

ADVOCATE

Abridged

Lewis & Clark Law School

Environmental Clinic Celebrates Victories and Milestones



Clockwise from left: Susan Jane Brown '00, Dan Rohlf, Stephanie Parent '92, and Melissa Powers '01.

Forest Issues

PEAC's most recent win came in February, in a case counseled by PEAC's Stephanie Parent '92 and Kristen Boyles of Earth-justice. The Ninth Circuit ruled in *ONRC v. Allen* that the U.S. Fish and Wildlife Service violated the Endangered Species Act by allowing the Forest Service and the Bureau of Land Management to "incidentally take" (the act's term for kill or injure) northern spotted owls by degrading or destroying their forest habitat. The court held that the law requires the Fish and Wildlife Service to more accurately calcu-

late the number of owls an agency action is likely to harm, rather than simply permit agencies to take as many owls as happen to be in the areas slated for timber harvest. This ruling not only increases protections for spotted owls, but will likely result in tighter requirements for agencies that take any listed species. In fact, in mid-March, pursuant to the *ONRC* ruling, the Fish and Wildlife Service withdrew four biological opinions concerning logging impacts on owls. At the time, PEAC was in the middle of briefing on similar claims in two other cases.

In the Meteor timber sale, the Forest Service proposed to log old-growth forests on 744 acres along the banks of the Salmon River in northern California's Klamath National Forest. Lands affected by this decision include a key watershed for salmon recovery, hydrological and geological riparian reserves, northern spotted owl critical habitat, and wild and scenic river corridors. PEAC staff attorney Susan Jane Brown '00 argued before a federal court in Sacramento in June 2006; the following month the court ruled in favor of plaintiffs on four of their six claims. Noting that the Forest Service offered "no substantive rationale" for its legal position and that the agency failed to disclose key information to the public, the court enjoined the logging in this sensitive area. The federal defendants ultimately dismissed their appeal, allowing the district court's ruling to stand.

In an appeal litigated by PEAC managing attorney Stephanie Parent,

students, and Erin Madden '04, the Ninth Circuit reinstated the Survey and Manage provisions of the Northwest Forest Plan that protect the habitat of Oregon red tree voles (*Klamath-Siskiyou Wildlands Center v. Boody*). These small canopy-dwelling mammals provide a critical source of food for northern spotted owls and, like owls, depend on intact old-growth forest for their survival. The Northwest Forest Plan contains rules requiring surveys and protection of red tree voles before any logging in their habitat may proceed. In 2003, the Forest Service and Bureau of Land Management eliminated these requirements through internal decisions and proceeded to allow increased logging in red tree voles' old-growth habitat. The court agreed with PEAC's arguments that the government's elimination of protections for voles—without any supplemental environmental analysis, formal plan amendment, or public participation—violated the National Environmental Policy Act and the Federal Land Policy and Management Act. This decision reinstates an important element of the Northwest Forest Plan's precautionary approach to managing the region's remaining old-growth forests.

In a related case, PEAC, along with Pete Frost of the Western Environmental Law Center, successfully challenged the 2004 decision by the Forest Service and Bureau of Land Management to eliminate the Survey and Manage protections of the Northwest Forest Plan in their entirety. The court ordered reinstatement of the prior protections for rare species.

Grazing

PEAC's efforts to protect Oregon's high desert from the harmful impacts of grazing received a considerable boost as the result of a recent critical decision. For years, federal agencies have allowed grazing on federal public lands, which degrades both upland and riparian habitats and violates key environmental laws. Whenever concerned citizens and organizations challenged these grazing decisions in court, the federal government argued that they were exempt from judicial review. In late 2006, however, the Ninth Circuit ruled in favor of the Oregon Natural Desert Association (ONDA) on the jurisdictional issue of whether Annual

Continued on page 3.

The Pacific Environmental Advocacy Clinic (PEAC) is one of the "winningest" legal clinics in the country, according to *National Jurist* magazine.

In January, *National Jurist* featured the Law School's domestic environmental clinic and highlighted a string of recent PEAC court victories. The article also included a profile of Dave Becker '06, who as a student argued a grazing case before the Ninth Circuit Court of Appeals—which later ruled in PEAC's favor. Becker's work with PEAC gave him the hands-on environmental law experience he needed to secure a position following graduation with Western Resource Advocates in Salt Lake City.

The entire text of the *National Jurist* article can be found online at law.lclark.edu/org/peac.

In addition to the *National Jurist* recognition, PEAC has seen a flurry of activity in recent months.

PEAC Cases

PEAC has been on a hot streak, enjoying an impressive string of court victories. These results reflect the hard work—and often long hours—invested by PEAC students and staff. (One is nearly as likely to run into attorneys and students in the PEAC offices on evenings and weekends as during "normal" working hours.)

A selection of recent cases are mentioned here. For a complete list, visit law.lclark.edu/org/peac.

Podcast Program Receives Top Ratings

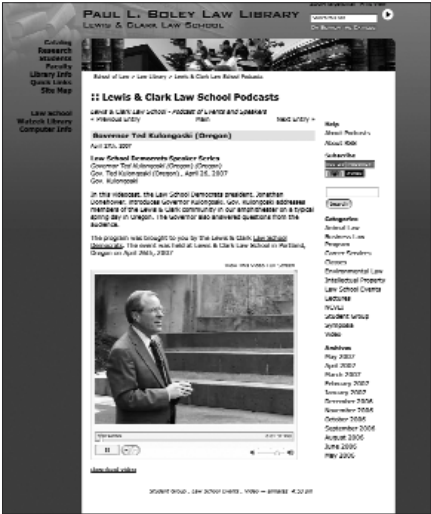
by Rob Truman '94, Assistant Director of Electronic Information Services

The first anniversary of Lewis & Clark Law School Podcasts, the Paul L. Boley Law Library's innovative online audio and video service, was marked by welcome news. This March, the leading legal podcast search engine and directory, Blawgs.fm, ranked Lewis & Clark Law School Podcasts as the all-time "most popular blawgcast." In addition, Open Culture (oculture.com) included the Law School's service in the list of top American law school podcasts, along with Harvard, Yale, Duke, and Georgetown universities and the University of Chicago Law School faculty blog.

Wondering what this is all about? Perhaps some definitions are in order:

Podcast: A digital audio or video file posted on a webserver. Also, the method by which such a file is distributed. The term derives from *iPod* and *broadcast*. These files can be downloaded to and played back on computers as well as iPods and other portable media players.

Subscribing: Signing up to receive notification (through a syndication



feed) of the latest additions to a podcast collection. You can choose to have these new podcasts automatically downloaded to your device (TIVO for podcasts, in effect).

Blawgcast: What you get when you combine the terms *blog*, *law*, and *podcast*.

Why is the Law Library's podcast service so popular? We think the positive response is due to the wide variety of recordings offered through our particular program, which in its first year posted more than 200 postcasts at lawlib.lclark.edu/podcast. These recordings included

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Letter From the Interim Dean



As I look out of my office and into beautiful Tryon Creek State Park, I see the lush green of spring growth. Each tree seems poised to turn every drop of rain and every moment of sunshine into new leaves and branches. Inside the Law School, we—students, faculty, and staff—are experiencing growth as well. From new clinical programs and new course offerings to new branches of existing programs, the Law School is thriving on the energy of the people who work and study here.

Hundreds of students are engaged in their own metamorphosis. Approximately

220 are nearing the end of their first year, having made it through the dark winter and the months of studying into the wee hours. They have each blossomed with new knowledge and understanding of the law and an ability to think more like a lawyer and to analyze problems in a beneficial way. A similar number of students are nearing the end of their law school careers and, after one more important test, are about to embark on their first jobs as lawyers.

If our class of 2006 is any guide, our graduates this year will have successful

job searches. Last year, more than 92 percent of our graduates who sought jobs had secured employment within nine months of graduation. Our graduates also pursue careers in the public interest at a much higher rate than the national average. In 2005, fewer than 5 percent of the nation's law school graduates pursued public interest careers. That year over 12 percent of Lewis & Clark graduates obtained public interest legal employment. Nurtured through our strong pro bono and volunteer programs, inspired by our Public Interest Law Project (see page 3), and aided by the our Loan Repayment Assistance Program, alumni such as Corinna Spencer-Scheurich '04 (see page 16) honor us with their commitment to serving those in our society who are least able to afford legal representation.

In our programs, new branches evolve from our core strengths. This spring the faculty approved a joint J.D./LL.M. program in natural resources and environmental law, providing an exciting new way for our students to further hone their legal training in this field. The past year also saw the opening of a new clinic as part of our growing Business Law Program. The Small Business Legal Clinic, led by Clinical Professor Maggie Finnerty, provides legal advice to low-income and minority-owned businesses that could not otherwise afford legal assistance, while also providing excellent learning

opportunities for our students.

As you will see in the pages that follow, our faculty continue to be productive not only in their classrooms, but also in their scholarly writings and conference presentations. They actively participate in the national dialogue, engaging their respective fields and nurturing new ideas. That engagement, in turn, leads to outstanding classroom teaching and student mentoring.

By the time you read this letter, summer will be near. The new season will bring us a new dean. I hope you will attend the alumni reunion reception on Friday, August 17, to meet Dean Robert Klonoff and welcome him to the Law School family. Our fall edition of the *Advocate* will include a full biography of Bob, as well as his first "Letter From the Dean."

As I have said many times, it has been my honor and my privilege to serve this year as interim dean. I thank each of you for the support you have shown the Law School. And I know you will help Dean Klonoff as he leads the Law School into future seasons of growth!

Lydia Loren

Lydia Loren
Interim Dean
Lewis & Clark Law School

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Podcast program continued from page 1.

campus lectures by distinguished visitors, addresses from speakers sponsored by student groups, and a number of conferences and symposia such as the Animal Law Conference, annual Business Law Forum, Open Access Scholarship Symposium, and the recent Environmental Justice Conference. We also podcast special events, such as the Oregon Supreme Court's 2007 visit to campus—the first time they have allowed a webcast of oral arguments—and the recent Oregon State Senate hearings held at Lewis & Clark.

Students benefit from the service in a number of ways. They tell us they appreciate being able to hear recordings of campus events they were not able to attend in person. (Several report they listen to the podcasts while jogging in Tryon Creek Park.) Evening students, especially, find the podcasts helpful. Says Natasha Ong '10, "Since I work during the day, I am rarely on campus when all of the great meetings, workshops, and lectures take place. By listening to the podcasts, I don't feel like I'm missing out on the various opportunities as much."

Career Services programs are also regularly featured at Lewis & Clark Law School Podcasts.

And the service is increasingly important to those who must miss a class. When the great snowstorm of January 2007 forced a host of classes to be rescheduled, many faculty posted recordings of their makeup classes at Lewis & Clark Law School Podcasts. Says Professor Henry Drummonds, "Students

Missed an event, class, or presentation? Visit Lewis & Clark Law School Podcasts at lawlib.lclark.edu/podcast.

appreciated the convenience of being able to watch the class on the Web, often at home, rather than having to check out the videotape from the library."

Student groups have found that the podcasts enhance their missions. Kasia Rutledge '08, a member of the National Lawyers Guild and Environmental Justice Advocates student groups, says, "Having the ability to podcast our events has not only enabled more students to hear what student groups are up to, but it has really put us on the map with other chapters around the United States and allowed us to share our speakers with community members."

Other recorded speakers have also found that podcasts help them attain broader recognition in the national legal community.

The podcasts enhance the Law School's own promotional efforts, as well. "Access to such technology," says Assistant Dean of Admissions Shannon Davis, "allows potential students to be somewhat 'present' at a school beyond the typical one-time visit. As a result, they are able to make an even more informed decision about the school where they might best fit. The fact that podcasts and videocasts are available to them once they become students may be an additional compelling factor in their ultimate decision."

We know that alumni are listening. Shelley Mactyre '05 appreciates the podcast technology for "making information more available to a wider audience." Mactyre is not only a podcast consumer, but a producer, too. Her Career Services program, "Contract and Home Office Lawyering," was posted on March 6. Within days, attorneys in Connecticut and South Carolina had posted upbeat reviews of the podcast on their blogs.

All credit for the Law Library's podcast initiative goes to Carla Almaraz, head of instructional technology, and Jeff Allman, digital resources coordinator. Many will remember Almaraz from her previous position in Computing Services. Our podcast program would not be where it is today without her drive and initiative. Allman set up our podcast blog and devised the system allowing us to expand into videocasting. Thanks are also due to the many student members of our staff who record the podcasts; to Interim Dean Lydia Loren, Associate Dean Martha Spence '84, and Web Developer Carl Keil for their key assistance in getting the service off the ground; and to the faculty and speakers who have granted permission to podcast.

Finally, where would we be without the voice that introduces almost every audio podcast we produce? The source is Seneca Gray '94, assistant director of reference and research services. Maybe we could talk him into recording outgoing answering machine messages, in the tradition of *Wait Wait... Don't Tell Me!* regular Carl Kasell. A new PILP Auction offering, perhaps?

