

AdvanceSheet™

PUBLISHED QUARTERLY BY OREGON WOMEN LAWYERS

VOLUME 32, No. 4 FALL 2021



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OWLS Hosts CLE on Parenting Through a Racial Justice Lens

By Wilson Ta and Sidney Villanueva

It takes a community to raise a child. Whether we raise a child as parents, grandparents, aunts, uncles, or "the cool" aunt or uncle, we want to take the time to learn and understand how we affect our little ones. In a three-part series that began on June 15, Karen Neri and Andrea Redeau conducted a CLE on exploring and understanding how we can raise racially conscious children. The series, presented by the OWLS Working Parents Committee, included a crash course on examining racial identity, privilege, oppression, and racialized trauma as parents, friends, and family members, and in the context of your child. Three sessions cannot fully unpack the complexities of race and parenting, but they can provide profound discussion and reflection.

Karen and Andrea began the CLE with a discussion of how children experience race and a graphic demonstrating the cycle of socialization that perpetuates antiblackness and white-body supremacy. Our parents, relatives, teachers, and the people we love and trust shape the expectations, rules, and schema of our daily lives. Those become reinforced and instilled through institutions and cultural norms that either promote

the racist status quo through silence and inaction, or create a direction for change through education and discussion.

Karen said that caregivers are the starting point for raising racially conscious children and that "caregivers must have their own understanding, willingness, and . . . curiosity about their own racial identity development." Consequently, if we want to raise racially conscious children, we have to shine a light on how race has shaped our own identity development.

Throughout the series, we broke into smaller groups to discuss our personal experiences with race, identity, privilege, and oppression in the context of what had been presented. Naturally, the time allotted for the discussions went by too fast because there was so much to unpack. These were safe group discussions among colleagues who want to improve themselves and their families. This is where the magic happened.

The discussions helped us explore and engage, but we were left wanting more. Fortunately, Andrea offered tangible strategies, which appear straightforward but are complex. These are the seven action items Andrea listed for parenting



Andrea Redeau



Karen Neri

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Renew Your OWLS Membership

It's time to renew your OWLS membership. Renew before October 20 and receive a code for \$15 off the OWLS Fall CLE. Check your email inbox for your personalized renewal, or click [here](#) for more information.





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President's Message

I have been following the news regarding the Newberg School Board's decision to ban Black Lives Matter, LGBTQIA+, and other "political" signs, flags, and articles of clothing from its campuses. The argument made to support the decision is that these are political ideologies to avoid. I strongly disagree.

I cannot deny, however, that within my various circles of colleagues, friends, and board members, the topic of being "too political" has come up. I often find myself arguing that simply because something has been politicized does not mean that the topic is political. There is a difference.

It is interesting that issues impacting traditionally underserved communities are the ones labeled "too political." That is not surprising, as I find that as our community evolves in addressing topics that center around equity, the narrative of white supremacy also changes.

What I have come to realize is that "politicization" is "the last refuge of the scoundrel." Thanks to Samuel Johnson for the quote. (My affinity for quotes and idiomatic expressions does come in handy occasionally.) To "politicize" something is to render it political in a way that distorts its true meaning.

I find myself shutting down and ending a conversation when someone says the topic is "too political." Why have the concepts of supporting lives and pride become political? Does something become political simply because the topic has become politicized? If it does, the people winning are those who benefit from the way things are. A raised consciousness is always a threat.

With the help of a few like-minded friends, we can navigate what is political vs. what has become politicized, but it is important to inform our community that calling something "political" is dangerous. It stifles ideas and voices that are promoting concepts of equity, and it stops those conversations. I certainly do not want to be accused of being too political.

How do we move beyond politicization? I do not know the answer, but when someone tries to persuade me that a topic is "too political," I ask myself, for whom am I advocating?

That is what I pondered when selecting the OWLS Fall CLE topic of reparations. I received some pushback, but nothing that I could not navigate with the help of the OWLS Board of Directors.

The bottom line is that if I am supporting humans and their rights, I may bring up the topic of white supremacy with you. This is not meant to be a criticism. I am guilty of falling into the trap of continuing to support institutions that were not created for people like me, institutions that center the voices of straight, cisgender, white men. If we speak out against these concepts, though, change can begin.

Let's be kind to each other and ensure that we are present and willing to learn from each other's differences. Most importantly, be mindful of when you use the term "too political." Thinking about this concept should go a long way to help ensure that white supremacy does not make further progress.

I look forward to seeing you at the virtual OWLS Fall CLE, titled "Reparations: The Constitution and Oregon Law," on October 22 from 1 to 5 p.m. Feel free to contact me directly if you have any questions or points of conversation.

Jacqueline L. Alarcón
President, Oregon Women Lawyers



Jacqueline Alarcón

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

OWLS CLE on Reparations on Friday, Oct. 22

Join OWLS on Friday, October 22, from 1 to 5 p.m. virtually for a thought-provoking CLE entitled "Reparations: The Constitution and Oregon Law." This virtual program will feature a keynote address by Brence Pernell, an adjunct professor of law, who will discuss the 13th Amendment and the constitutional basis for reparations.

Presentations by State of Oregon Representative Janelle Bynum and Senator Lew Frederick will follow the keynote. The program will conclude with a panel discussion moderated by Rakeem Washington with Roberta Phillip-Robbins and Cameron Whitten. The cost is \$35 for OWLS members and members of other affinity bar associations, \$50 for non-members, and free to law students. [Scholarships are available.](#)

About the Keynote Speaker

Brence Pernell teaches at NYU School of Law and at New York Law School. His scholarly interests intersect race, education, and the law. He has published in several law journals, including, most recently, the *Yale Law & Policy Review* (forthcoming in 2021).



