m.  
Perkins Coie  
1120 NW Couch St., Suite 1100

### Take Your Kids to Work Day

Portland  
Thursday, April 26, 12–1:15 p.m.  
Multnomah County Circuit Court  
1021 SW Fourth Ave.

### OWLS First Generation Professionals Discussion Group

Portland  
Friday, April 27, noon  
Multnomah County Circuit Court  
1021 SW Fourth Ave., # 308

### CLE: Sexual Harassment and the Law: Everything You Need to Know

Lane County Women Lawyers  
Eugene  
Friday, April 27, 8 a.m.–12:15 p.m.  
Downtown Athletic Club  
999 Willamette St.

### Women's Wellness Retreat

OWLS & OAAP  
Cannon Beach  
Friday & Saturday, April 27 & 28  
Surfsand Resort, 148 W Gower Ave.  
Registration: \$90

### Habitat for Humanity Build

Portland  
Saturday, April 28  
Contact OWLS for sign-up info.

### CLE: Child and Elder Abuse Reporting GrOWLS

Columbia River Gorge  
Wednesday, May 2, 12–1:30 p.m.  
Location TBD

*Continued on page 4*

## President's Message

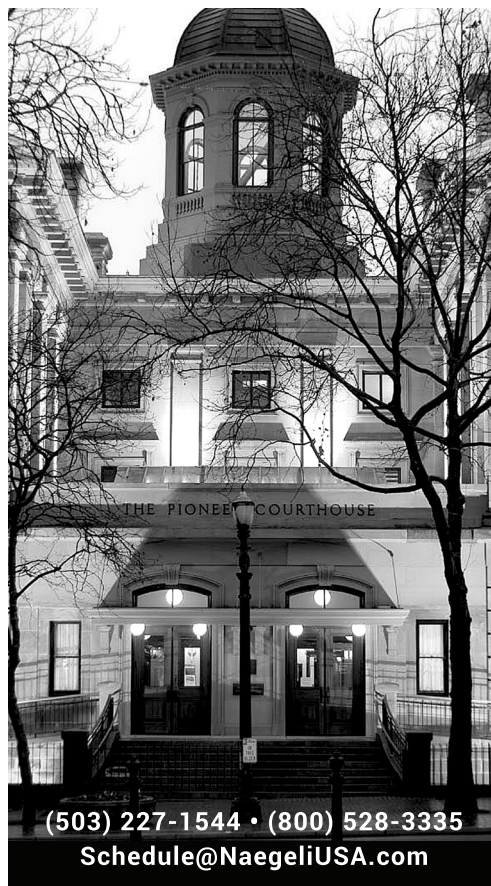
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president, I was proud to break yet another barrier in Oregon's legal community. I am encouraged by the work that my fellow board members, past and present, have engaged in, and the work they have committed to continue, to help OWLS become a more diverse, inclusive organization that lifts up our legal community.

In closing, I leave the many wise OWLS with this thought—transformational change is not comfortable work, but it is the only way we can build a better and brighter tomorrow for ourselves and for the legal community of the future. As Mahatma Gandhi said, "Be the change that you wish to see in the world." I am encouraged by the fact that OWLS is willing to do the hard work necessary to create a more inclusive organization for the generations to come. While I will no longer be at the forefront, I will be standing by your side, cheering you on.



Angela Franco Lucero  
President, Oregon Women Lawyers



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## Upcoming OWLS Events

continued from page 3

### CLE: Housing

OWLS Mary Leonard Chapter  
Salem  
Thursday, May 17  
Location TBD

### CLE: Stories and Lessons from the Civil Rights Movement: The Scottsboro Boys Case

OWLS Mary Leonard Chapter  
Salem  
Thursday, June 14, 12–1 p.m.  
State of Oregon Law Library  
1163 State St.

### Brunch and Bedazzle (Pre-Portland Pride Parade)

OWLS & OGALLA  
Portland  
Sunday, June 17, 9 a.m.  
Perkins Coie  
1120 NW Couch St., 10th Floor

### OWLS Dress for Success Fundraiser and Fashion Show

Portland  
Thursday, August 2, 4:30 p.m.  
Multnomah Athletic Club  
1849 SW Salmon St.

### OWLS Annual Fall CLE and Chapter Summit

Portland  
Friday, October 26  
Mercy Corp Headquarters  
43 SW Naito Pkwy.

### Joan Seitz Law Society

Roseburg  
First Tuesdays, noon  
Daily Grind Café, 368 SE Jackson St.

### Josephine County Women Lawyers

Grants Pass  
First Wednesdays, noon  
La Burrita, 1501 NE F St.

### Lawyers' Association of Washington County

Hillsboro  
Second Mondays, 12–1 p.m.  
Aybla Grill, 180 E Main St.  
Third Wednesdays, 8:30–9:30 a.m.  
Insomnia Coffee, 317 E Main St.

### Queen's Bench Luncheons

Portland  
Second Tuesdays, 11:45 a.m.–1 p.m.  
Mark O. Hatfield U.S. Courthouse  
1000 SW Third Ave.



Chanpone Sinlapasai Okamura and her grandmother, Kong Silapasay, who came to the United States as refugees in 1981.

## Save the Date OWLS Fall CLE on Oct. 26

Join Oregon Women Lawyers on the afternoon of Friday, October 26, for our Fall CLE, which will be co-sponsored by local nonprofit Mercy Corps. The CLE is titled "Oregon Refugees: Refugee Experiences, Litigating the Ban, and How You Can Advocate for Refugee Communities."