PEAC continued from page 1.

Operating Instructions for grazing on public lands are final agency actions subject to judicial review under the Administrative Procedure Act. This victory provides ONDA and other groups with a crucial legal tool to finally bring grazing practices in line with ecological requirements.

Pollution Control

In November 2004, PEAC filed a lawsuit to stop Owens Corning Corporation from illegally constructing a facility without obtaining the requisite Clean Air Act permit. After a year and a half of litigation and administrative proceedings, PEAC successfully resolved the litigation. First, in fall 2005, the District Court ordered Owens Corning to produce documents that it had improperly tried to shield from disclosure. Then, in May 2006, Owens Corning withdrew its permit application for the facility. Two weeks later, federal Judge John Jelderks issued a critical decision finding that plaintiffs have standing to sue for harms linked to ozone depletion and climate change. The court rejected Owens Corning’s arguments that environmental groups cannot have standing to sue for “global” harms, noting, “If Defendant’s theory of standing were correct, no person could have standing to maintain an action aimed at averting harm to the Grand Canyon or Yellowstone National Park, or threats to the giant sequoias and blue whales, as the loss of those treasures would be felt by everyone.” PEAC then negotiated a settlement that prohibits the Owens Corning Corporation from using HCFC-142b in Oregon and requires the company to pay \$300,000 to local environmental projects related to energy efficiency and alternative energy options, as well as reasonable attorney fees and costs. PEAC staff attorneys Melissa Powers ’01 and Allison LaPlante ’02 worked on the case with former PEAC students Aubrey Baldwin ’05, Josh Smith ’06, and Chris Mixson ’06. They represented NEDC, the Oregon Center for Environmental Health, and the Sierra Club in the challenge.

Since 1999, PEAC has worked to eliminate an unlawful Environmental Protection Agency regulation that exempts all discharges from vessels (“ballast water”) from the permitting requirements of the Clean Water Act. These discharges contain many pollutants, including oil and grease, heavy metals, and other toxic compounds. They also serve as the primary source of introductions of aquatic invasive species into U.S. waters. In 2005, the District Court agreed that the exemption violated the plain requirements of the Clean Water Act. In September 2006, the District Court granted PEAC’s motion for injunctive relief requiring EPA to remove the unlawful regulation. The court held that EPA’s regulation exempting ballast water discharges from the Clean Water Act is “plainly contrary to the congressional intent,” and ordered EPA to take specific action by September 30, 2008, to ensure that shipping companies comply with the Clean Water Act and restrict the discharges of invasive species and other pollutants in ballast water. Melissa Powers and PEAC students cocounseled with the Stanford Environmental Legal Clinic on this case, representing Northwest Environmental Advocates, the Ocean Conservancy, and San Francisco Baykeeper. PEAC continues to represent the clients on appeal.

Endangered Species

Since 1998, PEAC has represented a large group of national and local conservation organizations in their efforts to protect some of southern California’s most imperiled species. Vernal pools are ephemeral

wetlands that fill only during the region’s infrequent rains. A handful of species have adapted their life cycles to this challenging environment, including two species of fairy shrimp and a few plants. Unfortunately, rampant development in and around San Diego has destroyed more than 97 percent of vernal pools, leaving the Endangered Species Act as these species’ last hope to avoid extinction.

After several years of delays, a federal judge in the Southern District of California agreed with PEAC that a federally approved Habitat Conservation Plan, which allows continued destruction of many vernal pools with inadequate mitigation measures, violates the Endangered Species Act. The win, one of the few federal court decisions striking down a Habitat Conservation Plan, will improve protections for this unique habitat. The opinion was notable for its eloquent recognition of the importance of even the seemingly obscure and lowly fairy shrimp; Southern California District Court Judge Rudi Brewster wrote that “in the microscopic view, the fairy shrimp may make little identifiable difference. But if this type of destruction is treated on a case-by-case basis as an unimportant loss, it does not take long before life on this planet is in jeopardy. . . . Congress demonstrated foresight by realizing that the country’s present understanding of the value of a myriad of life forms was not yet known, and that extinction should be prevented by protecting both the individual species and the ecosystems upon which those species depended for survival.”

PEAC People and Events

Dan Rohlf, associate professor of law, is founder and director of the clinic. Stephanie Parent ’92 serves as PEAC’s managing attorney. She joined the clinic in 1999 after more than four years with the federal Department of Justice in Washington, D.C. Parent focuses on grazing management and endangered species. Melissa Powers ’01 joined PEAC as staff attorney after working for the Western Environmental Law Center in Eugene for several years. She focuses on pollution control work, particularly cases under the Clean Water Act. During spring semester, Powers departed temporarily for the other Portland, where she was a visiting professor at the University of Maine Law School. Despite a busy schedule there, she continued to work on PEAC cases from across the continent. Allison LaPlante ’02 joined PEAC in January 2005, following a District of Oregon federal clerkship. She focuses primarily on issues concerning pollution control.

In January, after several successful years protecting Northwest forests as a PEAC staff attorney, Susan Jane Brown ’00 accepted a position in Washington, D.C., as U.S. Representative Peter DeFazio’s natural resources counsel. According to Rohlf, “The move fulfilled one of Susan Jane’s longtime career goals, and though her work on behalf of Northwest environmental groups will be missed, her presence inside the Beltway bodes well for better environmental policies emerging from the nation’s capital.”

At PEAC’s 10th-anniversary celebration in September 2006, Rohlf recalled the faculty vote that approved the clinic, and reminisced about brainstorming catchy acronyms for the clinic’s name with cofounder Professor Craig Johnston ’85 and pioneer PEAC staff attorney Nicole Cordan ’95. Rohlf reconnected with PEAC alumni—many of whom are now practicing environmental law—at the gala celebration at Equinox in downtown Portland, and was on hand when Portland City Commissioner Sam Adams stopped by to praise the clinic’s work. Says Rohlf, “The clinic has many significant accomplishments to its credit after its first decade of existence, but it is aiming even higher over the next 10 years.”

PILP Auction Supports Student Service



Many Lewis & Clark Law School students, like Brook Brisson ’08, spend their summers helping those in need. Last year, Brisson served as a law clerk on behalf of undocumented farm workers on a project against workplace sexual assault. Her work was possible thanks to a summer stipend from the Law School’s Public Interest Law Project, known as PILP.

Brisson and classmate Mike Albers ’08 chaired the 17th annual PILP Auction, held February 24 at the Law School. The event drew more than 650 people to bid on traditional auction packages like “Bowling With Brunet” and “Poker With the Profs,” as well as new items such as trips to a Florida island, yoga classes, and home remodeling.

Albers and Brisson praised the hard work of dozens of student volunteers. “Without the enormous support of the entire student body, faculty, and staff of the Law School, we could not have transformed the school into the elegant venue it was or have offered the incredible auction items that were available,” said Brisson. Popular Portland string band the Dickel Brothers played a full set of old-time tunes while attendees sampled gourmet Western food catered by Eric Youel. Law School alumni were also treated to a special reception held in the Faculty Reading Room with wine tasting, classical guitar music, and hors d’oeuvres.

The evening yielded more than \$84,000 for the Public Interest Law Project’s summer stipend program. The proceeds will fund stipends for law students who work with public interest organizations that otherwise would not be able to afford the help.



Mike Albers ’08 and Brook Brisson ’08 chaired the 2007 PILP Auction. ■ Kasia Rutledge ’07 (left) takes careful note of the bidding.

PILP Stipend Awards for 2007

- Kelley Amburgey ’09**, Legal Aid Services of Oregon, Portland
- Silvana Arista ’08**, Public Defender of the city of Alexandria, Virginia
- Catherine Barnard ’09**, Organizing People Activating Leaders, Portland
- Lori Ann Burd ’09**, Center for Food Safety, San Francisco
- Megan Canaday ’09**, CASA for Children, Portland
- Perrin de Jong ’09**, Cascade Resources Advocacy Group, Portland
- Esteban Falconi LL.M. ’08**, Center for International Environmental Law, Geneva, Switzerland
- Erica Maharg ’09**, Public Citizens Global Trade Watch, Washington, D.C.
- Jacob Martinez ’08**, Northwest Constitutional Rights Center, Portland
- Gilbert Mears ’09**, Columbia Riverkeeper
- Chris Parta ’08**, Oregon League of Conservation Voters, Portland
- Jane Steadman ’09**, Oregon Natural Desert Association, Portland
- Carey Whitehead ’09**, Community Development Law Center, Portland

PEAC and other Law School staff, faculty, alumni, and friends came together again in December 2006 for the second annual Art and the Environment Benefit Party. The fund-raising event, hosted by PEAC and the Northwest Environmental Defense Center, was designed to help NEDC and PEAC continue their successful partnership in enforcing environmental laws, says Rohlf. Tim Murphy ’00 (husband of staff attorney Allison LaPlante) served as chef for the party and John Platt ’71 donated much of the wine. Attendees bid on art ranging from paintings to sculptures, including a giant metal dog that watched over the proceedings.

For more information about PEAC, including late-breaking news, recent court filings, and decisions in the clinic’s cases, check PEAC’s website at law.lclark.edu/org/peac.

Editor’s Note: Shortly before we went to press, Parent announced she would be stepping down from her position as PEAC’s managing attorney. The Law School would like to thank her for her extraordinary work and wish her well.

Mentors Acknowledged for Service to Students

For Stephanie Corey '08, the opportunity to get to know an attorney practicing in her chosen area of law was a highlight of her second year of law school. She spent several months in close contact with Vicki Smith, who practices civil litigation at the Portland law firm Bodyfelt Mount Stroup & Chamberlain. Corey and Smith were matched through the Law School's Mentor Program, administered by Libby Davis '93, assistant dean for career services and alumni relations.

Smith was recognized for her mentoring efforts during the Law School's annual Mentor Program Awards Reception, held March 14. In her nomination, Corey said, "Hearing Vicki's perspective on working in this field [civil litigation] as a young, female attorney has been extremely valuable."

Smith received the 2007 outstanding mentor award named for Andrea Swanner Redding '86, who died in 1996. Redding, who at the time of her death was the Law School's assistant dean for career services, was described by many as tireless in her devotion to the Law School and its students and graduates.

In addition to Smith's award, five first-year mentors nominated by their students were recognized for outstanding mentoring. Receiving First Year Partnership awards were Jeff Litwak '97, land use attorney with the Columbia River Gorge Commission and mentor to Gilbert Mears '09; Tonya Alexander '01, family law practitioner with Alexander Law Office and mentor to Megan Canaday '09;



Top row: Jeff Litwak '97, Gilbert Mears '09, Kelly Mason '05, and Crystal Chase '09. Middle row: Stephanie Corey '08, Emily Potts '05, Caitlin Wong '09, and Dennis Vannier '04. Front row: Tonya Alexander '01, Vicki Smith, and Brook Detterman '09.

Denis Vannier '04, attorney in the Trial Division of the Oregon Department of Justice and mentor to Brook Detterman '09; Kelly Mason '05, judicial clerk with the Oregon Tax Court and mentor to Crystal Chase '09; and Emily Potts '05, judicial clerk with the Oregon Tax

Court and mentor to Caitlin Wong '09.

As she thanked all formal and informal mentors, Davis noted that "a good mentoring experience can have a profound and career-lasting effect for a student." As if to reinforce that point, Canaday, in nominating Alexander, told

how Alexander created a "mentor family" for Canaday, connecting her with past mentees and other family law practitioners. Canaday found the mentoring experience both educational and motivating. "I want to be just like Tonya when I start working," she said.



Amy Holmes Hehn



Cody Elliott '08

Harpole Award and Scholarship Presented

The Law School honored Portland attorney Amy Holmes Hehn with the 2007 Joyce Ann Harpole Award and Cody Elliott '08 with the 2007 Harpole Memorial Legacy Scholarship at an April 4 event held at the Gerding Theater. The event also featured guest speaker Susan Hammer, who delivered an address about the challenges and rewards of being a community leader.

Hehn, a deputy district attorney since 1987, has a special interest in family welfare issues, including child abuse and neglect, domestic violence, and juvenile justice. She is the senior deputy district attorney currently heading the Domestic Violence Unit of the Multnomah County District Attorney's Office. Prior to joining the Domestic Violence Unit in 2005, Hehn supervised the Juvenile Unit of the district attorney's office for 10 years. She has been actively involved in juvenile justice system reform work in partnership with the Annie E. Casey Foundation. In addition, she worked with the John D. and

Catherine T. MacArthur Foundation for eight years as a member of their Research Network on Adolescent Development and Juvenile Justice. She has spoken at local and national conferences about the prosecutor's role in juvenile justice. Hehn lives in Northeast Portland with her husband, Paul, and daughters, Cleo and Iris.

A student in the evening program, Elliott works full time as a sales and marketing manager in the restaurant business. He is also a teaching assistant for first-year legal analysis and writing. Elliott holds a bachelor of fine arts degree in theatre studies with a focus in performance from Boston University, and studied acting at the London Academy of Music and Dramatic Art. He enjoys developing his wine knowledge and spending time with his wife and 2-year-old daughter.