Professor Brence Pernell

After obtaining his BA in history from Duke University, Pernell studied at the Harvard University Graduate School of Education, earning his MEd. He taught public high school for several years thereafter and then attended the NYU School of Law. He clerked for two federal judges before litigating at Paul, Weiss, Rifkind, Wharton & Garrison. He now serves as assistant general counsel at MDRC, a New York-based social policy firm aimed at improving public education and the lives of poor people.

Thank you, [Columbia Bank](#), the title sponsor of this CLE.



OWLS Thanks Teresa Statler

By Joslyn Keating

As Teresa Statler winds down her career as a solo immigration attorney, she has decided to scale back her involvement in the *AdvanceSheet* Committee by stepping down as chair. Teresa joined OWLS in 1991 after going through the OWLS mentorship program in law school. Attracted partly by the *AdvanceSheet* (AS) book reviews, she joined the AS Committee in 2007 and became chair in 2014. Since then, she has led the committee in publishing over 20 issues of the AS.

Teresa's favorite part of her tenure as chair has been getting to know attorneys with practices completely different than her own. She also appreciates all she has learned about journalistic writing from longtime AS editor Elise Gautier, whose professionalism and talent Teresa admires. Her favorite article to write (so far) was published in the Fall 2015 issue, commemorating the OWLS-sponsored trip to England during the 800th anniversary of the Magna Carta.

While Teresa will no longer serve as chair of the AS Committee, she will continue to serve as a volunteer writer. She is also taking creative writing and French classes, and once fully retired, she plans to travel extensively. Thank you, Teresa, for your hard work and commitment to the *AdvanceSheet* over the years.

Joslyn Keating is an attorney for Reinisch Wilson Weier in Portland.



Teresa Statler

For more info about OWLS, please visit www.oregonwomenlawyers.org.



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Upcoming Events

Queen's Bench Monthly Presentation

Tuesday, October 12, noon–1 p.m.
via Zoom and Facebook Live
No cost. Register [online](#).
Queen's Bench presentations take place on the second Tuesday of each month at noon.

OWLS Fall CLE (virtual) Reparations: The Constitution and Oregon Law

Friday, October 22, 1–5 p.m.
via Zoom
Keynote speaker: Brenne Pernell, Adjunct Professor of Law. Also featuring State of Oregon Rep. Janelle Bynum and Sen. Lew Frederick, and panelists Roberta Phillip-Robbins and Cameron Whitten, moderated by Rakeem Washington.
Register [online](#). \$35 for OWLS and affinity bar members, \$50 for non-members, no cost to law students. Renew your OWLS membership by Oct. 21 and receive a \$15 discount on the CLE. [Scholarships available](#).
Thank you, Title Sponsor [Columbia Bank](#).

Affinity Bar Series for New Lawyers & Law Students Setting Boundaries & Avoiding Burn Out

Wednesday, October 27, noon–1 p.m.
via Zoom

This session is hosted by the Multnomah Bar Association and its Young Lawyers Section. Featuring Julie Preciado, Iván Resendiz Gutierrez, Ron Cheng, and Samantha Radcliffe, moderated by Kirsten Rush.
No cost. Register [online](#).

Oregon State Bar Convocation on Equality

Friday, November 5
Find information [here](#).

Queen's Bench Monthly Presentation

Tuesday, November 9, noon–1 p.m.
via Zoom and Facebook Live
No cost. Register [online](#).

Affinity Bar Series for New Lawyers & Law Students Topic TBD

Wednesday, November 17, 5–6 p.m.

via Zoom

This session is hosted by the South Asian Bar Association of Oregon (SABA).

No cost. Registration information forthcoming.

Lane County Women Lawyers Presents 3rd Annual Chief Justice Martha Walters Award

Friday, December 10. Details forthcoming.

OWLS Office

Closed December 24–January 3

Affinity Bar Series for New Lawyers & Law Students Representing Victims of Police Misconduct and Brutality

Wednesday, January 26, 5–6 p.m.
via Zoom

This session is hosted by the Oregon Trial Lawyers Association. Featuring Rian Peck, Nadia Dahab, and Jane Moisan.

No cost. Registration information forthcoming.

OWLS Roberts & Deiz Award 2022 Virtual Celebration

Friday, March 11, 2022, 6:00–7:45 p.m.

OWLS Civil Rights Trip to Mississippi & Memphis

Led by Ron Silver and Elise Gautier
April 26–May 3, 2022

Visit historic sites from the civil rights movement. For information and to register, see below and contact [Elise](#).

OWLS Civil Rights Trip to Mississippi & Memphis

Join other OWLS members for an in-depth tour of civil rights history in the 1950s and 1960s in Mississippi and Memphis. We will meet in Jackson, MS, on Tuesday, April 26, 2022, and the tour will conclude in Memphis, TN, on May 3 (with optional departure on May 2). We will apply for CLE credit for portions of the tour.

The tour will be led by Ron Silver, a retired assistant U.S. attorney in Oregon, who created this tour, and Elise Gautier, longtime editor of the OWLS *Advance-Sheet* and a Mississippi native. We will

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Three OWLS Members Appointed to Circuit Courts

Governor Kate Brown recently appointed three OWLS members to the judiciary: Jenna Plank and Chanpone Sinlapasai were appointed to the Multnomah County Circuit Court, and Erin A. Fennerty was appointed to the Lane County Circuit Court.

Judge Jenna Plank earned a BA in communications from the University of Portland in 2001 and a JD from Lewis & Clark Law School in 2005. She then went to work at the Multnomah County District Attorney's Office, where she continued to work until she took her seat on the bench.

Judge Plank has served on the Oregon State Bar Uniform Criminal Jury Instructions Committee, on the OWLS *AdvanceSheet* Committee, and in the



Judge Plank

OSB House of Delegates. She has also volunteered with mock trial instruction and moot court competitions.