Speakers will provide context and factual information about Oregon's refugee communities and efforts to overturn the federal refugee ban. After learning the basics, participants will have the chance to split into groups to learn how they can apply their legal skills to provide direct assistance to Oregon refugees and immigrant communities.

Immediately following the CLE, OWLS will host a reception honoring women judges at the Mercy Corps Action Center, which will feature an exhibit on Mercy Corps' work with refugee communities. We look forward to seeing you there!

Sponsorship opportunities are available. For more information, contact Linda Tomassi at [executivedirector@oregonwomenlawyers.org](mailto:executivedirector@oregonwomenlawyers.org).

### Yamhill OWLS Chapter

OWLS is happy to announce the revival of the OWLS chapter for Yamhill County (YOWLS). For more information or to join YOWLS, please contact Joslyn Keating at [yamhillcountyyowls@gmail.com](mailto:yamhillcountyyowls@gmail.com).



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# OWLS Members on May Ballot

By Joslyn Keating

Several OWLS members will be on the ballot in May. Those in contested elections are listed below, followed by a list of those in uncontested judicial elections.

Governor Kate Brown is seeking her first full term as the state's chief executive, a position she has held since February 2015. Before stepping into the governorship, Governor Brown served as Oregon's secretary of state from 2009 to 2015. Before that, she served in the Oregon House of Representatives and the Oregon Senate. Presently, 12 candidates are running against Governor Brown in the primary election.

Congresswoman Suzanne Bonamici seeks her fourth full term in the U.S. House of Representatives, where she has represented Oregon's First Congressional District since February 2012. Previously she served in the Oregon House and Senate.

The Honorable Meagan Flynn is seeking to retain her position on the Oregon Supreme Court, which she joined in April 2017. Justice Flynn had served on the Oregon Court of Appeals since 2014, and before that she practiced civil litigation, primarily civil appellate law, for 20 years.

The Honorable Rex Armstrong is seeking reelection to the Oregon Court of Appeals, on which he has served since 1994.

Two OWLS members, Jennifer Chapman and Janmarie Dielschneider, are each vying for Position 2 on the Yamhill County Circuit Court. Presently, Ms. Chapman is legal counsel for the American Federation of State, County, and Municipal Employees, Council 75. Ms. Dielschneider has been a sole proprietor since 2005. Her practice focuses primarily on court-appointed criminal-defense cases.



Justice Meagan Flynn



Judge Fay Stetz-Waters

Councilor Jaimie Fender is seeking to continue in her position as a member of the City Council for King City, to which she was appointed in October. Ms. Fender has been a practicing attorney in the Portland metro area since 2012.

Susheela Jayapal is running for the District 2 seat on the Multnomah County Commission. Ms. Jayapal has lived in Multnomah County since 1994. She left her legal career 20 years ago to pursue community-oriented nonprofit leadership opportunities.

In a crowded field of candidates, Democrat Jamie McLeod-Skinner is running for a nomination to the U.S. House of Representatives to represent Oregon's Second Congressional District, a position currently held by Republican Greg Walden. Ms. McLeod-Skinner was the city manager of Phoenix, Oregon, from 2016 to 2017. Before that, she worked as a law clerk intern for the Klamath County Circuit Court.

Kathy Proctor is seeking election as a judge on the Washington County Circuit Court. She is an attorney at Proctor Law in Beaverton and director of the Washington County Bar Association.

The Honorable Fay Stetz-Waters is seeking election to the Linn County Circuit Court, to which she was appointed by Governor Brown in October 2017, to fill the vacancy left by retiring Judge Carol Bispham Hashagen. Prior to becoming a judge, Judge Stetz-Waters worked as a Title IX investigator, hearings officer, administrative law judge, and attorney for Legal Aid Services of Oregon.

Amanda Thorpe is seeking election to the Josephine County Circuit Court. She is



Judge Ulanda Watkins



Kathy Proctor

of counsel with Cauble, Cauble & Selvig in Grants Pass.

The Honorable Ulanda Watkins is seeking to retain her position on the Clackamas County Circuit Court, to which she was appointed in July 2017. Judge Watkins previously worked as a criminal defense attorney for 15 years and then as a litigation manager at an insurance company for six years.

OWLS members in uncontested judicial elections include Oregon Supreme Court Justices Rebecca Duncan and Adrienne Nelson; Oregon Court of Appeals Judge Erika Hadlock; Clackamas County Circuit Court Judge Susie Norby; Lane County Circuit Court Judges Jay McAlpin and Debra Vogt; Multnomah County Circuit Court Judges Cheryl Albrecht, Judith Matarazzo, and Katharine von Ter Stegge; Washington County Circuit Court Judges Jim Fun, Oscar Garcia, Danielle Hunsaker, and Janelle Factora Wipper; and Judge Eva Temple of the Sixth District Circuit Court (Umatilla and Morrow Counties).

*Joslyn Keating is an attorney for Cummins Goodman Denley & Vickers in Newberg. She represents employers and businesses.*



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## Roberts & Deiz Awards Dinner

continued from page 1

Dreams in Bloom Photography



Enjoying the festivities (from left): Jackie Alarcón, Austin Batalden, Michael Yates, Renata Gowie, Mike Purcell, Anastasia Meisner, Mimi Luong

tie a string around our neighbor's wrist and share a positive message.

2018 marked a significant change in the awards. Previously, there had been two awards given at the dinner—the Justice Betty Roberts Award and the Judge Mercedes Deiz Award. The OWLS Board of Directors reached a decision last year to change the structure of the Roberts & Deiz Awards, after consulting the Roberts & Deiz Awards Committee, various other OWLS committees, past award recipients, and specialty bar groups. As OWLS President Angela Lucero explained at the dinner, the OWLS board decided to change the awards to address implicit bias in the nomination and selection process. The combined Roberts & Deiz Award honors outstanding personal and professional contributions to promoting non-dominant cultures in the legal profession and/or the community at large. Chanpone Sinlapasai Okamura is a remarkable individual who truly embodies the spirit of the award.