The lecture, award, and scholarship honor Joyce Ann Harpole '79, who died in 1994 at the age of 42. The Harpole award recognizes an established lawyer who is dedicated to the pursuit of justice while maintaining a sense of balance among career, family, and community. The Harpole scholarship is awarded to a current law school student who demonstrates those qualities and a dedication to his or her legal studies. Award and scholarship recipients are nominated by their peers.



Susan Hammer

Susan Hammer is a leading mediator in the Pacific Northwest. The current chair of the Planned Parenthood of Columbia/ Willamette capital campaign to build a new regional service center, she also chairs the advisory board for the Sid Lezak Center for Social Justice at Portland State University's College of Urban and Public Affairs. She has served as president of the City Club of Portland, on the board of trustees of Willamette University, and as chair of the board of Planned Parenthood of Columbia/Willamette.

A mediator since 1988, Hammer has mediated a range of business and real estate disputes, employment claims of all kinds, and personal injury and products liability cases. She is a member of the bar in Oregon and Washington, as well as a member of the American Bar Association.

Cai Named Distinguished Business Law Graduate

The Law School recognized Rongwei “Ron” Cai ’90 as the 2007 Distinguished Business Law Graduate at its 12th annual Business Law Program Luncheon, held in May.

Cai, who is fluent in English, Mandarin, and Taiwanese, is a partner in Davis Wright Tremaine’s Shanghai office. He has extensive experience representing global clients in transactional and litigation matters in the areas of corporate and business law. Cai is also a frequent speaker and prolific author on Chinese–American business matters ranging from international intellectual property to contract negotiations, and on transnational mergers and acquisitions. He is a member of the Oregon, Washington, and District of Columbia bars and has served in executive board positions with the Washington State China Chamber of Commerce and the Northwest Chinese Hi-Tech Professionals Association.

Cai earned an LL.M. from Columbia Law School and an LL.B. with honors from Xiamen University School of Law. At Lewis & Clark, he earned a J.D. with honors.

Lisa LeSage ’85, associate dean for business law programs and director of the Small Business Legal Clinic, commended Cai’s “outstanding outreach into the global business community to share his



Rongwei “Ron” Cai ’90

expertise, his professional accomplishments, and his public involvement.” The award is given to established alumni who demonstrate exemplary leadership, have used their Lewis & Clark law degrees to make a positive mark on the legal or business profession, and whose contributions to the community and to the profession have brought honor and distinction to the Law School. Cai joins previous honorees Wayne Perry ’75 (2005) and Betsy Johnson ’77 (2006).

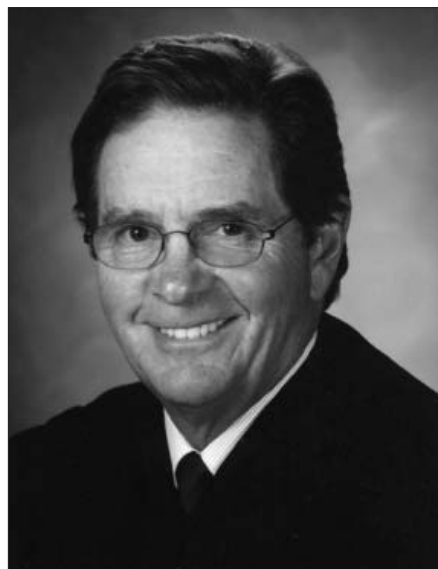
Also recognized at the luncheon were the business law student scholars and members of the Business Law Roundtable program. LeSage extended the Law School’s thanks to the many community members who lend their talents to the Business Law Program’s curricular and extracurricular activities.

Clevenger Is Distinguished Intellectual Property Visitor

Judge Raymond C. Clevenger III spent a week at the Law School in February as Lewis & Clark’s eighth annual Distinguished Intellectual Property Visitor. During his visit, Clevenger visited a number of classes and interacted with students, faculty, and members of the bench and bar. On February 20, he delivered a public lecture at the Law School, “Only Questions, No Answers.”

Clevenger received his B.A. and M.A. from Yale University and graduated from Yale Law School in 1966. He was a law clerk to Supreme Court Justice Byron White, and then went into private practice at Wilmer, Cutler & Pickering from 1967 to 1990. Clevenger was named to the U.S. Court of Appeals for the Federal Circuit by President George H.W. Bush in 1990. In February 2006, he assumed the status of senior judge.

Clevenger’s notable patent law opinions for the Federal Circuit include *Amazon.com v. Barnesandnoble.com* (2001) on preliminary injunctions standards; *Renishaw PLC v. Marposs Societa’ per Azioni* (1998) and *Innova/Pure Water, Inc. v. Safari Water Filtration Sys., Inc.* (2004) on claim construction; *In re Dembiczak* (1999) and *McGinley v. Franklin Sports,*



Judge Raymond C. Clevenger III

Inc. (2001) on appellate review of the nonobviousness standard; *Biodex Corp. v. Loredan Biomedical Inc.* (1991) on appellate jurisdiction over patent trials; *Texas Instruments, Inc. v. U.S. Int’l Trade Comm’n* (1993) on surrender of claim scope during prosecution; *Hunter Douglas, Inc. v. Harmonic Design, Inc.* (1998) on preemption of state law claims; *Bayer AG v. Schein Pharma, Inc.* (2002) on best mode; and *Star Fruits v. United States* (2005) on the scope of the U.S. Patent Office’s regulatory power.

The Intellectual Property Distinguished Visitor series is made possible through a generous grant from the Mentor Graphics Foundation.

Business Law Roundtables

Each spring, Lewis & Clark Law School hosts the Business Law Roundtables, a series of lively discussions among students, faculty, business leaders, and practicing attorneys about important business and legal issues of the day.

This year, the Business Law Roundtable series focused on alternative dispute resolution in business law. Organized by Ed Brunet, Henry J. Casey Professor of Law, the series addressed the reality that today, fewer than 5 percent of all cases filed in federal and state courts actually go to trial. “Of the five corporations who participated in the roundtable series, two major companies, headquartered in Portland, have not had a case go to trial in 10 years,” says Brunet. “The other three companies now mediate just about every case that survives a motion to dismiss or motion for summary judgment.” Brunet also said that each of the companies that participated in the roundtables expressed a preference for mediation over arbitration. Both forms of dispute resolution, he said, have become very competitive businesses in and of themselves.

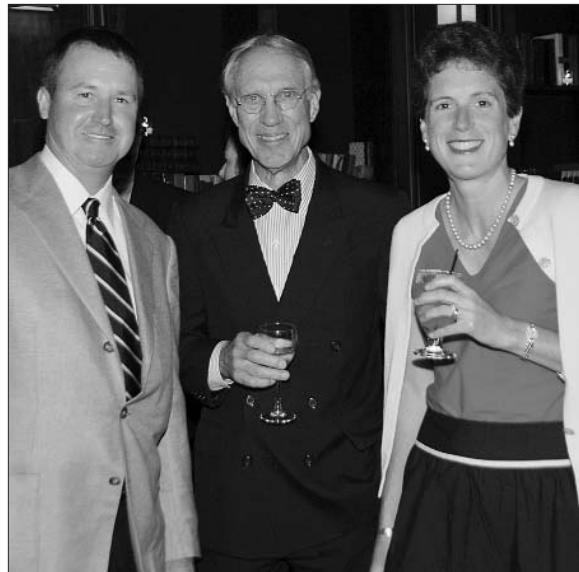
Ten student participants selected by the business law faculty received scholarships of \$500 each to participate. The roundtable series is made possible by a generous grant from the Keller Foundation, Libby Keller McCaslin ’87, and Michael McCaslin ’88.

Scholarship Recognition Dinner

Donors and friends gathered with the 2006-07 recipients of the Law School’s named scholarships at the first Scholarship Recognition Dinner, held April 6 at Portland’s Governor Hotel. The evening offered students the chance to learn more about the people behind the scholarships they hold and to thank donors. For donors, it was an opportunity to see how significantly their special contributions have affected the lives of students.



Norman Wiener with Lloyd and Patti Babler.



Mike McCaslin ’88, John Bates, and Libby Keller McCaslin ’89.



Marcia and Hon. Dennis Hubel ’76.



Sujata Patel ’07 (center), the 2006-07 Roosevelt Robinson Scholarship recipient, with Roxayne Robinson (right) and her mother, Beverly (left).

Student Achievements

Lewis & Clark Students Triumph in National Competitions

Lewis & Clark Law School had a great year at moot court competitions. In fact, we are now ranked eighth among U.S. law schools in overall moot court standings. Here are a few of the highlights.

Teams Win Animal Law Competition, Make Environmental Law Finals

The team of Liz Crosson '08 and Misty Federoff '08 won the Animal Law Moot Court Competition at Harvard Law School, triumphing over 14 other teams and competing against Boalt Hall in the finals. In addition, Federoff was named best oralist at the competition. Clinical Professor Melissa Powers '01, one of the coaches, accompanied the team to Harvard. A second Lewis & Clark team, consisting of Bethany Cotton '08 and Gary Vrooman '07, also performed extremely well.

The Environmental Law Moot Court team of Dan Mensher '07, Jamie Saul '07, and Ellen Trescott '07 reached the finals of the National Environmental Law Moot Court Competition at Pace Law School, placing them in the top 3 out of 68 teams. They beat last year's champions, Louisiana State University Law School, in the semifinals. In what the judges described as the closest moot court round they had ever seen, Georgetown University Law Center won the finals. Clinical Professor Allison LaPlante '02, who accompanied the team, noted that they won the best oralist award in each of the three preliminary rounds (the only rounds in which these awards are given). Lewis & Clark has consistently performed at the top level in this competition, reaching the finals 9 times in the last 16 years.

The animal law and environmental law teams were coached by Powers, LaPlante, Professor Craig Johnston '85, and Professor Don Large. Johnston congratulated all of the advocates who went to both of the competitions, saying, "They all worked extremely hard, and they represented Lewis & Clark incredibly well."



Jessup Moot Court Team: Ryan Gibson '07, Jonathan Spare '08, Troy Payne '07, Corey Tolliver '07, and Will Patterson '08.

Jessup Moot Court Team Wins National Championship

The 2007 Jessup International Moot Court Team has won the U.S. National Championship for the first time in the Law School's history. In the process, Lewis & Clark became the first U.S. team since 1992 to reach the international quarterfinals in two consecutive years.

Team member Will Patterson '08 was also named the 10th best individual speaker in the worldwide competition.

In February, Ryan Gibson '07, Troy Payne '07, Corey Tolliver '07, Patterson, and Jonathan Spare '08, coached by adjunct professor Dagmar Butte '91, won the mid-Atlantic regional, widely considered the toughest Jessup regional competition in the world. The team also won second place in the brief writing component, and Tolliver and Payne tied for third place as oralists.

The Lewis & Clark team went on to represent the United States in the international competition, which was held in Washington, D.C. Undefeated in the preliminary rounds, they received a bye in the first elimination round. Lewis & Clark then defeated the previously unbeaten team from Oxford University by unanimous decision of the bench before narrowly losing to the competition's ultimate winners, the team from the University of Sydney, in the quarterfinals.

Last year's team of Tolliver, Payne, Gibson, Dan Budihardjo '06, and Eric McQuilkin '06 also went to the international rounds, finishing as U.S. runner-up and in the top eight worldwide. Additionally, the team had the third-place memorial (brief) worldwide, and Payne was the seventh-place oralist worldwide.

Butte, who represented Lewis & Clark in the Jessup International rounds in 1990, has coached the Law School's Jessup team for more than 10 years. A Portland immigration lawyer, she has a long list of international affiliations and currently serves on the board of directors of the International Law Students Association.

The Jessup is the world's oldest and largest moot court competition, with more than 580 participating schools in 109 countries. Founded in 1969 by Stephen Schwebel—who later served as president of the International Court of Justice in The Hague—the competition has grown exponentially over the last two decades and has more alumni than any other moot court competition.

Client Counseling Team Heads to Nationals

Fourth-year students Jerry Carleton '07 and Troy Nixon '07 represented Lewis & Clark and ABA Region 12 in the National Client Counseling Moot Court Competition at Southern Methodist University Dedman School of Law in Dallas, Texas, in March. Lewis & Clark has for years placed well in the regionals, but it has been a number of years since the school won the competition.

In this moot court competition, student teams of two do a simulated initial client interview. The "client" is given a confidential fact pattern to follow, while the students work from a one- or two-sentence "memo from secretary." After a 45-minute interview, the students discuss the interview, next steps, missing information, initial impressions, and any other issues. The interview is judged by a panel of three, usually two lawyers and an individual with a counseling background such as a social worker, nurse, or minister.

To reach the nationals, Carleton and Nixon began by winning after three rounds in an intraschool competition. They then faced 11 other teams at the regional competition, including Lewis & Clark fourth-year students Angela Schultz '07 and Jason Davis '07. After a final round in which the top three teams went head to head, Nixon and Carleton were named the number one team.