Judge Chanpone Sinlapasai emigrated from Laos to the United States as a refugee at age four. She earned a BA in English and philosophy from Santa Clara University in 1998 and a JD from Lewis & Clark Law School in 2002. She has worked at the Immigrant Refugee Community Organization, as an anti-trafficking and domestic violence attorney at Catholic Charities, and most recently at Marandas Sinlapasai Garcia, where she was a partner and practiced federal immigration law.

Judge Sinlapasai is a past chair of the Oregon Commission on Asian & Pacific



Judge Sinlapasai

Islander Affairs and the recipient of several awards, including the OSB President's Public Service Award and the OWLS Roberts & Deiz Award.

Judge Erin A. Fennerty earned a BA in political science from the University of Utah in 2001 and a JD from George Mason University School of Law in 2007. Before assuming the bench, she had worked at Luvaas Cobb in Eugene since 2008, practicing family law, education law, municipal law, and general civil litigation. She was a judge pro tem for the Lane County Circuit Court, is the immediate past president of the Lane County Bar Association, and serves on the OSB's State Professional Responsibility Board.

Congratulations, all.



Judge Fennerty

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OWLS Civil Rights Trip

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visit the home of Medgar and Myrlie Evers, sites associated with the killing of Emmett Till and the Freedom Summer killings, Fannie Lou Hamer's gravesite, and historic county courthouses, and we'll share meals with civil rights guests who still live in Mississippi.

We will also visit two superb museums, the [Mississippi Civil Rights Museum](#) in Jackson, and the [National Civil Rights Museum](#) in Memphis, which includes part of the Lorraine Motel. We'll meet at least once before the tour for an overview of the history.

The maximum size of the tour group is 12 people. Participants will purchase their own plane tickets, hotel rooms (we'll suggest the hotels), and meals, which we estimate will total about \$2,000/person, and will pay a share of the joint costs (van rental, gas, honoraria, etc.), which we estimate at about \$700/person if the tour is full.

If you have questions or would like more information about this incredible tour, please contact [Elise Gautier](#). Secure a seat by sending a \$250 deposit to Elise by October 30.

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Hailey was very **knowledgeable** about the market, **responsive** to all my questions, and was able to quickly find me interviews for a number of great opportunities. **Having Hailey in my corner through the process was invaluable.** — Winslow H.



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OWLS Foundation Sponsors Law Student at LASO

By Nora Coon

Pamela Domingo, one of the 2021 Multnomah Bar Association Fellows, has always been committed to public service. When she applied to law school, Pamela already knew that Oregon was where she wanted “to give back to the community and practice.” She discovered the Multnomah Bar Association Fellows Program while searching for scholarships online, and she applied to the program while applying to law school. The Oregon Women Lawyers Foundation sponsored Pamela as one of this year’s MBA Fellows.

As an MBA Fellow, Pamela worked this summer at Legal Aid Services of Oregon (LASO), where she focused on family law and domestic violence issues. The work included on-call shifts, answering other calls, and interviewing potential clients who were seeking restraining orders. She also worked on some immigration issues for victims of domestic violence, including applications for citizenship, and had the opportunity to draft some motions. Pamela “really appreciated the amount of responsibility that was given to me.”

She loved her experience at LASO. Her supervisors “were very patient and supportive and were always there when I had any questions.” Although LASO couldn’t represent everyone, Pamela was able to obtain general advice to share with others who lacked necessary resources. For Pamela, “the most enjoyable part of my internship was the client interaction and being there to support people in a very difficult time.” The clients were “always very appreciative,” which “definitely made everything worth it.”

Even though she worked remotely, given the pandemic, Pamela made the most of her time at LASO. At first, she was concerned that working remotely would be isolating, but she said that “LASO did a really good job making sure that we [were] supported and [were] still part of the team.” In addition to weekly check-ins, there were virtual happy hours each Friday for the interns, and two in-person happy hours were held for those who could attend. Pamela was ultimately able to meet and interact with many of the LASO staff.



Pamela Domingo

Looking to the future, Pamela continues to be excited about public interest work. “My experience with LASO further strengthened that passion of mine,” she said. She’s taking more classes in her areas of interest this year, including immigration and family law, as well as a public defense clinic in the spring. She hopes to explore that area of law as another facet of public interest work.

Nora Coon is a deputy public defender at the Office of Public Defense Services, Criminal Appellate Section, and a member of the OWLS Foundation board.

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Call for Volunteers

Volunteer [committees](#) are the backbone of Oregon Women Lawyers. Committee work is one of the best ways to support OWLS—and make friends and professional connections in the process. Committee members are members of OWLS.

Committee work varies in duration and time commitment, with some committees serving as limited-term “project” committees and others providing year-round guidance and oversight for issue areas. Most committees meet once a month or once every two months and can be joined by OWLS members in any location, as meetings are held by phone or video conferencing, as well as in person.

The time commitment varies and can be as little as 3–5 hours per month. Feel free to contact the [committee chair](#) of any committee you’d like to join. Or respond to this [brief 5–7 minute survey](#) to discover the best committee fit for you. We welcome your participation.

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On February 18, 2020, I returned to Oregon from a dream trip through Vietnam and Cambodia. During the trip we wore masks on every flight and in crowded places, sanitized our hands constantly, and were reminded at every temperature check, symptom questionnaire, and border closure of the new virus in China. Upon arriving home, my fellow travelers and I had successfully survived the novel coronavirus, and we were returning victorious with the knowledge that we would always remember how we had somehow traveled to and through Asia during this time and would have fun stories to tell at future cocktail events. We all know how this story really played out and how it continues to do so every day worldwide and for each of us here at home.