At the dinner, the OWLS Foundation also honored 2017 Armonica Law Student Grant recipient Demi Jacques. Demi is a 3L at Lewis & Clark Law School who is committed to helping marginalized people and plans to pursue a career in public interest law. She currently works at Metro Public Defender and is particularly interested in helping immigrants dealing with the criminal justice system.

**Amy Heverly** is a litigator at Jordan Ramis in Bend and a member of the OWLS Roberts & Deiz Awards Dinner Committee.



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# OWLS Foundation Special Appeal Success, New Grant

By the Oregon Women Lawyers Foundation

On behalf of the Oregon Women Lawyers Foundation, thank you to all of our generous donors who helped us raise over \$50,000 at the 2018 Roberts & Deiz Awards Dinner.

Foundation President Deanna Wray introduced dinner guests to some past grant recipients and the work of the Foundation, noting that “we come together tonight to invest in an inclusive, respectful, and brighter future. Who,” Deanna asked, “will lead the next generation in our fight for equality? Our grants support and nurture the lawyers who will grab the torch with courage and compassion.” Our 2017 Armonica Law Student Grant recipient, Demi Jacques, then delivered the “call to action,” inspiring guests to support young attorneys like her who are willing to take on the fight for social justice.

The Armonica Grant is awarded to law students in their final year who demonstrate a commitment to the Foundation’s goals through their personal volunteer or educational experience. Three other grants are also available from the Foundation: the Janis Hardman Medical

Support Grant, the Justice Betty Roberts Leadership Conference Grant, and the Vernillia R. Randall Bar Exam Grant. More information about the OWLF grants can be found at [www.owlsfoundation.org](http://www.owlsfoundation.org).

As a direct result of the Special Appeal over past three years at the Roberts & Deiz Awards Dinner, the Foundation is thrilled to announce its participation in the Multnomah Bar Association Fellows Program. OWLF will provide the \$10,000 stipend for one person’s 10-week summer internship following the first year of law school. Since OWLF does not employ lawyers or law students, it is seeking a 501(c)(3) public interest legal organization to provide an intern with a meaningful work experience and mentorship. OWLF will provide \$10,000 to its selected partner, to be paid to the fellowship intern through the partner’s payroll. The first summer internship will be in 2019.

The OWLF mission is to educate and support women and minorities in accessing and participating in the justice system, and its partner in the fellowship program should do work that supports this mission. Any organization that would



Photos: Mike Reynolds, Dreams in Bloom Photography

Deanna Wray (top), Demi Jacques

like to provide a summer internship to an MBA fellow, paid by OWLF, should respond to the request for proposals (details at [www.owlsfoundation.org](http://www.owlsfoundation.org)). The deadline for proposals is July 10, 2018.



Photos: Mike Reynolds, Dreams in Bloom Photography


Attending the Roberts & Deiz Awards event (clockwise from top left): Sarah Radcliffe, Carlotta Alverson, Rafael Colin, Elizabeth Biermann

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The Oregon State Bar—and Oregon citizens in general—had a good legislative session this winter. Much was accomplished, while more remains to be done in the longer session next year. The 79th legislative session adjourned on March 3, ahead of the constitutional deadline of March 11. (It was the shortest short-session yet.) The legislature addressed low-income housing, guns, “cap and invest,” changes to the federal tax code, and net neutrality, as well as funding for the courts and indigent defense. The OSB will soon publish a 2018 Oregon Legislation Highlights on the OSB Public Affairs Department webpage, [www.osbar.org/pubaffairs](http://www.osbar.org/pubaffairs).

Approximately 260 bills were introduced in the short session, and the legislature passed slightly more than half, many of which will have an impact on the practice of law and the justice system. Among the new laws that lawyers should be aware of are those mentioned below.

### Funding for the Courts

Going into the 2018 session, the Oregon Judicial Department (OJD) faced a \$5.3 million operational deficit due to across-the-board cuts in 2017. At the start of the session, OJD’s two-year budget was \$20 million less than that required by the



By Susan E. Grabe

current level of services. In response to the 2017 cut, OJD held positions vacant, reduced public service hours and/or staffing, and reduced family law services and drug court capacity. These steps helped whittle down the deficit going into the 2018 session. OJD explained that, absent additional funds, the department would need to begin staff layoffs and furloughs to continue operations, and further reduce judicial service to the public.

In the last days of session, OJD received an additional \$2.38 million for operations, approximately half of what it had requested (HB 5201). The OJD’s decision to no longer provide the “pick-up” for the employee pension contributions, as well as the carrying forward of funds from the prior biennium, should provide sufficient funding for the remainder of the biennium.

### Judicial Salary Increase

This session OJD also introduced legislation to increase judicial salaries (see HB 4096), which would have increased salaries on an annual basis in a step fashion from 2018 to 2019. Instead, the legislature approved a \$5,000 salary increase for Oregon judges effective on July 1, 2018. Although Oregon judges had recently received a cost-of-living adjustment, nationwide, their salaries still rank near the bottom. The increase will help stabilize salaries.

### Legal Resources

OJD also successfully advocated legislation (HB 4097) to create self-help centers to assist self-navigators, or pro se litigants, including the use of dedicated and trained court staff and volunteers. The legislation allows counties over a certain size (essentially, Multnomah County) to establish a court facilitation program to provide litigants with educational material, court forms, information on court processes, and referrals to other agencies. The OSB Futures Task Force had explored and supported the use of court facilitators and legal resource centers.