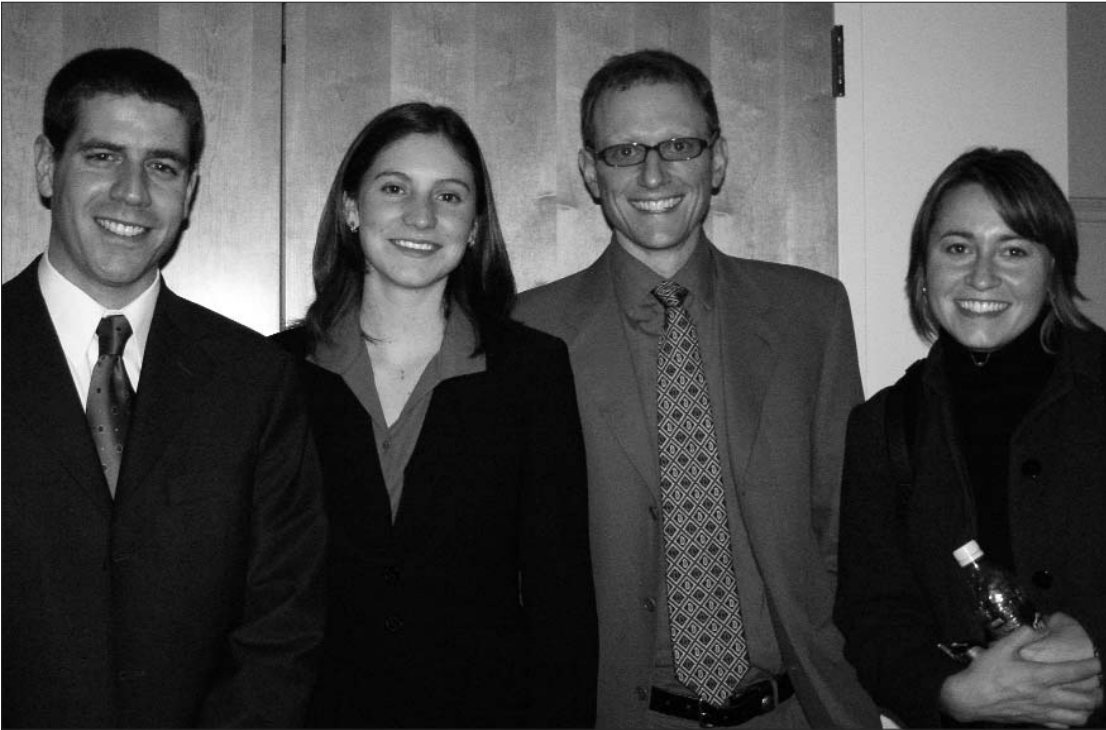
This year's competition was particularly challenging. Each year, the ABA chooses the area of law on which the competition focuses, so that all rounds of the competition and all competitors nationwide will be judged in the same area. This year's topic, family law, included everything from adoption to artificial insemination to family violence, as well as more traditional family law topics.

Said team coach Clinical Professor Theresa Wright, "Carleton and Nixon were stellar ambassadors for Lewis & Clark and should be congratulated."

Client Counseling Moot Court Team: Troy Nixon '07, Clinical Professor Theresa Wright, and Jerry Carleton '07.



Misty Federoff '08 and Liz Crosson '08, Animal Law Moot Court champions.



Environmental Moot Court Team; Jamie Saul '07, Ellen Trescott '07, Dan Mensher '07, and coach Clinical Professor Allison LaPlante '02.



Experts Convene to Discuss the Environment

A select group of scientists, legal scholars, attorneys, and government officials from across the country gathered at Lewis & Clark in April to discuss the interactions between science and law in managing and conserving the environment. The Law School hosted the Law, Science, and the Environment Forum with the Center for Progressive Reform and support from the Wilburforce Foundation.

Forum participants discussed questions such as “What does sound science really mean?” and “Can scientists also be advocates for a particular policy outcome?” They attempted to outline how the practice of environmental law must change to better integrate considerations of science and, conversely, how science must change to be more relevant to environmental law.

Attendees also brainstormed steps to encourage an ongoing interdisciplinary dialogue between environmental law and science professionals and academics. Lewis & Clark will work to implement some of the resulting suggestions to bridge the gap between law and science. Among other things, the Law School plans to publish conference papers and commentary both in print and on an interactive website. This site, which will contain additional information of interest to scientists, lawyers, and policy-makers, will make the forum proceedings available to a wide audience and will invite broader participation in scholarly efforts to integrate law and science.

According to the forum organizer, Associate Professor Dan Rohlf, “Science or law alone cannot provide all the answers needed to solve today’s environmental problems. That task will almost inevitably require people who can integrate scientific and legal knowledge.”

To learn more about the forum and to read the forum papers, visit law.lclark.edu/dept/elaw/2007_lse_forum.html.

Students in the Supreme Court Seminar taught by the Hon. Diarmuid O’Sconnlain had the opportunity to study their subject up close when U.S. Supreme Court Justice Antonin Scalia visited class for a day.

Left to right: Hon. Diarmuid O’Sconnlain, Greg Touchton ’08, Bill McDonald ’07, Jim Vogt ’07, Cara Chrimes ’07, Aaron Hessel ’07, Justice Antonin Scalia, Will Patterson ’08, Andra Popa ’08, Erik Eklund ’07, Loren Thompson ’08, Ryan Gibson ’07, and Whitney Bindreiff ’07.

Meet the Authors



Students, faculty, staff, and alumni celebrated the recent publication of titles by professors Brian Blum, Ed Brunet, Bill Funk, Art LaFrance, Lydia Loren, and Bob Miller during the second annual Meet the Authors reception. For more information about the authors and their books, please visit law.lclark.edu/dept/lawfac/authors07.html.

Opposite: Bill Funk, Brian Blum, Lydia Loren, and Ed Brunet.

Vernellia Randall ’87 Book Event

The Law School hosted a reception featuring a short reading and a book signing by Vernellia Randall, professor at the University of Dayton School of Law and author of *Dying While Black*. Randall’s book examines the disparities in health and health care for minorities, particularly African Americans. The May 3 event was cosponsored by the Oregon Women Lawyers Foundation, Oregon Women Lawyers, and the Oregon Minority Lawyers Association.

Opposite: Ernest Estes, Vernellia Randall, and Ed Reeves.



Alumni Receptions

Denver

In February, Interim Dean Lydia Loren and Assistant Dean Libby Davis '93 visited with Denver alumni at the Denver Art Museum.

Left to right: Andrew Irvine '06, Julia Harvey '06, Thain Bell '05, Bob Randall '96, Michael Sherack '95, Michael Mayer '02, Interim Dean Lydia Loren, Jim Martin '81, Emily Morris '00, Aileen Law '01, Chris Neumann '98, Karen Spaulding '96, Lisa Halstead '86, and Assistant Dean Libby Davis '93.



Los Angeles

In January, members of the Law School staff, including Interim Dean Lydia Loren, hosted an alumni reception in Los Angeles at the Pacific Grille.



Joel Bander '85, Kalley Aman '00, David Akin '00, Navid Noorparvar '01, Sabrina Venskus '99, Bryan Theis '00, and Emilee Moeller '99.



Kiran Sharma '04 and Erin Truax '03.



Ying Chen '95 and Christine Kudija '01.

San Diego

In February, Associate Dean Jan Neuman and Assistant Dean Libby Davis hosted San Diego-area alumni at the Hotel del Coronado.



Left to right: Katie Jo Keppinger '04, Cara Patton '06, Chris Taylor '97, Taline Snell '03, Ben Lila '06, Associate Dean Jan Neuman, and Liz Taylor '04.

San Francisco

In January, members of the Law School staff, including Interim Dean Lydia Loren, hosted an alumni reception in San Francisco at the Hotel Monaco.



John Epperson '93 and Jeannette Fisher-Kouadio '96.



Megan Burns '04 and Neah Huynh '04.

Medford

In May, Law School staff, including Interim Dean Lydia Loren and Assistant Dean Libby Davis, hosted Medford area alumni at the Rogue Valley Country Club.



Front row: Interim Dean Lydia Loren, Ray Heysell '73, Ben Bloom '93, Natasha Ernst '04 (visiting from Seattle), Mike Bertholf '04; back row: Matt Taylor '05, Mark Bartholomew '03, Eddie Medina '05, and Zach Light '03.

Seattle

In February, members of the Law School staff, including Interim Dean Lydia Loren, hosted an alumni reception in Seattle at the law offices of Stoel Rives.



Above: Randy Niven '98, Betsy Reeve '77, Juliann Bildhauer '98, Simon ffitch '80, Adam Cornell '01, Ted Reeve '77, Interim Dean Lydia Loren, David Berger '97, Alicia Danielson '04, Rob Roy Smith '00, Chris Hilgenfeld '00, Danien Penta '01, and James Yand '88. Left: Natasha Ernst '04, Rob Roy Smith '00, and Chris Hilgenfeld '00.

Law School Calendar of Events

Bar Exam Hospitality Room ■ *Tuesday, July 24, and Wednesday, July 25*
The alumni relations office will once again host lunch for graduates taking the Oregon bar exam. If you plan to take the exam this July, please e-mail lawalum@lclark.edu or call 503-768-6607.

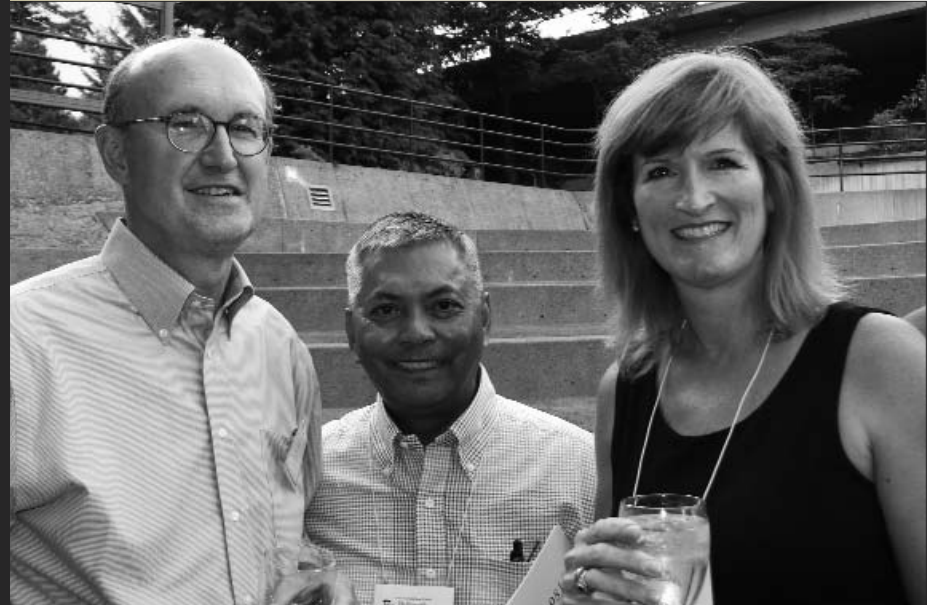
Class of 1977, 30-Year Reunion ■ *Saturday, July 28*
Graduates of the class of 1977, who would you like to see at reunion? Be sure to give them a call and encourage them to attend! If you need help contacting a former classmate or favorite faculty member, call the alumni relations office at 503-768-6607 or e-mail lawalum@lclark.edu.

Seattle Mariners vs. Boston Red Sox ■ *Sunday, August 5*
Join fellow Law School alumni at the Seattle Mariners baseball game! The ticket price of \$75 per person includes roundtrip chartered bus transportation between campus and Safeco Field, reserved-seat tickets at the game, and a pregame function at the Bullpen Market.
Purchase tickets online at law.lclark.edu/dept/lawalum/marinergame.html or contact Robin Jerke, director of alumni relations, at 503-768-6607 or lawalum@lclark.edu. Tickets are limited to two per Law School graduate.

Alumni Weekend **Return. Reacquaint. Renew.** ■ *August 17-18*
Return to campus to reconnect with the school and to renew friendships during this very special weekend. Meet and chat with the Law School's new dean, Bob Klonoff, during the All-Alumni Reception on Friday, August 17. On Saturday, August 18, the Law School's Mentor Program will host a reunion and the classes of 1997, 1987, and 1982 will hold reunion dinners.

To help plan your class reunion, contact Robin Jerke, director of alumni relations, at jerke@lclark.edu or 503-768-6607.

Come join the fun at Alumni Weekend 2007!