The concept of the global pandemic as a resilience builder is something that I have given a great deal of thought to over the many months that followed my last real vacation anywhere. In fact, I am writing this article while on a vacation to nowhere. I could refer to it as a staycation, but that seems to indicate that there was a choice made to stay home rather than to travel. But as we all know, the pandemic has forced many things upon us and often beaten us down into accepting that we no longer have full control of simple aspects of our daily lives that we used to control with ease and simplicity.

Back at LEC (the courtroom at the Washington County Law Enforcement Center), I jumped back into the docket upon my return from Asia. There were little signs here and there that perhaps the novel coronavirus might not have the courtesy to remain confined to one small part of the world and that, unlike SARS and MERS and Ebola, this tiny little virus might have some staying power and travel overseas as readily as I used to pre-COVID.

Soon enough we were sanitizing surfaces and not touching our faces. We learned how to stifle sneezes, properly cover our coughs, and maintain 6-foot social distances. Temperature checks happened routinely. Fist-bumping replaced handshakes, then elbow taps became the norm, then ... nothing. And the shutdown. Hard stop.

Nothing has been the same since then. A skeleton crew of court staff and I went to LEC every day and kept handling arraignments, change-of-pleas, and release hearings. I received frequent updates about the status of the jail and whether the virus had infiltrated its walls. At one



Judge Rebecca Guptill
Washington County Circuit Court

point it seemed I was no longer deciding merely someone's freedom while a case was pending, but the likelihood of survival until the trial, which might not happen for an extended period-of-time. The weight of the decisions I made was heavy.

As things reopened, we navigated how to bring relatively large groups of people back into our spaces safely and efficiently. The way we looked at dockets and physical spaces changed, and modifications to our processes and dockets had to be made almost daily. I found myself standing beside staff and deputies disinfecting clipboards and pens, checking temperatures, and instructing people to maintain distance.

Eventually, in January of this year, I moved to the main courthouse and took over a family law docket and our Mental



Judge Rebecca Guptill in April 2020

Health Court. The world kept moving forward and onward. Eventually a vaccine was in sight, and more than one version at that. I was so grateful when I was able to get vaccinated in April that I nearly cried. I *did* start to cry the first time I went to the Tuesday market by the courthouse

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after it reopened. Seeing people happy and acting almost like “normal times” had returned was emotional.

The initial shutdown was hard to handle. I chose to embrace the people around me (albeit from a distance). I became much closer to the people whom I still saw daily. I checked in with every staff person at LEC daily. I wanted to make sure the people around me felt appreciated and supported. We tried to find little ways of making things better. We even tried theme days. Silly sweaters. Favorite sports team shirts. Everybody wear green. Extra walks outdoors were prioritized, rain or shine, and they replaced my trips to the gym that remained shuttered. I learned to accept the constant changes and the futility of fighting them.

I started telling people that I just try to live by the Serenity Prayer and the Golden Rule. I am sure I don't need to spell those out, but I'll paraphrase anyway, just in case. My Grammy Mary had the short version of the Serenity Prayer on her wall when I was a small child. Strength to accept the things I cannot change, courage to change the things I can, wisdom to know the difference was a mantra I learned young. And the

Golden Rule: treat others how you would like to be treated. Really basic stuff in theory, but during the pandemic it truly kept me going.

When I was asked to write for the OWLS *AdvanceSheet*, I thought I might come up with some fabulous topic on my own. At some point I finally gave in and asked for help with ideas. The suggested topic that stood out to me was resilience building and the pandemic—because I had contemplated resilience so often during this time. But I also thought, “Yikes, what on earth do I have to teach people about resilience!?” After all, I am not a mental health professional or even that wise, in my opinion. But the truth is that I do believe I have built up some resilience over the course of my life without even knowing that I was doing so. And then came the pandemic.

So, as all stumped, writer's-block-ridden, imposter-syndrome-suffering judges would, I started with Google. The American Psychological Association has a great article on building resilience, called quite aptly, “Building Your Resilience.” You can find it [here](#). Some of the advice is not so easy to follow during a global pandemic, or at least it takes some creativity to do so. For instance, “prioritize your relationships” has meant pivoting toward remote methods of communication that often pale in comparison to in-person contact. But some of the advice holds up quite well and is manageable even during these times. I highly recommend that you read the article, as it is far more helpful than the advice I can give.

But if you do want my non-expert advice, it starts with this: it is OK to not be OK. Period. Then, once you acknowledge what you can and can't change about your reality and accept the way things are, try to find perspective and be proactive. For me that has meant looking back on other struggles in my life that I have overcome or made it past. It has meant finding purpose in the crucially important work we do as part of our justice system (the crucial importance of which has been made all the more clear by the protests and racial justice movement coinciding with the pandemic).

I also have tried to engage in more mindfulness. I still go for more walks outdoors, and when I am not with a friend or colleague, I try to appreciate the simplicity and complexity of the nature around us. I am often reminded of my grandfather Len, who was a forester

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*Judge Guptill (left),
Jodi Boylan, judicial assistant (center),
and Samantha Hamilton, clerk*

with the Bureau of Land Management, and how, even after he retired, he would walk miles every day, up until the day he no longer physically could. I try to appreciate the opportunity to breathe in fresh air and to experience the seasons and the weather each brings. I also try to focus on self-care by keeping a routine and getting enough sleep, sometimes using the Calm app to listen to a “sleep story” if I am having trouble winding down.

I don't spend much time on social media anymore, except to directly communicate with a friend or family member. I read the news and try to stay up-to-date, but I don't dwell on it or fixate on it. I try to do one small good deed daily with nothing in it for me. Often that is just returning an extra cart at the grocery store or dropping a neighbor's package off at their door. I try to give people the benefit of the doubt and grace during these times, as I know we all are struggling in our own ways. And I try to remember to give myself some grace as well.