### Public Defense Services Corporation

The Public Defense Services Corporation (PDSC) took a major step toward a compensation increase for public defense providers in the 2019–21 biennium, and was allocated funding for a future American Bar Association caseload study and a Sixth Amendment Center assessment of PDSC representation, which will take place later this year. Additionally, the legislature allocated \$1 million in Justice Reinvestment dollars to provide wrap-around services for indigent clients.

PDSC also received funding to increase its focus on representation in child dependency cases. This was the result of a legislatively created task force (2015, SB 222) set of recommendations related to legal representation for childhood dependency. In 2017, the legislature provided additional funding to the Department of Justice and the Department of Human Services to provide representation in such cases. In 2018, the legislature provided funding of \$1.34 million to expand the program into Coos and Lincoln Counties, in addition to the three counties in which it previously operated (HB 5201). As part of the original task force recommendations, the bar also developed [best practice standards](#) for child dependency representation and government agency standards in child dependency cases.



Molly Jo Mullen

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## Evidentiary Privilege Expansion

HB 4095 expands the attorney-client privilege found in Rule 503 of the Oregon Evidentiary Code to include communications between a lawyer referral service and its clients. The privilege, like the attorney-client privilege, is held by the client. The expansion of this privilege will ensure that a consumer's confidentiality continues to be protected. Often people share information with the bar's lawyer referral service in order to be matched with a lawyer in the appropriate area of practice in the corresponding area of the state. (The bar received 80,000 requests for referrals in 2016.) Before HB 4095 was enacted, there were no evidentiary protections for consumers who contacted a lawyer referral service when seeking legal help. In other states, litigants have subpoenaed lawyer referral documentation based on the argument that no privilege existed. The legislature has protected consumers who think such communications are private.

## Additional Bills of Interest

**HB 4007.** Permits individuals to create first-time home buyer savings accounts with financial institutions to pay or reimburse the account holder's eligible costs for the first-time purchase of a single family residence. Triples document recording fees for affordable housing.

**HB 4008.** Relates to civil trials in which a party attempts to use a plaintiff's race or ethnicity as a factor in calculating the plaintiff's projected future earning potential; the bill makes such a calculation inadmissible, and directs the court to instruct the jury that it may not consider race or ethnicity in determinations regarding projected future earnings.

**HB 4134.** Creates a legal process for the removal of racially discriminatory language from property titles.

**HB 4135.** Establishes an Advance Directive Adoption Committee for the purpose of adopting the form of advance directive to be used in this state.

**HB 4145.** Closes the "boyfriend loophole," or "intimate partner loophole," under which some abusers and stalkers convicted of domestic violence had still been allowed to own firearms.

**HB 4149.** Prohibits the court from conditioning a defendant's release on a waiver of the defendant's appearance in person at trial, and other provisions.

**HB 4155.** This Oregon version of net neutrality will preserve a chunk of net neutrality at the state level as opposed to the federal level. The federal government has recently ended net neutrality, which

some users of the internet fear will lead to increased costs and/or slower speeds and less access to the internet for those who cannot pay for premium access.

**SB 1528.** Creates an auction for tax credits and requires, for Oregon income tax purposes, the addition of the federal deduction of qualified business income from pass-through income.

**SB 1529.** Updates the connection date to the federal Internal Revenue Code and other provisions of federal tax law.

**SB 1551.** Strengthens Oregon's data-breach laws in the wake of the Equifax breach, in which the private data of millions of Oregonians was compromised. The bill strengthens timelines and credit monitoring to protect consumers.

*Susan E. Grabe is the director of the Oregon State Bar Public Affairs Department.*

## Oregon eCourt

At its February 23 meeting, the Oregon State Bar Board of Governors accepted the final Oregon eCourt Task Force Report. The Oregon State Bar/Oregon Judicial Department eCourt Implementation project has been recognized as one of the most successful IT projects in the State of Oregon. The final task force report includes a summary of actions taken by the task force and some going forward. Formal implementation of Oregon eCourt ended in July 2016, when the last of Oregon judicial districts went live.

The Oregon eCourt Report and the 2017 eCourt User Survey Results can be viewed [here](#).

On Feb. 14, OWLS Mary Leonard Chapter and Willamette Law hosted a panel discussion on negotiating pay in the workplace. From left: panelists Yumi O'Neil, associate general counsel, Cambia Health Solutions; Shannon Martinez, managing partner, Saalfeld Griggs; and Shayna Rogers of Garrett Hemann Robertson; and moderator Emily Crocker of the Gatti Law Firm.



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# Five Supreme Court Justices on Panel at Willamette

By Marti McCausland

**F**ive of the seven justices currently serving on the Oregon Supreme Court are women. On March 19, the Latinx Law Students Association of Willamette University College of Law welcomed all five as part of the Dean Santos Diversity Speaker Series. Their panel discussion was moderated by Willamette Law Professor Robin Morris Collin.

The justices discussed their experiences serving with other women on the bench, running in judicial elections, and dealing with sexist behavior, as well as why they embarked on careers in the law and the importance of diversity on the bench.

Regarding diversity, Justice Nelson said that everyone should see someone like them in the legal system, and that it builds trust and confidence in system. Justice Duncan said that because we are governed "by the people," government must reflect the community. She pointed out that seeing diverse people in positions of power helps recruit new people from diverse backgrounds into the law.

Justice Walters noted that the system isn't working that well for many people. "Any marginalization that we have must



*From left: Oregon Supreme Court Justices Rebecca Duncan, Lynn Nakamoto, Martha Walters, Meagan Flynn, and Adrienne Nelson*

be combated," she said. "We need to make it clear...that every individual in the justice system will be treated fairly."