David Howitt '94

Three Alumni, Faculty Member Make “Forty Under 40” List

David Howitt '94, Joshua Sasaki '96, Trung Tu '00, and Clinical Professor Maggie Finnerty were among those recognized by *Portland Business Journal* on its annual list of “Forty Under 40” in March. The 40



Joshua Sasaki '96

people acknowledged were selected from more than 200 nominees based on professional accomplishments, community involvement, and professional recognition. Says Howitt, partner and president of the Meriwether Group, “It was an honor to be included on the *Business Journal*’s ‘Forty Under 40’ list. I truly believe that my experience and education at Lewis & Clark Law School prepared me for and shaped my ability to accomplish what I have professionally thus far in my life.” Tu, an associate at McEwen Gisvold,



Trung Tu '00

and one of the youngest on the list, says, “I still can’t believe I was selected. I remember reading the ‘Forty Under 40’ issue of the journal about seven or eight years ago, and at the time, hoping to be on the list someday. I never thought I would get it at the age of 33. I feel extremely lucky and honored to be recognized among such an excellent group of business and community leaders.” Sasaki, a partner at Miller Nash, noted, “I’m honored to have been selected by the *Portland Business Journal* to join the ranks



Maggie Finnerty

of this year’s ‘Forty Under 40’ class. The group’s collective contribution to the Portland community is inspiring.” For Finnerty, clinical professor at the Law School’s Small Business Law Clinic, the recognition is a culmination of the first year of the SBLC’s existence. “There are so many amazing, young professionals in Portland—I feel very honored to have been recognized. I think this award is a testament to Lewis & Clark Law School’s commitment to our community, particularly through our involvement with the SBLC.”

Oregon Law Institute Lewis & Clark Law School

Continuing Legal Education Calendar

620 S.W. Main Street, Suite 706 • Portland, Oregon 97205-3037
503-768-6580 • 800-222-8213 (toll free) • E-mail: oli@lclark.edu

Upcoming Schedule

For up-to-date information, please check our website at law.lclark.edu/org/oli.
All sessions will be held at the Oregon Convention Center in Portland.

Friday, June 1	Licensing of Intellectual Property: Basics and Applications in Media and Technology Transfer
Friday, June 8	2007 Annual Employment Law Update
Friday, September 21	Oregon Workers’ Compensation Law Update
Friday, September 28	20th Annual Family Law Seminar
Friday, October 5	Mediation and Arbitration in Oregon
Friday, October 12	Legislative Update
Friday, October 19	Medical Education for Lawyers
Friday, October 26	Dealing With the Government
Friday, November 2	Evidence From the Judges
Friday, November 9	Guardianships and Conservatorships
Friday, November 16	20th Annual Ethics CLE
Friday, November 30	Cross Examination of Experts
Friday, December 7	A Day With the Court of Appeals



Faculty and Staff News

Professor **Paula Abrams** spoke on “Whither *Brown v. Board?*” at the Lewis & Clark Ray Warren Multicultural Symposium in February. Abrams also spoke on Measure 43 and reproductive rights at a debate, “Abortion and the Court,” sponsored by Law School Democrats and at an event jointly sponsored by Law Students for Choice and Medical Students for Choice.

Associate Professor **Doug Beloof ’81** presented a faculty workshop session, “The Crime Victims’ Rights Act in the Proposed Federal Rules of Criminal Procedure,” in February at the University of Utah School of Law with the Honorable Paul Cassell. Also at Utah, Beloof presented the open session “Should Domestic Violence Victims Have Victims’ Rights?” He also presented at a symposium at McGeorge School of Law, speaking about victims’ legal standing to enforce their rights. The second edition of his casebook *Victims in Criminal Procedure* has been published by Carolina Academic Press.

Professor **Brian Blum** completed the revision for the fourth edition of his book *Contracts, Examples and Explanations*, published by Aspen, for spring 2007 release. The fourth edition of his other *Examples and Explanations* book on bankruptcy and debtor/creditor law came out in summer 2006.

Professor **Mike Blumm**’s article “From Martz to the Twenty-First Century: A Half Century of Natural Resources Law Casebooks and Pedagogy” will be published in the *University of Colorado Law Review*. As a concrete example of the balanced educational experience offered at the Law School in the natural resources and environmental law area, in January the *Oregonian* published two op-ed pieces articulating opposing views on the controversy surrounding Measure 37. Blumm’s piece, “Inject Some Clarity in Our Land Use Laws: Measure 37 and the Legislature,” appeared on January 23, responding to “Measure 37 and the new NIMBYs,” by Erskine Wood Sr. Professor **Jim Huffman**, published January 18.

Professor **Jack Bogdanski** has been on leave this academic year—his third sabbatical. “I am officially a geezer,” he reports. “Definitely on the back nine.” This semester, he has been researching, writing, and helping international students and teachers at Lewis & Clark meet their U.S. tax filing obligations. His article “Revisiting the Burden of Proving Fair Market Value” appeared in the January issue of the journal *Estate Planning* at 34 Est. Plan. 43. (The article is available online in PDF format at tinyurl.com/2rkrtrr.) Bogdanski continues to publish semiannual supplements to his popular treatise *Federal Tax Valuation*, and he continues to serve as editor in chief of the bimonthly professional journal *Valuation Strategies*, which he helped found 10 years ago. Last fall, he taught corporate tax and partnership tax at Santa Clara University School of Law. A team he coached at Santa Clara won the prize for best-written

submission in the national Law Student Tax Challenge, the finals of which were held in January at the ABA Tax Section meeting in Hollywood, Florida. His Lewis & Clark team won the same prize in last year’s competition.

Ed Brunet, Henry J. Casey Professor of Law, presented his new paper, “The Minimal Role of Federalism and State Law in Arbitration,” at the University of Nevada at Las Vegas on January 25. In his paper, to be published in the *Nevada Law Journal*, Brunet argues that the Supreme Court has ignored federalism tenets when deciding arbitration preemption cases. Brunet then flew to New York to speak on January 29 before the prestigious Committee on Civil Rules, drafters of the Federal Rules of Civil Procedure. Brunet was one of about 20 lawyers and the only law professor invited by the committee to attend a workshop on possible amendments to Rule 56, the summary judgment rule. The third edition of Brunet’s book *Summary Judgment: Federal Law and Practice* was published in November by Thomson. In March, Brunet spoke at a conference sponsored by the University of Cincinnati involving securities arbitration. Brunet’s paper, coauthored by Professor **Jennifer Johnson**, argued that arbitrators of securities disputes should follow substantive legal rules rather than have the power to decide cases on ad hoc grounds. The papers at the conference will be published in volume 76 of the *University of Cincinnati Law Review*.

Legal Writing Professor **Bill Chin ’94** served on the Race and National Security panel at the Lewis & Clark Ray Warren Multicultural Symposium in February.

Professor **Henry Drummonds’** article “The Aging of the Baby Boomers and America’s Changing Retirement System” will be published in the *Lewis & Clark Law Review*’s Vol. 11, No. 2, along with the papers of faculty from other schools who presented at the Law School’s Business Law Forum in fall 2006. Drummonds will also have a brief comment in a forthcoming issue of *CCH Labor Reports* on the U.S. Supreme Court’s February denial of certiorari in the *Mohawk II* case involving allegation of RICO violations in the systematic recruitment and hiring of undocumented workers by a rug manufacturing employer. Additional comments on this case were published in the *CCH Labor Law Journal* (March 2006). During spring break, Drummonds attended the ABA Labor and Employment Law’s Employment Rights and Responsibilities Committee meeting in New Orleans. In April, he moderated an Oregon Health Forum panel discussion of retirement health benefits and in May, he submitted another article to the *CCH Labor Law Journal* on labor law preemption. Drummonds also served as one of the law professor judges in a national labor and employment law student writing contest, the Louis Jackson Memorial Student Writing Competition.

Clinical Professor **Tigran Eldred** made a presentation in February on how to litigate unemployment benefits claims to 25 representatives of United Food and Commercial Workers Local 555 in Tigard.

Clinical Professor **Maggie Finnerty** was named one of the *Portland Business Journal*’s “Forty Under 40” in March. The *Business Journal* selected from more than 200 nominations based on professional

accomplishment, community involvement, and professional recognition. (See story on page 10.) Together with **Lisa LeSage ’85**, associate dean for business law programs and director of the Small Business Legal Clinic, and **Steve Goebel ’05**, adjunct professor, Finnerty testified before the Portland City Council, petitioning for additional funding for the Small Business Legal Clinic. She also presented before the Lewis & Clark Law School business law faculty, summarizing the state of affairs at the Small Business Law Clinic, and attended the 2007 Business Law Clinics Conference and Workshop at Duke Law School in April, and the Association of American Law Schools Clinical Law Conference in New Orleans in early May.

Professor **Bill Funk** has become the Social Science Research Network editor for the *Administrative Law Abstracts*, succeeding Peter Strauss, professor at Columbia Law School. West Publishing has contracted with Funk to write a new constitutional law casebook aimed at first-year law students. Together with professors Sid Shapiro of Wake Forest University School of Law and David Vladeck of Georgetown Law, Funk completed a project on federal agency preemption of state tort law for the Center for Progressive Reform. His article “The Rise and Purported Demise of Wong Yang Sung” was published in the *Administrative Law Review*. At the Law School, he presented at a faculty colloquium his paper “Federal Agency Preemption of State Tort Law,” which he also presented at a forum at Duke Law School in November. Funk attended the ABA’s midyear meeting in Miami, where he organized and moderated a panel on preemption of state tort and consumer protection law at the council meeting of the Administrative Law and Regulatory Practice Section. He also spoke at the Japanese American Citizens League program on “Fighting for Civil Rights in an Era of Terror” and appeared on a panel at the Law School with **Peggy Nagae ’77**, frequent adjunct professor **Charles Hinkle**, and Brandon Mayfield, the Portland lawyer wrongly jailed as a suspect in the 2004 Madrid train bombings, who finished his last year of law school at Lewis & Clark. Funk spoke on electronic surveillance under FISA and under the Bush administration. In April, Funk was a panelist at the 2007 *Lewis & Clark Law Review* Symposium on Crimes, War Crimes, and the War on Terror. He spoke on the history of electronic surveillance for intelligence purposes. In May, Funk attended the spring meeting of the Administrative Law and Regulatory Practice Section of the ABA in Austin, Texas. Also in May, Funk participated in a conference at Duke Law School.

Assistant Professor **Tomas Gomez-Arostegui** was interviewed for and quoted in a story on employee gripe sites in *Willamette Week* in September 2006. He presented his paper “What History Can Teach Us About the Inadequate-Remedy-at-Law Requirement and Copyright Injunctions” in October at Willamette University College of Law. Gomez has been appointed a supervisor of examiners at the University of Oslo’s Faculty of Law for 2007 to 2010. In this capacity, he will oversee and review the process under which students in the LL.M. in information and communication technology law program are evaluated.

Visiting Professor **Roger Groves** spent much of December as a consultant to the country of Lesotho on creating innovative tax revenues to help build health care infrastructure. Groves had an article, “The De-Gentrification of New Markets Tax Credits,” published this spring by *Florida Tax Review*, regarding the use of new markets tax credits in urban areas.

Professor **Craig Johnston ’85** was interviewed by Oregon public radio in December, discussing a case pending before the Supreme Court on climate change. The interview aired as part of *Oregon Territory* on OPB radio.

Professor **Steve Kanter** made presentations in December and January for the forensic psychiatry fellowship program at Oregon Health & Science University about the role of mental health professionals in death penalty cases. Kanter’s article “The Griswold Diagrams: Toward a Unified Theory of Constitutional Rights” was published in November at 28 Cardozo L. Rev. 623 (2006).

Associate Professor **John Kroger** was profiled in the *Lewis & Clark Chronicle* magazine, winter 2007 edition, in an article titled “Kroger v. Crime.” Kroger’s op-ed piece for the *Oregonian* on Sarbanes-Oxley appeared on November 28. He also commented on multiple criminal cases for the *Oregonian* and two local television news programs. Kroger started work on his next scholarly piece, which will likely focus on Wechsler’s classic 1959 lecture, “Toward Neutral Principles of Constitutional Law.” He also completed his work as finance chair of the Democratic Party of Oregon. He is pleased to report that during his tenure in that position they raised roughly \$960,000 for the election. He expects to reach his goal of \$1 million by the close of the year.

Professor **Art LaFrance** taught bioethics at Canterbury University in Christchurch, New Zealand, during spring semester. While there, he lectured at the Otago Medical School on Oregon’s assisted death statute and experience, and was a featured speaker on three subjects (Oregon assisted death, right to treatment, and assisted reproduction) for the annual New Zealand Judicial Conference at the Chateau at Tongariro National Park, a location made famous by the film *The Lord of the Rings*. LaFrance also presented three lectures at Newcastle University in Sydney, Australia, in April. While in New Zealand, he also hiked the Kepler Track and the Tongariro Crossing, and planned to cycle two South Island trails: Otago Rail-Trail and Queen Charlotte Trek.

Professor **Ron Lansing**’s book *Juggernaut* is being used as an assigned class text in a Washington State University course on Pacific Northwest history. It has also been used at other undergraduate colleges, including the University of Oregon. Lansing authored a tribute to former Dean Jim Huffman, “A Crowning of Hearts” (37 *Environmental Law*, No. 1 [2007]), and in December, he presented his book *Nimrod* at an authors’ fair sponsored by the Portland City Club. Lansing and his wife, Jewel, celebrated their golden wedding anniversary in July 2006. Lansing says, “Hitting that half century was so easy for me that it may not qualify as ‘accomplishment,’ but I can assure you it was a standout, award-winning task for Jewel.”