I cried when the clock hit midnight and 2021 began. It seemed cathartic and symbolic to celebrate the end of the year that changed everything. Now in late summer, back to mask-wearing in public and group settings, both indoor and outdoor, facing down the Delta variant, and looking toward social distancing being reinstated, it is clear that none of us know when the COVID-19 pandemic will be over. It is hard to accept that reality.

I am looking for what to celebrate next. I'm going to focus on the things that are good each day, while striving toward a long-term, big-picture goal. I am going to celebrate the stronger and more resilient person that is formed every morning that I wake up and keep moving forward. I hope that this article finds you more resilient as well.

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Washington County Circuit Court Judge Jim Fun Made Lasting Impacts

By Judge Jenna Plank

Recently, I had the honor of spending an hour with retiring Washington County Circuit Court Judge Jim L. Fun. Presiding over Washington County Circuit Court matters for over 15 years, Judge Fun is an institution in Washington County. During his time on the bench, he has worked to improve the juvenile justice system, promote the participation of youth in legal processes, facilitate the Mental Health Court and related services in Washington County, and promote professionalism in the Oregon State Bar. Judge Fun is well respected by those who appear before him, and he has made lasting impacts on the Oregon legal system. He is also profoundly humble and insightful, and has been a staunch supporter of OWLS throughout his career.

The child of immigrants, Judge Fun was born and grew up in Rock Springs, a rural small town in southwest Wyoming. He said he is immensely fortunate to have grown up in a place like Rock Springs in the 1970s, which at that time was populated with lots of immigrants and people of different ethnicities drawn there by coal mining prospects. His family, one of eight Chinese families in the town, owned and operated a Chinese restaurant. The restaurant wasn't just a restaurant. It was a community meeting place in his small town, and it provided him the opportunity to meet and get to know the various residents of Rock Springs, including its lawyers.

Judge Fun said it was the lawyers who inspired him to pursue the practice of law. "They were courteous to a fault, educated, sophisticated, and most importantly, seemed at that time to be on the cutting edge of diversity and inclusion." They impressed upon Judge Fun the importance of diversity in the legal system—that lots of different people joining the legal system would make the system that much better. The lawyers he knew in Rock Springs in the 1970s, Judge Fun said, were pillars of the community dedicated to making their community better. These same lawyers saw the young Jim Fun's potential and impressed upon him that he not only could, but should, go to law school.

Judge Fun earned degrees from the University of Wyoming and Willamette University College of Law. Upon finishing

law school, he decided to stay in Oregon, finding the new development in and around Portland exiting and full of opportunity.

Judge Fun describes his first legal clerkship, and in part the career resulting therefrom, as the product of the Oregon State Bar's vision and commitment to diversity. In the 1980s the bar promoted a summer clerkship program for law students who were then labeled "minority" students to promote diverse student employment at law firms. Judge Fun was hired as part of this program to work for former Clackamas County DA, and then solo practitioner, Roger Rook. Rook, a prominent member of the legal community, gave Judge Fun his first opportunity to see life as a lawyer in Oregon.

From there Judge Fun clerked for a criminal defense firm in Portland, then after graduation landed at an insurance defense firm. After a year and a half working at the civil firm, Judge Fun expressed his impatience with the lack of opportunities to appear in court. His



Judge Jim Fun

wife responded with a suggestion that changed his life. She suggested that he buck the normal career arc and move from civil litigation to the district attorney's office. In Judge Fun's words, he "never looked back from there."

Judge Fun went on to practice criminal law at the Washington County District

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Judge Jim Fun

Attorney's Office for the next 16 years. While there, he participated in criminal justice system improvement projects and initiated CLEs on juvenile and family law and trial advocacy, and he became a regular instructor at the National Advocacy Center (NAC) in South Carolina. Judge Fun described his time at the NAC as a reminder that there is always someone you can learn from, someone who is more disciplined, more prepared, and more experienced. Exposure to those professionals motivated him to relentlessly try to improve his skills as an attorney.

Judge Fun hadn't considered a career on the bench until the summer he supervised an exceptional female law student of color. At the end of the summer, when he asked this clerk to consider a career in public service at the DA's office, she replied that she loved working there, but wouldn't be applying anytime soon because the lack of diversity in Washington County made her uncomfortable practicing there. When Judge Fun shared that story with a colleague, his response was, well "what are YOU [doing] to push the system forward and inspire others?" It was at that moment that he decided to run for a judicial seat in Washington

County, because, as he said, "unless and until BIPOC, LGBTQ, and other under-represented people have the courage to seek out positions [of prominence] and fight to be inclusive, the system doesn't change." He felt that life had given him many opportunities, and people who have been given opportunities "have a responsibility to do our part ... to promote equality—we have to have the courage to lean in."

In what he describes as the perfect example of American democracy at work, Jim Fun, the small-town child of Chinese immigrants, ran in an open election in Washington County and won his judicial seat in 2006. During his time on the bench, he tried to promote tolerance and diversity, and to better serve the community by striving to ensure that parties had meaningful access to the justice system—the right to appear, be heard, and, most importantly, be understood.

Judge Fun said that the thing he liked most about being a judge was the expectation to be better—a better lawyer and judge, a better communicator, and a better community partner. When asked how he hopes parties experience his courtroom, he responded: "With

confidence that the justice system acts with transparency and integrity. Full stop. That is my job."

For now, on the cusp of retirement, Judge Fun doesn't have any firm plans for the future. He found great meaning in his career, but, he said, "the justice system benefits when others are given an opportunity to serve." He said it is "important to give others the chance to add their voice to the conversation" and that whoever takes his seat on the bench "will be different, which is a positive influence on the justice system because the system benefits from diverse perspectives and experiences."