When asked for advice for those who would like to become judges, Justice Nakamoto recommended litigating as much as possible and safeguarding one's credibility. Justice Flynn encouraged people to build relationships, explaining that the relationships you build in the

legal community will be the difference between having a meaningful career and one that's not meaningful. Justice Nelson advised learning to think on your feet and consider many perspectives. Justice Duncan said, "If you want to be a good judge, be a good lawyer."

*Marti McCausland is the associate director of placement at Willamette Law.*

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## Clackamas Women Lawyers



*Annalise Oetken (left), and Joyce Cherry Cresswell*

**C**lackamas Women Lawyers hosted an evening with author Joyce Cherry Cresswell on March 1 in Lake Oswego. Joyce won the 2017 Oregon Book Awards Ken Kesey Award for fiction for her novel, *A Great Length of Time*, which takes place during the Civil War. Joyce is the first self-published author to win an Oregon Book Award.

With 25 people in attendance, Joyce discussed how she transitioned from being a litigator to an author, the process she went through to self-publish, and her research and writing process. The conversation naturally flowed to connecting the issues of sexism, race relations, and sexual orientation in the novel with those in our modern society. Good food, good company, and good conversation made for a wonderful evening.



# Nominations Sought for OWLS Workplace Leader Award

## Nomination Deadline Is June 1, 2018

Law as traditionally practiced has included barriers to the advancement of lawyers who are not part of the dominant legal culture, and has not always been a friend to those seeking a healthy, balanced life. We seek to encourage and celebrate change that will eliminate those barriers and imbalances, and we expect the profession will be stronger as a result.

While some legal employers agree in concept that such changes are needed, many disagree on how to achieve these goals.

- What can legal employers do to attract and retain qualified women, people of color, and people from other marginalized communities, honor the gifts they bring, and promote them for leadership?
- How can alternative work configurations maximize the experience, success, and satisfaction of all the players and the enterprise itself?
- How can legal employers help employees who are caregivers, or who have other important family and personal obligations or challenges, avoid losing the momentum in their legal careers to become leaders in the profession?
- How can legal employers promote effective and reciprocal mentoring relationships?
- How can they value contributions to the organization that are not captured by the usual quantification tools, such as billable hours?

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### The Award

The Workplace Leader Award recognizes an Oregon legal employer making innovative and effective efforts to promote one or more of the following values:

- A healthy balance between work and personal life
- Acquiring and maintaining a diverse workforce with diverse leadership
- Maximizing opportunities for women, people of color, and people from other marginalized communities to succeed in the workplace and advance to positions of influence and leadership

### We look for a specific program, policy, or project

The award will recognize a specific program, policy, or project that is successfully addressing one or more of the concerns outlined above. We are not expecting to find an employer that exemplifies all of these virtues. We welcome

nominations from all legal employers, including in-house legal departments, government employers, and employers who are making strides in recruiting and retaining lawyers who are not part of the dominant legal culture, honoring the gifts they bring, and promoting them for leadership.

### Nomination Information

Nominations should include: information that will help the award committee evaluate the specific program, policy, or project of the employer; the markers of success for that program, policy, or project; and names of people who can be contacted for further information.

Nominations must be received via email by 5:00 p.m. Friday, June 1, 2018. Please send them to Val Tomasi, OWLS Transformation Committee chair, at [vtomasi@tomasilegal.com](mailto:vtomasi@tomasilegal.com).

The 2018 award recipient will be honored during the OWLS Fall CLE on Friday, October 26, at the Mercy Corps headquarters in downtown Portland.



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# Meet U.S. Magistrate Judge Stacie Beckerman

By Renata Gowie

The Honorable Stacie Beckerman was appointed as a United States magistrate judge for the District of Oregon on January 5, 2015. A visit to her chambers, located in Portland, reveals her interest in promoting women in the law. One wall displays small portraits of the four female United States Supreme Court justices. On another wall, a large framed poster shows the history of women lawyers and judges in Oregon.\* Judge Beckerman, an active OWLS member and past president of its Multnomah County chapter, Queen's Bench, has long been a champion for women.

Judge Beckerman was born and raised in Cedar Rapids, Iowa. She enrolled in the University of Iowa and studied a pre-med curriculum, intending to be a doctor. She ultimately decided, however, that medicine was not for her—she was more interested in politics. So she changed her major to political science, and she earned her BA, with highest distinction, from the University of Iowa in 1995. She also was interested in the law. Her father was a lawyer with a general practice that included much pro bono work. Judge

Beckerman graduated with a JD, cum laude, from Harvard Law School in 1998.

For her first year after law school, Judge Beckerman worked as an associate at Verner, Liipfert, Bernhard, McPherson & Hand in Washington, DC. While there, she worked with lobbyists on Capitol Hill, including Ann Richards, the former governor of Texas, who was a lobbyist at the firm. In 1999, Judge Beckerman co-founded the Women Under Forty Political Action Committee, a nonpartisan political action committee that supports women forty years of age and younger who are running for state or federal public office. Judge Beckerman and the PAC's co-founder went to lunch with Governor Richards, who helped them develop a business plan to make the PAC succeed.

Judge Beckerman took an indirect route to Portland. During her husband's medical education and residency, they lived in several cities. For seven years, she was an associate in general civil litigation and SEC matters at Skadden, Arps, Slate, Meagher & Flom in its Boston and Palo Alto offices. Tired of the expense of Northern California, she and her husband,

a cardiologist, actively sought another place to live. After considering many cities, primarily on the West Coast, they relocated to Portland in 2006.