Clinical Professor **Allison LaPlante '02** spoke at a conference at Florida Coastal School of Law in November on climate change and the law. LaPlante's remarks focused on citizen hurdles in climate change litigation as well as the Pacific Environmental Advocacy Clinic's victory in its case against Owens Corning. (See page 1.) In January, LaPlante spoke at an air quality and global warming conference/CLE in Portland. In March, she attended the Public Interest Environmental Law Conference in Eugene, speaking on panels on jurisdictional hurdles in Clean Water Act citizen enforcement actions and on the Clean Air Act's provisions and the Bush administration's rules related to "regional haze" pollution. LaPlante served as one of the coaches of the Law School's Environmental Law Moot Court team and the two Animal Law Moot Court teams, one of which won the national competition at Harvard University. She accompanied the environmental team at the national competition at Pace Law School. The environmental team made it to the very final round, placing among the top 3 of 68 teams. (See the story on page 6.)

Lisa LeSage '85, associate dean for business law programs and director of the Small Business Legal Clinic, has been elected president of the Oregon Law Foundation for 2007. As the charitable arm of the Oregon State Bar, the Oregon Law Foundation raises funds to provide for access to justice for the poor in Oregon. Since its inception in 1981, the foundation has awarded more than \$17 million for charitable law-related purposes. In December, LeSage, a member of the Oregon State Bar Leadership Council Advisory Board, participated in a panel discussion with Oregon Supreme Court Justice Virginia Linder, former bar president Ed Harnden, and Center for Non-Profit Legal Services Executive Director Debra Lee. LeSage also was reappointed to the Oregon Supreme Court's Access to Justice Committee. In February, she presented at the national ABA Access to Justice Conference in Denver on successful collaborations between law schools and local communities. LeSage served on the CLE planning committee for the joint OLI/Business Law Program CLE on Sustainable Business, held on April 13. Also in April, she presented at the Business Law Clinical Conference at Duke University School of Law in April and, in May, at the Association of American Law Schools Clinical Law Conference in New Orleans on community collaboration and clinical legal education. LeSage has also joined the Quality Assurance Task Force of the Public Defense Services Commission for review of the Metropolitan Public Defender.

Professor and Interim Dean **Lydia Loren** presented a draft of her work in progress, "Using Motivation for Creation to Shape the Scope of Copyright Protection for Certain Types of Works," in January at the University of Michigan Law School as part of its Intellectual Property

Workshop series. Her chapter titled "Understanding the Complexity of Music Copyrights in the United States" recently appeared in a multivolume set on *Intellectual Property and Information Wealth* (2007) published by Praeger Publishers and edited by Peter Yu. Associate Professor **Joe Miller** also has a chapter in this set, titled "Non-obviousness: Looking Back and Looking Ahead."

Associate Professor **Bob Miller '91** made numerous appearances across the country during the fall, winter, and spring in support of his book *Native America, Discovered and Conquered: Thomas Jefferson, Lewis and Clark, and Manifest Destiny*. Miller spoke at law schools in Michigan, Washington, Oregon, Colorado, and North Dakota. He also spoke at the American Philosophical Society in Philadelphia in March. (The APS was created by Benjamin Franklin and others in 1743. Thomas Jefferson was its president for 20 years, overlapping the time he was president of the United States.) In January, Miller completed drafting 21 entries for the upcoming *Congressional Quarterly, Encyclopedia of Federal Indian Policy and Law*. He also gave book talks at the Auburn Theological Seminary in Manhattan, which is affiliated with Columbia University; at Ecotrust in Portland; at the State Capital Museum in Olympia; and at Portland State University. His book was named book of the month for December by the Native America Calling radio program, and he was the sole guest on a one-hour nationwide program on December 27. He also gave extensive book interviews on Santa Fe Public Radio and a program from Connecticut. Miller also submitted a book review to the *Oregon Historical Quarterly* on Charles Wilkinson's newest book, *Blood Struggle*. Miller's new blog on Indian issues can be viewed at lawlib.lclark.edu/blog/native_america.

Associate Professor **Joe Miller** presented a paper in March on nonobviousness law at DePaul University Law School's annual symposium at the Center for Intellectual Property Law and Information Technology, "Patents and Progress: Reflections in the Midst of Change." On March 21, Miller was the sole speaker at a lunch program in Seattle sponsored by the Washington State Patent Law Association. His presentation focused on the Supreme Court's patent law decisions this term. On March 30, Miller presented a paper on the history of the nonobviousness statute at Michigan State University Law School's annual Intellectual Property and Communications Law Program Symposium, "What Ifs and Other Alternative Intellectual Property and Cyberlaw Stories."

Professor and Associate Dean **Janet Neuman**'s article "Sometimes a Great Notion: Oregon's Instream Flow Experiments," coauthored with **Anne Squier '83** and **Gail Achterman**, has been published in *Environmental Law*. Another article, "Remembering the Rain," coauthored with **Troy Payne '07**, will be published in an upcoming issue of *Environmental Law*. In February, Neuman led the opening plenary session presentation at the 25th annual ABA Water Law Conference in San Diego.

Clinical Professor **Stephanie Parent '92** spoke at the 25th annual Public Interest Environmental Law Conference in March on three separate panels: how to obtain in Administrative Procedure Act cases; the Fish Passage Center case and the appropriations process; and ongoing grazing litigation efforts to protect native trout and steelhead habitat.

Associate Professor **John Parry** wrote an introduction ("Sanchez-Llamas in Context") for the *Lewis & Clark Law Review*'s symposium on *Sanchez-Llamas v. Oregon*. His essay "Finding a Right to be Tortured," which among other things analyzes Ian McEwan's novel *Saturday*, will appear this summer in the journal *Law and Literature*. The essay began as a paper for a conference, "The New Exceptionalism: Law and Literature After 9/11," held in fall 2006 at Cardozo Law School. In April, Parry presented a paper, "Torture Warrants and the Rule of Law," at Albany Law School's conference in honor of Alan Dershowitz.

Clinical Professor **Melissa Powers '01** spent spring semester as a visiting professor of the University of Maine School of Law in Portland, Maine, where she taught the environmental law survey course and coastal zone law.

Associate Professor **Dan Rohlf** organized and spoke at the Law, Science, and the Environment Forum, held at Lewis & Clark in April. (See page 7.) Rohlf is also serving as the Law School's representative to the Law-Sustainability Study Task Force. The task force, which includes one representative from each of the state's law schools; one from each of the Business Law, Environment and Natural Resources, and Government Law sections of the state bar; one from Oregon Lawyers for a Sustainable Future; and one from the bar at large, will study how the legal profession is responding to efforts to make both businesses and society in Oregon more sustainable. The resulting report could help law schools design curricula that will enable new lawyers to practice in this rapidly growing area. Working with third-year student **Jessica Walz '07**, Rohlf also submitted an amicus brief to the U.S. Supreme Court on behalf of a group of scientists in *EPA v. Defenders of Wildlife*, a case raising issues about the scope of federal agencies' duties to protect threatened and endangered species under the Endangered Species Act. He also was a speaker at a Portland Audubon Society conference examining Oregon's cougar management plan.

Associate Professor **Juliet Stumpf** has completed a draft of an article that critiques the use of membership theory in the criminalization of immigration law. The article will appear in a symposium issue of the *University of Buffalo Law Review*. In January, Stumpf gathered new ideas for teaching and scholarship at the Association of American Law Schools Annual Conference in Washington, D.C.

Professor **Elaine Sutherland** has been finalizing the new edition of her treatise *Child and Family Law* (first edition 1999).

Assistant Dean for Environmental Law **Janice Weis** spoke on a panel at the annual conference of the ABA's Section on Environment, Energy, and Resources in Keystone, Colorado, in March. Weis' presentation focused on how law schools prepare environmental lawyers for practice. Her materials, coauthored with two other environmental program directors, were selected for special notice at the conference.

Associate Professor and International Environmental Law Project Director **Chris Wold '90** had his article on the applicability of international law to sea turtle conservation, first published in 1997, recently translated into Spanish and published in a book. "El Estado de las Tortugas Marinas bajo el Derecho Ambiental Internacional y los Acuerdos Ambientales Internacionales" appears in *Instrumentos Internacionales y la Conservacion de las Tortugas Marinas* (ed. J. Frazier, 2006). Wold presented "The International Regulation of Trade in Endangered Species: Will the Ivory Trade Save or Endanger the African Elephant?" at the University of Minnesota at Duluth in March. He also spoke on the inadequacies of the NAFTA environmental commission at the Public International Environmental Law Conference in March.

Clinical Professor **Terry Wright**, a member of the Oregon State Bar Board of Governors, is chair of the board's appointments committee and vice chair of the member services committee. In addition, Wright is on the board's planning committee for a conference on emerging issues in law, to be held in fall 2008. Along with **Maya Crawford '02**, the Law School's public interest law coordinator, Wright serves on the advisory committee for the Oregon State Bar's Loan Repayment Assistance Program.

National Crime Victim Law Institute (NCVLI) attorneys had a busy and successful year. In New Mexico, led by the efforts of staff attorney **Kim Montagriff**, the institute argued that a teenage rape victim had the right to be present throughout the defendant's trial and had the independent right to assert her rights in the trial and appellate courts. On November 8, 2006, immediately following oral argument by Associate Professor **Doug Beloof '81**, a unanimous New Mexico Supreme Court ruled from the bench in favor of the rape victim. In the case of *Carey v. Musladin*, NCVLI, led by the efforts of staff attorney **Meg Garvin** and intern **Jaime Taft '07**, filed an amicus curiae brief with the U.S. Supreme Court arguing that mere image of a deceased crime victim worn on a small button by the victim's family during trial was not inherently prejudicial. The decision, issued in December 2006, reinstated the defendant's conviction. In addition to litigation, NCVLI attorneys presented on victims' rights nationwide. Montagriff presented at the annual statewide conference of the Colorado Organization of Victim Assistance in October. Garvin presented at Utah's Advanced Victim Academy in Ogden, Utah, in November, and at the Indian Nations Conference in Palm Springs, California, in December.

Class Notes

(Includes news received from December 2006 through March 14, 2007)

1970s

Alan Larsen '77, a senior intelligence service officer in the CIA and general counsel to the inspector general of the National Reconnaissance Office, recently represented the United States as delegate to the International Intelligence Review Agencies conference in Cape Town, South Africa. The subject of the conference was "Balancing National Security and Constitutional Principles Within a Democracy." The South African hosts, only 12 years removed from throwing off their apartheid government, reminded the more established democracies that challenging times, which some argue call for special concessions, are precisely when it is most important to adhere to constitutional principles. It was, Larsen says, akin to being in a room in the United States in about 1790 and hearing John Adams, Thomas Jefferson, and John Marshall ask, "Now that we have this piece of paper we call a constitution, what are we going to do about it?"

Anna Moran '78 has been appointed to the Kenai Superior Court by the governor of Alaska. Moran has practiced law for 28 years. She was appointed magistrate and standing master in Kenai in 2005.

1980s

Ben Fetherston '81 has been elected chair of the board of directors of Associated Oregon Industries. Fetherston is a partner at Clark, Lindauer, Fetherston, Edmonds, Lippold & Collier in Salem, where his practice includes a wide range of business law. He has held other officer positions with AOI, including serving on its executive committee.

Chrys Martin '81, shareholder at Bullivant Houser Bailey in Portland, was named chair of the 22,000-member Law Institute. As chair, Martin is responsible for the creation and direction of seminars and continuing legal education programs for the nation's largest organization of defense trial lawyers. She focuses her practice on discrimination, discipline, discharge, harassment, wage and hour, union negotiations, employee contracts and benefits, ERISA, fiduciary liability, confidentiality agreements, and selected litigation.

Britt Nelson '81 has joined Buckley LeChevallier as an associate attorney. Nelson's practice areas include general business litigation, land use planning and zoning, business contract disputes, foreclosures, building and premises defects, real property litigation, and condominium conversion disputes and defects. Nelson can be reached at 503-906-2236 or bn@buckley-law.com.

Bob Wollheim '83, a judge on the Oregon Court of Appeals, received a Lifetime Achievement Award for community contributions and dedicated service honoring the legacy of Martin Luther King Jr. The award was presented on January 15 at the 22nd annual Keep Alive the Dream tribute to Reverend Martin Luther King Jr. **Vincent Bernabei '84** has relocated his law practice to 9020 S.W. Washington Square Road, Suite 140, in Portland. He can be reached by phone at 503-443-1177 or e-mail at vince@bernabeilaw.com. Bernabei continues his practice in civil litigation and family law.