When asked what wisdom he would pass on to attorneys, Judge Fun said it's simple: Do the right thing for the right reason. Step up and lean in, and say yes when life presents opportunities to grow as a person and a professional.

Judge Fun concluded our time together by expressing his gratitude to OWLS for creating and promoting opportunities for advancement for newer and disadvantaged attorneys in Oregon. And for being a place where attorneys can find role models, camaraderie, and mentors in a profession that can be isolating and intimidating. In his words, "If you need motivation, become a member of OWLS and take inspiration from the best and most accomplished."

Judge Jenna Plank serves on the Multnomah County Circuit Court.

[Editor's note: Judge Fun retired from the bench on October 1, after this article was written.]

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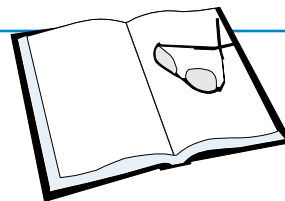
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Jane Crow: The Life of Pauli Murray

By Rosalind Rosenberg
(Oxford University Press, 2017, 494 pages)

Book Review by Teresa Statler



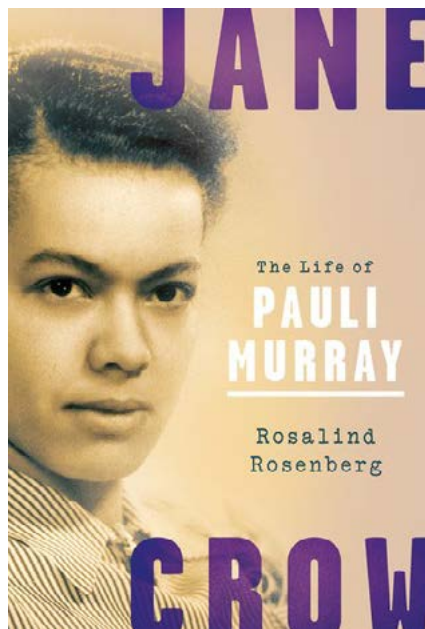
This detailed biography of the incredible Pauli Murray—lawyer, activist, writer, scholar, and minister, among her other achievements—is long overdue. Rosalind Rosenberg, professor emerita at Barnard College, Columbia University, has done a deep dive into this fascinating and brilliant Black woman's life, a woman who should have been a civil rights icon and who is now finally receiving the credit and adulation she is due. The director of the well-received film *RBG* has just completed a documentary about Murray: *My Name is Pauli Murray*, which was released to theaters on September 17. The documentary and Rosenberg's book should be required viewing and reading for all Americans.

Although the book is the life story of the accomplished Pauli Murray, it is also the story of 20th-century America, told through the intersections of race, gender, and sexuality—all of which are key to understanding Murray and her legacy. Born in 1910 in Baltimore to a family of African, Native American, and European descent, Murray grew up in North Carolina with her aunts after the deaths of her mother and father.

From a young age, the very intelligent Murray struggled with gender identity issues. As a child, she convinced her aunt to let her shop in the boys section of department stores, and she wanted to do boys' chores. As a young woman, Murray thought she was "internally male" and was attracted to straight women. However, she bristled at being called a lesbian; today she might have embraced a transgender identity. In the 1930s, Murray read every scientific book and article she could on the science of sex and concluded that she was a "pseudo-hermaphrodite." Murray was certain that she had undescended testicles and convinced a doctor to do exploratory surgery, after which she was told this was not so. She also asked doctors to prescribe male hormones, but that was not done in the 1930s and 1940s. Throughout her life she unfortunately suffered from emotional distress, including depression, due to her feelings of gender dysphoria.

Murray grew up poor. As a young adult she "escaped" to New York, where she cobbled together enough money from many part-time and short-term jobs

to allow her to graduate from Hunter College, where she embraced what was then deemed radical politics and joined the labor movement. Class issues led back to race, and her identification with struggling workers during the Depression inspired her to join—indeed, to be there at the creation of—the civil rights



movement. She was active in the NAACP.

Murray became the first woman admitted to the Howard University School of Law, and graduated first in her class. Under Murray's guidance, women students from Howard held a successful sit-in at a Washington, DC, "Whites Only" restaurant in 1943, nearly 20 years before SNCC and a later generation of students sat in at lunch counters in the South. She later did graduate work at Berkeley's Boalt Hall, where her legal scholarship on how private acts of discrimination could also be attacked under the Thirteenth Amendment's grant of power to the federal government to enforce the abolition of slavery (as well as her scholarship on the Equal Protection Clause) influenced her professors and, later, civil rights lawyers of the 1950s and 1960s.

Pauli Murray was a legal trailblazer, challenging the supposedly fixed boundaries of race and gender. In the early 1950s her brilliant legal scholarship on race discrimination encouraged Thurgood

Marshall to shift course and attack segregation directly as a violation of equal protection in *Brown v. Board of Education*.¹ Marshall was influenced by the strategies Murray set forth in a seminar paper she had written while at Howard law school in 1944, "Should the Civil Rights Cases and *Plessy v. Ferguson* Be Overturned?" In the early 1970s her concept of "Jane Crow"—the depiction of gender discrimination as analogous to race discrimination—helped propel Ruth Bader Ginsburg to her first U.S. Supreme Court victory, establishing a woman's right to equal protection in *Reed v. Reed*.² Murray's 1965 book *Jane Crow and the Law* also inspired Ginsburg and other young women lawyers to use the Equal Protection Clause to win new rights for women.

Thurgood Marshall and RBG were not the only now-famous Americans Murray knew, interacted with, and inspired. Others included Eleanor Roosevelt, James Baldwin, Betty Freidan (with whom Murray helped start NOW, the National Organization for Women), Langston Hughes, and Oregon's Congresswoman Edith Green (with whom she worked on legislation to counter the exemption of institutions of higher education from various civil rights measures).