For two years, Judge Beckerman was an assistant attorney general in the Appellate Division of the Oregon Department of Justice. She concentrated mainly on post-conviction and criminal appellate law. From 2008 to 2015, she was an assistant United States attorney (AUSA) in the Criminal Division of the United States Attorney's Office in Portland. She prosecuted a variety of criminal offenses, including white-collar offenses and violent crime. During her tenure there, she worked half time, which allowed her to spend more time with her young children. There were times, however, when she worked full-time hours, such as when she was preparing for or in trial. In 2011–2012, she also taught an environmental prosecution clinic at Lewis & Clark Law School.

The first time she stepped into a courtroom, Judge Beckerman knew she wanted to be a judge. She wanted to be the one making the decisions. About 80% of her work is in civil matters, particularly legal research and writing. During her three criminal-duty months per year, her focus is mainly on criminal cases. She meets with agents to review search warrant applications and conducts preliminary hearings for new felony cases.

As a magistrate judge, she is afforded two full-time law clerk positions. One is occupied by a full-time law clerk. But, given Judge Beckerman's prior success as a half-time AUSA, she reserves the other position for two half-time law clerks. Judge Beckerman is the head of the court's new Workplace Environment Committee, which studies procedures and processes in the District of Oregon to ensure that law clerks, other employees, and even lawyers, can report judicial misconduct.



Judge Stacie Beckerman

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We fund the **Armonica Law Student Book Grant**, the **Vernellia R. Randall Bar Exam Grant**, the **Justice Betty Roberts Leadership Conference Grant**, and the **Janis Hardman Medical Support Grant**.

To learn more about the Foundation, our grants, or to donate, please visit [owlsfoundation.org](http://owlsfoundation.org).



Continued on page 13



# Thank You, Outgoing OWLS Board Members

By Jennifer Nicholls

**T**he OWLS Board of Directors expresses its gratitude to three outgoing OWLS board members: OWLS President Angela Franco Lucero, Katherine DiSalle, and Judge Valeri Love.

Angela Franco Lucero first joined the OWLS board in December 2011. The conclusion of her terms on the board coincides with the conclusion of her term as president. She previously served as vice president (2016–2017), treasurer (2015–2016), and secretary (2014–2015). During her board service, she co-chaired the Awards Committee, as well as served on the Finance Committee and the Roberts & Deiz Awards Dinner Committee. As chair of the 2017 Fall CLE Committee, Angela was instrumental in planning that event, which featured Barbara Arnwine.

Outside of her service to OWLS, Angela serves as a board member of the Oregon Hispanic Bar Association and the OSB Board of Bar Examiners. She is a partner at Kranovich & Lucero, where she maintains an active civil litigation practice.

Katharine DiSalle (formerly Lozano) joined the OWLS board in 2013. As a board member, Kate served as co-chair of

the Awards Committee and was actively involved in the Membership Committee. Under Kate's leadership, the Awards Committee successfully nominated OWLS members for numerous awards. By day, Kate is a senior assistant attorney general with the Oregon Department of Justice.

The Honorable Valeri Love joined the OWLS board in 2015. During her three-year term, Judge Love served on the Judicial Work Group and OWLS IN (Intersectionality Network) committees.

In 2016, Judge Love received the Lane County Bar Association's Distinguished Service Award. She is also a member of the Oregon Asian Pacific American Bar Association (OAPABA). Judge Love was appointed by Governor Kitzhaber to the Lane County Circuit Court in 2011. Prior to her appointment, she was an attorney in private practice in Eugene.

OWLS board members are elected to three-year terms, and they are expected to be actively involved in OWLS committees, of which there are currently 13.

The entire OWLS Board of Directors expresses its thanks and appreciation to these talented women for their leader-

Kate DiSalle  
(right),  
Angela  
Franco Lucero



ship, time, and service to OWLS and the OWLS mission.

*Jennifer Nicholls is a partner at Brophy Schmor in Medford and serves on the OWLS Board of Directors.*



## U.S. Magistrate Judge Stacie Beckerman

*continued from page 12*

When Judge Beckerman is not working, she spends time with her family. She is also active in sports. She recently started playing tennis and is training for a 50-kilometer trail run in July. Her advice to young lawyers is to work hard at whatever the job or task and to do it well.

**Renata Gowie** is an assistant U. S. attorney and chief of the Civil Division at the U. S. Attorney's Office in Portland.

\*[Editor's note: To obtain your own copy of that fabulous poster, visit the OWLS Foundation's website, at [www.owlsfoundation.org](http://www.owlsfoundation.org).]

## Congratulations, Vicki!

Bodyfelt Mount congratulates our friend and partner Vicki M. Smith on becoming 2018 President of the Oregon Association of Defense Counsel. We applaud Vicki's dedication to OADC and the many other professional and community organizations she serves.

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# Meet OWLS Board Member Amanda Thorpe

By Rachel Lynn Hull

There is something about being a chatty, critical girl that makes adults feel the need to find a path for you, as if leaving you to ponder the possibilities alone might end with a decision to run off and found a new Themyscira. Sometimes these well-meaning suggestions are destined for rejection. But sometimes they take root, refine themselves, and end up being exactly the right thing.

Amanda Thorpe was just such a child, and her grandmother suggested the presidency. "When I was five, I realized being 'president' was not a career. I asked my stepfather what a president does before becoming president, and he said, 'He's either a lawyer or the director of the FBI.' Not knowing what the FBI was, I decided to be a lawyer. Over the years the political aspirations faded, but the law was always my calling. I often think how lucky I am that I am, in fact, well-suited to it."