Robert Briggs '84 has spent the last eight years as a staff attorney for the Disability Law Center of Alaska in Juneau, a year's sabbatical to spend more time with his family, and a year of not really trying to practice law (i.e., part-time solo practice). Recently Briggs joined the Alaska Department of Labor and Workforce Development as the workers' compensation hearing officer for the Juneau office. Former classmates taking a cruise through Juneau are encouraged to contact him for a personally guided hike through the mountains and forests surrounding Juneau. Although wildlife sightings may not be guaranteed, it is a pretty good bet it will rain. His new address is Robert B. Briggs, Hearing Officer, Alaska Department of Labor and Workforce Development, Division of Workers Compensation, P.O. Box 15512, Juneau, Alaska 99811. He can be reached by phone at 907-465-279 or fax at 907-465-2797.

Roger Lenneberg '84 joins Stewart Sokol & Gray as of counsel after serving as corporate counsel for performance contracting group. His practice focuses on facilitating resolution of complex construction and commercial disputes as an advocate, mediator, and risk avoidance consultant.

John Montgomery '84 has changed the Montgomery Law Group to Montgomery & Hansen, which focuses on corporate and securities law, technology transactions, venture fund representation, and executive employment. The firm is located at 525 Middlefield Road, Suite 250, in Menlo Park, California. They can be reached by phone at 650-331-7000 or via the Web at www.mh-llp.com.

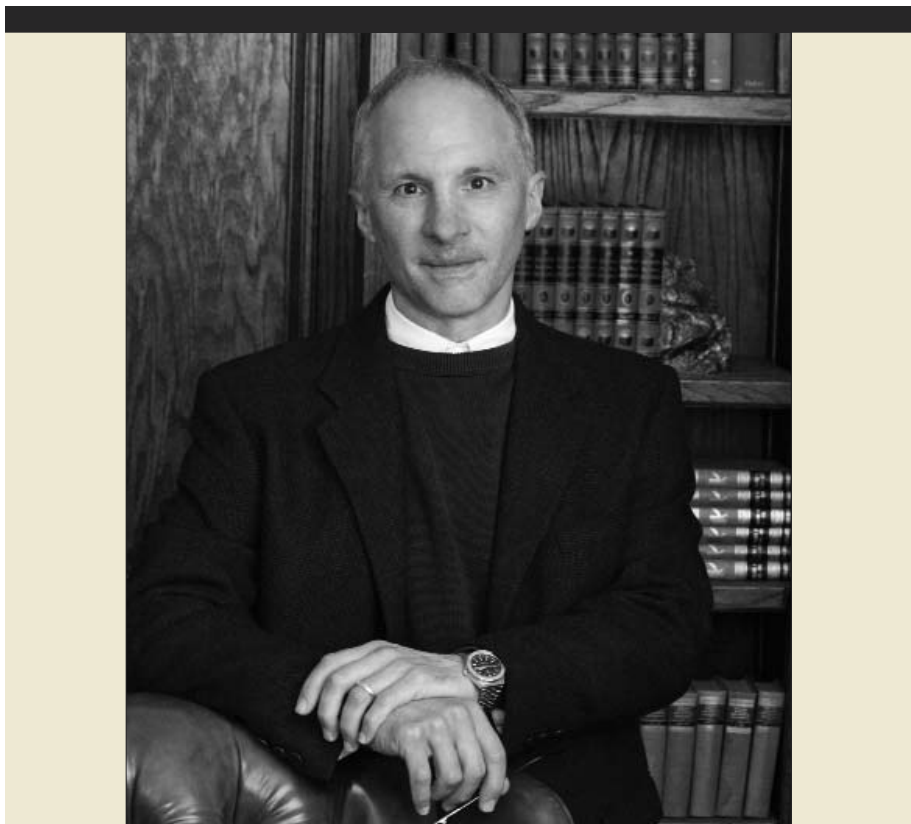
Valerie Tomasi '84 has been selected as one of *Oregon Business* magazine's "50 Great Leaders" for 2007. Tomasi, a shareholder at Farleigh Witt since 1990, was elected president and managing shareholder of the firm in 2000. She is an adjunct professor at the Law School and cochairs the Multnomah Bar Association Managing Partner Roundtable. Tomasi has chaired the pro bono subcommittee of the Oregon State Bar's Debtor-Creditor Section since 1993.

Lisa LeSage '85, associate dean for Lewis & Clark Law School business law programs and director of the Small Business Legal Clinic, has been elected president of the Oregon Law Foundation for 2007. As the charitable arm of the Oregon State Bar, the Oregon Law Foundation raises funds to provide for access to justice for the state's poor. Since its inception in 1981, the foundation has awarded more than \$17 million for charitable law-related purposes.

Blake Underwood '85 has been appointed assistant attorney in charge of the business transactions section of the general counsel division with the Oregon Department of Justice. Underwood was in private practice in Portland before joining the business transactions section of DOJ in 2000.

Trina Strom '86 has joined Sorensen-Jolink, Trubo, Williams, Scherzer & Strom as a partner. Strom's practice is limited to family law, including mediation, arbitration, and traditional client representation. She was formerly a partner at Borg, Strom & Greenlick.

Gary Young '87 has opened his own law office specializing in personal injury and business law, located at 1217 N.E. Burnside Road, Suite 201, in Gresham. He can be reached by phone at 503-667-4800.



Kauffman '78 Nominated for Literary Award

The legal thriller *In Deepest Consequences*, written by Scott Kauffman '78, has been nominated for the Benjamin Franklin Literary Publishing Award in the category of best debut novel of 2006. The novel focuses on a fictional public defender, Calvin Samuels, who has a passion for sticking by the underdog.

Kauffman's writing is based on his legal career, during which he has tried dozens of criminal cases, first as an assistant state prosecutor and then as an assistant public defender in a rural Ohio community that provides much of the background for the book. Kauffman maintains an active law practice in Newport Beach, California, which includes the representation of those charged with white-collar crimes. He is currently at work on a second novel and a collection of short stories.

To learn more about *In Deepest Consequences*, visit www.scottkauffman.net or any major bookseller.



Ann Sherman '88 has been selected by K&L Gates as the Portland administrative partner and a member of the firmwide management

committee for a four-year term.

Jill Tanner '88, presiding magistrate of the magistrate division of the Oregon Tax Court, received the 2006 Lawrence Lasser Award at the annual meeting of the National Conference of State Tax Court Judges. The award recognizes special service to the public in dispute resolution in tax matters. Presiding magistrate of the Oregon Tax Court since 2002, Tanner also serves as an officer of the Mary Leonard Law Society and on the Board of Bar Examiners.

Dean Alterman '89 has fondly left Lane Powell and announces the opening of Alterman Law Office at 1000 S.W. Broadway, Suite 910, in Portland. He can be reached by phone at 503-517-8200.



Lorie Hancock '89 has been named partner at Karnopp Petersen. Hancock's practice emphasizes business transactions, mergers

and acquisitions, emerging companies, and intellectual property issues.

William "Barney" Later '89 has relocated the Law Offices of William N. Later to 521 S.W. Clay Street in Portland. He can be reached by phone at 503-227-4080 or e-mail at barney@sstlr.com.

1990s

Robert Bovett '90, assistant county counsel for Lincoln County, was honored in December for his tireless work combating methamphetamine problems at all levels, ranging from locally to internationally. At a gala banquet at the Portland Conference Center, former governor Barbara Roberts—standing in for Governor Ted Kulongoski, who was returning from a trip to the Middle East—presented Bovett with the Governor's Gold Award, which honors businesses and individuals "who make our state great." Bovett received a bronze statue of the Oregon Pioneer and solid gold medals in recognition of his work.

Diane Rulien '90 has joined ReMax Equity Group as a real estate broker. She focuses on residential real estate throughout the greater Portland metropolitan area. Having had extensive experience in the area of domestic relations law and probate, Rulien will be a resource to attorneys with clients who require comparative market analyses to help settle a divorce or assistance with probates involving real estate. She can be reached at 503-307-1531 or through her website, www.dianerulien.com.



Olson '06 Sweeps National Tax Competition

Stacey Olson '06 won both first prizes in the LL.M. division of the American Bar Association's 2007 Law Student Tax Challenge, held at the ABA Tax Section meeting in Hollywood, Florida, in January.

Olson and her teammate, Matt McNeill, took first prize in both the written submission and oral defense categories of the competition on behalf of Loyola Law School, where they are working toward their LL.M. degrees in taxation.

This year's contest, which attracted 41 teams from 28 law schools, required students to write both a legal memorandum and a letter to a client concerning the optimal structure for a hypothetical corporate merger, made especially challenging because of the need to preserve tax benefits for the target company's key executive.

"We're proud of Stacey's accomplishments, but not surprised," said Professor Jack Bogdanski, director of Lewis & Clark's Tax Law Program. "She excelled in our advanced tax seminar, where students get a rigorous workout on the building blocks of tax research and writing."

Olson says, "The tax challenge was a great experience—I encourage anyone interested in tax to compete. It really bridged the gap between academia and practice. It was also a great networking experience. I met so many people while I was in Miami. The best part of the competition for me, personally, was that it gave me the ability to meet women in the tax field. It seems to be a male-dominated field, and it was great to talk to women who practice in it."

Bob Miller '91, Lewis & Clark Law School professor, recently authored *Native America, Discovered and Conquered*, which was featured as the book of the month on the Native America Calling radio show in December. To learn how you can listen to the show on your local radio station or on the Internet, visit www.nativeamericacalling.com.

Victoria Blackwell '92 has been named general counsel of Papa Murphy's International. She has been with Papa Murphy's as corporate attorney since 2000. Blackwell recently led the company's expansion into British Columbia, where Papa Murphy currently operates 5 stores and plans to open 11 more by year's end. She also oversees all legal aspects of franchisor/franchisee agreements for more than 400 franchisees nationwide. Previously, she was associate counsel of real estate for KinderCare Learning Centers, responsible for negotiating and closing real estate transactions such as ground leases and space renovations. Before KinderCare, Blackwell ran her own private practice for nearly two years.

Elaine Brown '92 has joined the Portland office of Gordon & Polscer as an associate. Her practice focuses on insurance coverage matters.

Barbara Smythe '92 has joined Klarquist Sparkman. Smythe's practice focuses on intellectual property law litigation.

John Ogan '94 has been named partner at Karnopp Petersen. Ogan's practice continues to focus on serving the varied legal needs of the Confederated Tribes of the Warm Springs Indians.

Susan Trump-Felstiner '94, of Cable Huston Benedict Haagensen & Lloyd, has been elected treasurer of the Oregon Hispanic Bar Association.

Kristin Eaton '95 has been announced as a shareholder with Yates, Matthews & Eaton.



Kathy Fritz '95 has joined Miller Nash as of counsel. She joins the business department, specializing in all aspects of health care law. Previously, she was general counsel and compliance officer for the physician and dental groups of Kaiser Permanente Northwest.

Fritz has served on a number of local community nonprofit boards, including Project Quest Integrative Health Center, Linnton Community Center, and Oregon Nurses Association.

Justin Delaney '96 was promoted to vice president, assistant general counsel, and assistant corporate secretary at Standard

Insurance Company in Portland. Delaney continues to oversee The Standard's corporate legal and public affairs departments, which include government and public relations and charitable giving. Since joining The Standard in 1997, he has held various positions, including assistant vice president, assistant general counsel, and assistant corporate secretary. Delaney is admitted to the Oregon State Bar and a member of the Multnomah Bar Association. He serves on the board of directors for the Oregon Business Alliance, Associated Oregon Industries, and The Standard Charitable Foundation. He is also a member of the Oregon State Insurance Division Advisory Committee.

Jason Wilson-Aguilar '96 has been elected to the board of directors of Consumer Education and Training Services (CENTS), a nonprofit community organization in Seattle formed to empower consumers to take control of their financial situations. Through education and training, CENTS helps consumers prevent, or overcome, serious money problems. Wilson-Aguilar practices bankruptcy law in Oregon and Washington with the Routh Crabtree Olsen firm.

Jennie Bricker '97 has been promoted by Stoel Rives to principal in the Portland office. Bricker practices natural resources law, with a focus on water law and waterways. She assists clients with real estate transactions; gas, oil, and mining transactions; and the administration and interpretation of utility mortgage indentures. Recognized as one of the state's experts on navigability for title, Bricker advises riparian property owners about their rights to submerged and submersible lands on Oregon waterways. She continues to guide several clients through the administrative process of establishing their water rights in the complex Klamath Basin adjudication. In 2001, Bricker received the Burton Award for legal achievement.

Robin DesCamp '97 has joined the family law firm of Gevurtz Menashe as associate attorney. DesCamp's practice focuses on dissolution, child custody, modification of child support orders, and name changes. She is a member of the Multnomah Bar Association and the Oregon Corporate Counsel Association.



Daniel Duyck '97 has started a new firm, Whipple & Duyck, with his friend Scott Whipple. The office is located at Crown Plaza, 1500 S.W. First Avenue, Suite

883, in Portland. Duyck can be reached by phone at 503-222-6199 or through the firm's website at www.whippleduyck.com.



Jonathan Norling '97, a Lane Powell shareholder, completed the U.S. Green Building Council's Leadership in Energy and Environmental Design certification program

and is an accredited LEED professional, one of the few such attorneys in the United States. The nationally accepted

LEED Green Building Rating System promotes a whole-building approach to sustainability by recognizing performance in sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.