Later in life Murray pioneered a Woman's Studies Department as a professor at Brandeis. She also became the first Black woman ordained as an Episcopal priest. This book review only scratches the surface of this accomplished woman's life, which Rosenberg sets forth in her insightful and thorough biography of Murray. The book is, however, marred by poor editing in places, including missing words in sentences, usage errors, and misspellings (including, in several places, Ruth Bader Ginsburg's name). Even so, *Jane Crow* is a must-read for everyone.

Teresa Statler has a solo immigration law practice in Portland.

Endnotes

1. *Brown v. Board of Education*, 347 U.S. 483 (1954).
2. *Reed v. Reed*, 404 U.S. 71 (1971).



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OWLS Hosts “Planning for the Unexpected”

By Judge Jenna Plank

On July 21, Danielle Vakoutis of HAN Legal and Marisa Moneyhun of Kehoe Moneyhun Law presented an OWLS Lunch and Learn titled “Planning for the Unexpected.” Danielle, who specializes in estate planning, fiduciary litigation, trust administration, and guardianships and conservatorships, described herself as the person you call to clean up when plans don’t go right. Marisa, who specializes in estate planning, guardian and conservatorship proceedings, and estate administration, described her practice as focusing on making plans for the future. Together they gave a wonderfully informative presentation that would hugely benefit both lawyers and non-lawyers alike. In sum, their message was that planning for the future today is the best way to ensure that your wishes for the future come to pass.

Marisa and Danielle walked the audience through the process of planning for possible future incapacity, and they explained that if you don’t have a plan, the court will have to get involved and create either a guardianship or a conservatorship. They explained the guardianship and conservatorship processes, and then described the various plans you can make to avoid the court system altogether.

They suggested that creating a power of attorney while you still have capacity is a good way to assign your financial and legal decisions to a trusted designee. A power of attorney can include access to business accounts, can be added to business operating agreements, and can even be used by young adults to assign legal and financial power to parents when they’re traveling abroad or are otherwise unavailable when needed. In Oregon, an advance directive is the form used to appoint a healthcare representative and make certain end-of-life medical decisions.

The attorneys also walked the listeners through the legal processes that operate when a person dies. They explained the need to pay attention to how your assets are titled, emphasizing that title typically controls how property is transferred after death. Survivorship was explained as a simple method to transfer assets after death; things like joint bank accounts simply transfer to the surviving joint party after death, without the need for court involvement. Beneficiary designations can also be used to direct which beneficiary



Danielle Vakoutis

gets your property, avoiding the need for a probate.

Danielle and Marisa also explained how wills and trusts can be used to accomplish more specific control over the distribution of your assets after your death. They described how a trust with a named successor trustee is in many cases the best way to ensure that assets get exactly where you want them to go, and quickly. Trusts avoid the delay and cost of probate, and there may be some tax benefits as well.

Marisa and Danielle explained that wills provide an opportunity to designate distributions to selected beneficiaries, and allow a person to nominate a personal representative who will administer the estate, but that a will typically involves probate, the court process, and a four-month period during which claims and challenges can be made. In sum, any plan that involves probate will take longer and will be costlier than had you put together a plan that avoids the probate process altogether. If there is no plan at all, state law will determine who inherits, and any interested party can step forward to administer the estate.

At the end of the presentation, both speakers were asked to give a quick summary of the bare minimum planning all of us should do for the future. They stated that at a minimum, we should all do the following:

1. Check your beneficiary designations to make sure they reflect who you want to receive each asset, since no matter how out of date the beneficiary designations are, they control.
2. Double check how you own your major assets and whose name they are in.
3. Complete a power of attorney and an advance directive (an Oregon health-



Marisa Moneyhun

care power of attorney). In Oregon the advance directive is a statutory form that can be found online.

4. Create a will if you don’t want the work of setting up a trust—this is especially important if minor children, unmarried couples, or blended families are involved.

5. Be sure you sign a HIPPA release so your medical providers can share information with your healthcare representative and family members.

These simple steps, if taken now, will go a long way toward ensuring that your wishes for the future are followed. Plan now for the unexpected, because when the unexpected comes to pass, it’s too late.

Judge Jenna Plank serves on the Multnomah County Circuit Court.

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Meet OWLS Board Member Alejandra Torres

By Marisa Moneyhun

Inspired by her parents, who left Mexico City when she was three years old to start a new life in San Jose, California, Alejandra Torres has lived her life by the motto "Just try it." Family is very important to Alejandra, and she treasures the strong family bond that she has with her parents and siblings. One of her earliest memories is the excitement she felt when boarding the plane from Mexico City to the United States to be reunited with her parents after living with her grandma for six months, while her parents became established in California.

Embracing the spirit of "Just try it," Alejandra moved to Portland to attend the University of Portland. As the first in her family to graduate from college, Alejandra earned a BA in environmental ethics and policy, another BA in Spanish, and minored in philosophy. After graduation, Alejandra moved back to California, where she worked at a law firm. Again embracing the spirit of "Just try it," she moved back to Portland to attend Lewis & Clark Law School.

Alejandra began law school as a day student but then switched to the night program so she could work full time. In the night program, working students are expected to graduate in five years, but Alejandra finished the program in three. As a law student, she also participated in a study abroad program in Geneva, where she studied human rights law.

Alejandra has served on the OWLS board since May 2019, and she co-chaired the Roberts & Deiz Award Committee for three of her four years on that committee. She is proud that she was able to be part of the team that worked to include interviews in the nominating process for the Roberts & Deiz Award.