As Amanda grew up in Southern Oregon, her mother embraced her natural talents and directed them, driving her to work hard and excel and searching for opportunities, like taking high school debate in middle school. "She didn't accept complaints easily," Amanda said, "and she taught me that if there was something I didn't like, it was up to me to change it. I didn't see her strength and fortitude as a child, but looking back now as an adult and a mother, I see it clear as day."

After 12 years with Hughes, Rote, Brouhard & Thorpe, Amanda recently moved to Cauble, Cauble & Selvig in an of-counsel position, where she will continue to practice primarily family law. Both firms are in Grants Pass.

"I love problem solving and helping people," Amanda explained. Her clients may be deeply distressed by the time they seek an attorney's help, and she guides each one to a "custom-tailored solution" that takes into account the client's particular family and issues. "Of course sometimes there are problems I can't solve, and that's hard. When I can't figure out how to quell a conflict, it is very frustrating."

Amanda's pre-law background lends itself well to thinking through the knots of human relationships. She earned a BA in sociology from the University of Oregon, with an emphasis on family, women, and children. She then worked as a personnel coordinator and human resources trainer for Lithia Motors in Medford, one of Oregon's largest companies.

After returning to the University of Oregon for law school, she spent one last summer at Lithia as a law clerk. A 2L clerkship at Hughes, Rote led to the offer of an associate position and eventually partnership. Today, Amanda is actively pursuing a judicial position. "I'm anxious to apply my passion for the law and justice in a new way," she said. Josephine County is voting to fill a newly created fifth seat in the 14th Judicial District in May, and Amanda will be on the ballot.

When I asked Amanda how her friends would describe her, she said "driven." Her life in Southern Oregon is a busy one, including work, volunteering, and raising two daughters. She is active in the Josephine County Women Lawyers chapter of OWLS and has served as its secretary since 2007. As an OWLS board member, she serves on the OWLS Membership and Working Parents Committees. Her other

law-related commitments include the OSB Policies and Procedures Committee, the executive committee of the OSB Family Law Section, the Josephine County Family Law Advisory Committee, and working as a pro-tem judge. She also volunteers at her daughter's school and takes combat cardio classes at a local dojo.

Amanda offers empowering advice for young lawyers: "Stick with it, and if something isn't working for you, change it. The first years are so, so hard—finding your stride among a new career and workplace, debt, romantic relationships, children, or whatever life deals you. There will be struggle and sacrifice at home and at work. If the demands of your job don't work for you, ask to change it. If it can't be changed, find a workplace that offers what you need. Make your own rules if that's what it takes. It took me a few years to realize that there is no one way to be a good lawyer. Professional doesn't have to mean formal. I set my own rules for how I practice, from attire, to communication style, to attitude. Above all—be genuine, be yourself."

*Rachel Lynn Hull is an attorney for the Bonneville Power Administration. She is currently stuck on level 805 of Candy Crush Soda Saga.*



Amanda Thorpe

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Cassondra Sumrall at 503.841.5720 or [cassondra@oregonwomenlawyers.org](mailto:cassondra@oregonwomenlawyers.org).



On Dec. 11, OWLS Mary Leonard Chapter hosted an ethics CLE featuring Amber Hollister, OSB general counsel and OWLS president-elect. She discussed developments in the regulation of lawyer advertising and client solicitation.



# Queen's Bench Lawyers Discuss Working with Disabilities

By Kamron Graham

On February 13, OWLS Queen's Bench presented its second lunchtime panel of 2018, entitled "Being Visible—Stories of Our Attorneys with Disabilities." Miranda Summer of Summer Family Law and Gabby Richards of Martin and Richards discussed the challenges they have faced as people with disabilities, challenges our clients with disabilities face in accessing justice, and changes we can make as practitioners and advocates.

Miranda began by discussing her recent loss of hearing due to illness—and how she had to change the ways she communicated with clients, lawyers, and judges. Through the use of technology, she has been able to make adjustments to assist people in effectively communicating with her, though obstacles remain. For Miranda, it is helpful if people face her so she can see them speak, and if they talk at a slightly higher level so her hearing aid can pick up their voices. She noted the challenges of networking in crowded spaces with significant background noise.

Miranda is a member of the National Association of Lawyers with Disabilities. There is no comparable organization in Oregon. She said it's important to challenge preconceived notions of lawyers with disabilities and allow people to self-identify without fear of stigma. Although she practices family law, Miranda receives many communications from potential clients with disabilities seeking legal assistance in other areas. She feels honored to be an attorney whom people can trust and goes out of her way to make linkages between those seeking legal assistance and attorneys who can effectively and respectfully assist them.

Gabby Richards discussed losing her ability to walk and her resulting need to use a wheelchair due to a car accident as an undergraduate. She shared personal stories related to the stereotype that someone using a wheelchair would somehow be less capable of being an attorney or even unemployable and literally need a "handout" on the street. In reality, she owns her own firm with her partner and operates a mobile legal clinic, bringing legal services to rural parts of Oregon.

For Gabby, accessibility in the courtroom remains a significant challenge, even with ADA requirements in place. On more than one occasion, while going through courtroom security, she has

been asked to stand or get out of her wheelchair before entering.

Gabby must plan ahead for everyday activities and events. For example, she tells the court clerk ahead of time that she will not be able to rise when the judge walks in. Also, her wheelchair will usually not fit under the counsel table, making it sometimes impossible to set out her documents and organize her exhibits during trial.

The panelists noted that some people have "unseen" disabilities that often go unrecognized due to stigma, especially mental health disabilities. That led to the Q&A portion of the presentation, when several audience members self-identified as having a disability and mentioned the benefits and downsides of doing so. With that, there was momentum for creating a local affinity group for lawyers with disabilities to provide support, education, and community for its members.