When Alejandra is not working and volunteering, she spends time with her family. Over the years, her two siblings also moved to Portland, and then her parents made the move, reuniting the family of five. Now that Alejandra's family is once again close by, they enjoy weekly dinners and spending time together as a family.



Alejandra Torres

Alejandra currently works at Lewis Brisbois, where she focuses her practice on employment litigation, representing employers of all sizes, from mom-and-pop companies to large corporations.

Marisa Moneyhun is a partner at Kehoe Moneyhun Law and an OWLS board member.

Remembering Ann Bartsch (1950–2021)

By Diane Rynerson

We were saddened to learn of the death on June 11 of Ann Bartsch, the Oregon Women Lawyers Foundation's first president. A Salem native and South Salem High School graduate, Ann received her undergraduate degree in English from Stanford in 1973 and her law degree from the University of Chicago in 1977. It was there that she met her husband, fellow law student Doug Blomgren.

Their legal careers began in St. Paul, Minnesota. Ann was determined to work in the nonprofit law sector, so while waiting for funding to arrive for a position with Minneapolis Legal Aid, she took several temporary jobs, including one in a third-floor pattern-cutting plant. When funding for the Legal Aid position came through, she became a housing lawyer. Later, Ann went to work for the Minnesota State Bar, where she was asked to take on the task of establishing a mandatory Interest on Lawyers' Trust Accounts (IOLTA) program for Minnesota. In July 1983, the Minnesota Supreme Court adopted the rule that made Minnesota the first state in the country with a mandatory IOLTA program.



Ann Bartsch circa 1984

Eventually Ann's desire to return to Oregon, combined with long Minnesota winters and humid summers, was enough to prompt the couple to look for jobs in Oregon, where Doug was hired by the U.S. Department of Justice to work on the Washington Public Power Supply System municipal bond default litigation. His job began in July 1984. Ann remained in St. Paul until that fall to wrap up her work and sell the house, and then she drove west. On the very last day of her trip, she narrowly avoided eating lunch at a salad

bar in The Dalles that had been poisoned by the Rajneeshees.

Ann was hired by the Oregon State Bar, serving as member services director. She later worked with the Oregon State Bar Foundation to make mandatory the voluntary IOLTA program that had been adopted in Oregon in 1983. That goal was realized in 1989. Through her work as a member, and later chair, of the American Bar Association's Commission on Legal Services for the Poor, she advocated nationally for programs addressing unmet legal needs.

Serving on the steering committee that established the Oregon Women Lawyers Foundation was a natural fit for Ann, and in 1998, she became the Foundation's first president. In the words of Oregon Attorney General Ellen Rosenblum, "Ann set the stage for the great work the Foundation does on behalf of our most vulnerable. May her memory be a blessing." To learn more about Ann Bartsch's life and legacy, click [here](#).

Diane Rynerson is a board member of the OWLS Foundation and worked with Ann on the Foundation's steering committee and first board.

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Parenting Through a Racial Justice Lens

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racially conscious children: (1) name whiteness for children who identify as white because not claiming the word *white* makes whiteness invisible and uncomfortable to discuss; (2) expose your child to different cultural opportunities and encourage questions and conversations; (3) let your child know that it is normal to notice racial differences, and talk about what those racial differences do or do not mean; (4) share the racial biases you have had in the past and your experience of growth; (5) study, share, and celebrate groups outside of your culture; (6) provide land acknowledgement when discussing school, parks, or vacations, and (7) explore your family's heritage while acknowledging and discussing how your heritage intersects with cultures through colonization and migration. Be honest.

Becoming an antiracist is not easy. Many of us, our parents, or our caretakers have experienced some form of racialized trauma, which refers to our "mental, emotional, physical, spiritual, or social experiences of white-body supremacy." Andrea and Karen discussed these experiences, as they can impede our ability to be antiracist parents. If the trauma goes unhealed, it creates a ripple effect that reaches further and over generations. Some people may experience the effect as imposter syndrome, and some may feel overly anxious or angry, or become hypervigilant. Over the next two sessions, held on June 29 and July 20, we were equipped with tools to articulate

our racial identity in the context of our racialized trauma. We were empowered with understanding how we can shift toward a cycle of liberation. We broke into our small group discussions, and more magic happened.

As co-authors of this article, we want to include our reflections about the CLE because it made such an impact on us. We are so grateful to OWLS for putting on this series. Karen and Andrea did a masterful job leading the group through conversations that at times felt awkward and messy. Our kids are old enough to ask tough questions, but young enough that we often feel the need to heavily filter. Getting a little practice and perspective talking about racial justice issues made us feel more prepared as parents. This series left us feeling part of a broader community, and we highly recommend the CLE, should it be offered again.

Additionally, it can be challenging to keep up with the most recent, evidence-based parenting advice. We want to make sure that our children are better versions of ourselves, but we have to recognize our past trauma to move

forward. We view ourselves as constant works in progress, especially as antiracists. We have to have these discussions with our partners, our children, and the caretakers of our children.

Presenting a CLE covering the vast and triggering topic "Parenting Through a Racial Justice Lens" is no easy task. It helped that Andrea opened the CLE with a quote from Guante: "White supremacy is not the shark; it is the water." An initial silence allowed the quotation to sink in. Parenting is no easy swim, and parenting is even more difficult when white supremacy is the water we are swimming in. We acknowledge its presence all around us, but we must also remind ourselves of our significance, impact, and pervasiveness as caretakers. That awareness is daunting, but to keep us afloat, this CLE provided the resources, materials, and tools to examine how we as individuals can explore and articulate our experiences with race and cultivate its relationship with ourselves and the children around us.

Wilson Ta is a contract officer at Oregon Health & Science University, and **Sidney Villanueva** is an associate at Troutman Pepper in Portland.



Sidney Villanueva



Wilson Ta

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