Miranda Summer (left) and Gabby Richards

Queen's Bench luncheons are held the second Tuesday of each month from 11:45 a.m. to 1 p.m. in the Mark O. Hatfield U.S. Courthouse in downtown Portland. The topic of the May 8 luncheon will be "Good Token/Bad Token—A Token's Perspective." The topic on June 10 will be "Interrupting Racism—Grounding an Ally." For additional details, visit [www.owlsqueensbench.org](http://www.owlsqueensbench.org).

**Kamron Graham** is deputy public guardian and conservator for Multnomah County and treasurer for Queen's Bench.



Bodyfelt Mount welcomes associate attorney **Sarah P. Pozzi** to the firm.

Sarah clerked for the Honorable Karsten H. Rasmussen, Lane County Circuit Court, after graduating from the University of Oregon School of Law. Sarah is joining our trial practice. After all, it's in her blood.

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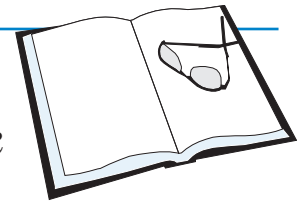


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# Imbeciles: The Supreme Court, American Eugenics, and the Sterilization of Carrie Buck

By Adam Cohen  
(Penguin Books, 2016, 401 pages)

Book Review by Teresa Statler



This important book tells the disturbing and sad story of Carrie Buck and the U.S. Supreme Court decision that allowed her to be involuntarily sterilized merely because she was poor and powerless. *Buck v. Bell*, 274 U.S. 200 (1927), like *Plessy v. Ferguson* and *Korematsu v. United States*, is one of the most disturbing and unjust decisions ever rendered by the Supreme Court. It has never been reversed and thus is still good law. This book is an exposé of this dark and forgotten chapter of American legal history. It also shows how, at every step in Ms. Buck's legal case, justice failed her.

In *Imbeciles*, Harvard Law graduate and writer-editor Adam Cohen has written a powerful account of how the Court collaborated in the involuntary state-sponsored sterilization of thousands of vulnerable people, wrongly thought to be "feeble-minded" or "imbeciles" because they were otherwise consid-

ered undesirable in early 20th-century America. These individuals included epileptics, "criminalistics," inebriates, and other "degenerate" persons.

Mr. Cohen also provides a detailed historical analysis of the rise of eugenics, the science of improving the population by controlled breeding to increase the occurrence of "desirable" heritable characteristics, in the United States. Eugenics was the driving force behind *Buck v. Bell*. Developed in the 1880s in England by Francis Galton as a method of improving the human race, eugenics fell into disfavor after World War II, only after the perversion of its doctrines by the Nazis. Unfortunately for Carrie Buck and other Americans deemed inferior in the 1920s, eugenics was alive and well and was used as the rationale at the highest levels of many state governments (including Oregon's) to involuntarily sterilize many people. The highest echelons of the medical profession largely supported eugenics, as did wealthy progressives, racists, anti-Semites, and xenophobes.

Carrie Buck was a teenaged live-in servant of a middle-class Virginia family. She had been removed from her mother's care and custody because her mother was poor and homeless. Carrie had a sixth-grade education and was raped by her foster mother's nephew. Due to her "moral delinquencies," her foster family sought to have her taken into the state of Virginia's care at one of the state hospitals. Based on her and her mother's lack of education and "low morals," they were considered an "imbecile" and a "moron," respectively. Carrie's daughter was adopted by her foster family and was later deemed by supposed experts to be "a dull child." Carrie was thus considered to be the perfect "test case" for the involuntary sterilization litigation on which Virginia wanted the Supreme Court to rule.

Mr. Cohen goes into much detail (sometimes a bit too much detail) about the lawyers' professional backgrounds. He also describes the witness preparation, the state court trial, and the subsequent

appeal to the Virginia Supreme Court of Appeals. Unfortunately, Ms. Buck was not well served by her incompetent and unethical lawyer, who failed, among other transgressions, to challenge outright false evidence and "expert" opinions from individuals who were not experts.


In February 1925, a Virginia county court ruled that Virginia's eugenic sterilization statute was constitutional and affirmed the hospital board's order that Ms. Buck be sterilized. On November 25, 1925, the Virginia Supreme Court of Appeals affirmed. The same attorneys argued the case before the U. S. Supreme Court, where Justice Oliver Wendell Holmes delivered the Court's opinion.

Mr. Cohen writes that "[g]iven his status as a living monument to American justice, it would seem that Carrie Buck could hardly have done better than to have her fate placed in Holmes's hands. What she could hardly have known—few Americans did—was just how wide the chasm was between Holmes the legend and Holmes the man." Mr. Cohen takes many pages to tell us about Holmes as a "dark force" and that he was "savage, harsh, and cruel." He reports that Holmes believed it was the normal course of things for the "rich and powerful to impose their will on the poor and weak." It is clear from the 8-1 decision, authored by Justice Holmes, that he regarded Ms. Buck's claim with contempt. Holmes's infamous words in the majority opinion, "Three generations of imbeciles are enough," make that very clear.

This book made me angry, and in the polarized political climate of today, where xenophobia and misogyny thrives, it also made me wonder if something like that could happen again. Even though Mr. Cohen sometimes repeats himself in places throughout the book, *Imbeciles* is nevertheless an important read for all lawyers. It would also be an excellent choice for book groups.

*Teresa Statler has a solo immigration law practice in Portland. She is chair of the AdvanceSheet Committee.*

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