Linda Weimar '97 announces the opening of Weimar Law Offices. For the past 10 years she was a senior associate with D'Amore & Associates, handling personal injury and wrongful death cases. Her practice continues to emphasize this work, as well as diminished value cases. In addition, Weimar has expanded her practice to include family law, including but not limited to divorce, support modifications, and stepparent adoptions. Her office is at 9900 S.W. Wilshire, Suite 100, in Portland. She can be reached by phone at 503-542-4420 or through her website at www.weimarlaw.com.

Travis Hall '98 was a featured speaker at Amnesty International's Midwest and Northeast regional conferences in October and November. The former U.S. Army interrogator and Judge Advocate General officer spoke against the use of abuse and torture during interrogation of those detained in U.S. custody.

Guy Hallam Jr. '98 and partners have announced the opening of the law offices of Kormanik, Hallam & Sneed, located at 1099 S. Wells Street, Suite 120, Meridian, Idaho. The firm offers legal services in the areas of general civil litigation, employment, personal injuries, wrongful death, divorce/custody, condemnations, elder law (including nursing home litigation), water law, land use, and real estate. Hallam is admitted to the practice of law in Oregon and Idaho and was previously shareholder in the Nampa, Idaho, firm White Peterson. He can be reached by phone at 208-288-1888 or via the Web at www.khsidaholaw.com.

Laura Kalty '98 has joined Liebert Cassidy Whitmore in the Los Angeles office, doing employment law for public entities.

Ryan Vanderhoof '98, of Hornecker, Cowling, Hassen & Heysell, has been elected secretary for 2007 by the Jackson County Bar Association.

Ray Crutchley '99 has opened a new law firm, The Legal Crutch, at 22115 N.W. Imbrie Drive, Suite 262, in Hillsboro. He can be reached by phone at 503-453-7309 or e-mail at ray@thelegalcrutch.com.

Pamela Evers '99 coauthored *Contingent Environmental Liabilities: Disclosures and Accounting*, a tax management portfolio for the publisher Bureau of National Affairs. Evers, an associate professor of business law at the University of North Carolina at Wilmington, also recently received a certificate in public international law from The Hague Academy of International Law. Her research is in the areas of environmental law and management, and corporate law and governance. She is admitted to practice in Texas and the District of Columbia.



Heather Guthrie '99, an attorney with Dunn Carney in Portland, focuses her practice on estate planning and business transactions. Her estate planning practice includes devel-

opment of comprehensive plans for estates of all sizes, and probate and trust

administration. Guthrie's business practice includes representation of nonprofit and for-profit entities, including a niche focus serving the design professional community and significant work in complex real estate development financings.



Corinne Sam '99 has joined Perkins Coie as an associate in the Portland office in their real estate and land use practice. Sam completed a summer law program

at the University of Madrid and an intensive language study course at Nanjing University in China. Previously, she was an associate at Lindsay, Hart, Neil & Weigler in Portland.

Bradley Sneed '99 and partners have announced the opening of the law offices of Kormanik, Hallam & Sneed, located at 1099 S. Wells Street, Suite 120, Meridian, Idaho. The firm offers legal services in the areas of general civil litigation, employment, personal injuries, wrongful death, divorce/custody, condemnations, elder law (including nursing home litigation), water law, land use, and real estate. Sneed is admitted to the practice of law in Oregon and Idaho and was previously a senior associate with the Boise law firm Givens Pursley. He can be reached by phone at 208-288-1888 or via the Web at www.khsidaholaw.com.

Kim Tran '99 has been elected to shareholder at Stafford Frey Cooper. She joined the firm as a summer associate in 1998 and has been an associate with the firm since 1999. Tran advises businesses and individuals on employment law-related matters and conducts employment law trainings on topics including sexual harassment. As 2006 president of the Asian Bar Association of Washington (ABAW), Tran cochaired Washington's first statewide diversity conference, "Getting Ahead and Giving Back: Diversity in Washington's Legal Community," with other minority bar associations. She received the ABAW's 2004 Community Service Award for her work as coordinator for the international district legal clinic, where she has volunteered since 2000. Tran served as a 2005 fellow with the Washington State Bar Association (WSBA) Leadership Institute, has served on the WSBA Pro Bono Legal Aid Committee and as special disciplinary counsel for the WSBA. She is a board member with the ABAW and the Vietnamese American Bar Association of Washington, a fellow with the American Bar Foundation, and a member of the William L. Dwyer Inn of Court. In 2007, Seattle Mayor Greg Nickels appointed Tran to serve on the Seattle Women's Commission. Since 2000, she has volunteered as a naturalization teacher for Asian Counseling Referral Service (ACRS), the largest social service agency serving the Asian American population in the state of Washington. She was on the ACRS board of directors in 2006 and serves as its president in 2007. *Washington Law & Politics* magazine selected Tran as one of Washington's "Rising Stars" in 2006-07.

2000s

Derek Simmons '00 has become a shareholder at Watkinson, Laird, Rubenstein, Baldwin & Burgess in Eugene. He joined the firm in 2002 after a two-year clerkship with Judge David V. Brewer of the Oregon Court of Appeals. Simmons' practice continues to focus in the areas of health law, business organizations and transactions, limited liability companies, and emerging business.



Alison Strong '00 has been named a 2006 Pennsylvania "Rising Star" by *Law & Politics*. She works at Cozen O'Connor in the firm's New York Midtown office.

Kornelia Dormire '01 has joined Duffy Kekel as an associate. Dormire continues to concentrate her practice on estate and business planning, trust and estate administration, charitable organizations, and related tax planning.

Keith Dozier '01 has relocated his office to the Lake View Village at 385 First Street, Suite 215, in downtown Lake Oswego. His practice continues to focus on personal injury claims. Dozier can be reached by phone at 503-594-0333.

Jennifer McCauley '01 has joined the Portland office of Ball Janik as an associate. Formerly at Ashcroft Wiles Ammann, McCauley's practice continues to emphasize construction and commercial litigation.

Laura Moore '01 and **Drew Moore '04** are pleased to announce the arrival of daughter Makenzie Ireland Moore. Born on January 31 at 6 pounds, 14 ounces, and 20 inches, she is incredibly happy and healthy.

Michael Mayer '02, an environmental protection specialist with the National Park Service's Environmental Quality Division in Denver, has been assigned to the U.S. Department of the Interior's International Technical Assistance Program and traveled to the Republic of Georgia for four weeks in the spring. While there, he conducted a comprehensive assessment of protected areas and related legislation and recommended protected areas, management policies, and legal amendments.

Craig Commerford '03 has been appointed assistant attorney general in the business transactions section of the general counsel division with the Oregon Department of Justice. He was a judicial clerk for the Multnomah County Circuit Court and a patent proofreader for a private Portland firm.

Lisa Davies '03 has joined Teunis J. Wyers and Lesley Apple Haskell as an owner of Wyers Haskell Davies.

Zachary Light '03 has joined Kellington, Krack, Rochmond, Blackhurst & Glatte as an associate. He practices in the areas of civil litigation, family law, and criminal defense.

Irina Batrakova '04 has joined the Portland firm of Samuels, Yoelin, Kantor, Seymour & Spinrad. Previously, she was an associate attorney at Brislaw Lofton Gregorek. During high school Batrakova, a native of Russia, participated in the Future Leaders Exchange program sponsored by the U.S. State Department to enhance

understanding and dialogue between Americans and Russians. She was one of 1,200 students selected to spend the 1994 academic year in the States.

Kimberly Griffith '04 and Cody Evans, M.D., became the proud parents of twins, a boy and a girl, on October 9. Griffith works as a law clerk to Judge Malcolm F. Marsh of the U.S. District Court. Her office is located at U.S. District, 1000 S.W. Third Avenue, in Portland, and she can be reached by phone at 503-326-8363 or e-mail at kimberly_griffith@ord.uscourts.gov.

Yi-Kang Hu '04 has been appointed by the governor's office to a three-year term on the Oregon Board of Naturopathic Examiners. The board's role includes licensing and regulation of naturopathic physicians in Oregon. Hu continues to practice food and drug law and intellectual property law with the law firm Kirkpatrick & Lockhart Preston Gates Ellis in Portland.

Neah Huynh '04 has been named a deputy attorney general at the California Attorney General's Office, Correctional Law Section. Huynh represents employees of the Department of Corrections and Board of Prison Terms in civil suits filed by prisoners and parolees. Cases range in scope from individual damages claims to large-scale class actions seeking permanent injunctive relief, and they present issues ranging from state tort claims to complex constitutional questions.

John Kauffman '04 is transitioning from military service in the Navy Judge Advocate General's Corps to civilian life this summer after more than 20 years of active duty. He and his family fell in love with Portland during his year at Lewis & Clark, and they intend to return in August 2007 to make their long-term home in the area.

Sara Kelly '04 has joined the Dobson Law Firm as an associate attorney. Kelly, who is licensed to practice law in Oregon and California, focuses her practice on environmental, toxic tort, real estate, and land use litigation.

Julie Penry '04 has been appointed assistant attorney general in the business transactions section of the general counsel division with the Oregon Department of Justice. Penry has practiced with a private law firm in Vancouver for the last two and a half years.

Abigail St. Lawrence '04 has been promoted to senior associate attorney at Doney Crowley Bloomquist Payne Uda, a Helena, Montana, law firm. St. Lawrence has been with the firm since 2003 and specializes in environmental and natural resource litigation, water law, and government relations for agricultural and business clients throughout Montana and the Mountain West.

Benjamin Buhayar '05 has been appointed an assistant attorney general in the business transactions section of the general counsel division with the Oregon Department of Justice. He has practiced with private firms in Portland during the last two years.

Kate Joseph '05 has joined Josselson & Potter, a general practice firm in Northwest Portland with a specialty in real estate investment transactions. She finished clerking for Oregon Court of Appeals Judge Rex Armstrong in January 2007.

Nathan Klein '05 joined the Irvine, California, office of Howrey LLP as a commercial trial associate.



Brandt '04 Recognized for Work in Animal Law

In November, the National Center for Animal Law, housed at the Law School, presented Peter Brandt '04 with the first Hogan Award for outstanding work on behalf of animals.

Brandt, who attended Lewis & Clark for the Animal Law Program, has a long history of advocacy. During law school, he was involved with the Student Animal Legal Defense Fund, was an associate editor of the *Animal Law* journal, and spent a summer working on factory farm issues with the Sierra Club. Currently, he is a staff attorney in the animal protection litigation department of the Humane Society of the United States in Washington, D.C. He has been influential in advancing legal protections for hens living in battery cages, farm animals transported by truck to slaughter, animals used for fighting, and dogs raised in puppy mills and sold in pet stores.

The annual Hogan Award, established by Amy Humphrey '08 in honor of her furry companion, Hogan, recognizes a recent Lewis & Clark graduate for using his or her degree to better the lives of animals.

Andrea Knight '05 has joined Evans & Zusman as an associate. Knight works primarily in the area of family law and assists with the firm's commercial practice. **Sandra Naranjo '05** has joined Harris Law Firm at 165 S.E. 26th Avenue in Hillsboro. She can be reached by phone 503-648-4777.

Michele Wasson '05 has joined Parsons Farnell & Grein as an associate. Her practice focuses on estate planning and probate. Previously, Wasson worked as corporate counsel for Innovation Asset Group.

Amanda Austin '06 has joined the Oregon Department of Justice Honors Program.



Gillian Bunker '06 has joined Klarquist Sparkman as an associate. Bunker's practice focuses on the biosciences and patent prosecution.



Spencer-Scheurich '04 Works to Protect Low-Income Consumers

Corinna Spencer-Scheurich '04 was recently awarded an Equal Justice Works Fellowship to do consumer protection work on the Texas-Mexico border. This is her second prestigious award. Spencer-Scheurich has spent the past two years working on consumer rights litigation for the Texas Civil Rights Project in San Juan, Texas. With the aid of the Equal Justice Works Fellowship, she intends to establish and coordinate four consumer self-education and self-organization centers in *colonias* (unincorporated neighborhoods, primarily made up of Mexican immigrants) along the Mexican border.

Colonias are often marked by severe poverty; many lack basic services such as utilities and paved roads. Hidalgo County, where Spencer-Scheurich's project will start, has the lowest median household income and the highest rate of poverty in the nation. Historically, low-income, non-English speakers have a harder time accessing legal services to address issues that perpetuate poverty.

This is where Spencer-Scheurich's project comes in. Its genesis was a Brookings Institution study that outlined three strategies for serving low-income consumers. Integrating these strategies into the Cesar Chavez organizing model, Spencer-Scheurich developed the idea of creating volunteer-run, *colonias*-based consumer rights centers. The centers are intended to be hubs of consumer self-education and organization, as well as community-directed impact litigation. Each center will educate *colonia* residents on consumer issues, address unscrupulous business practices through litigation, and promote fair consumer practices and policies through organized pressure on local businesses and government. By establishing the centers in partnership with other community agencies, and by using youth volunteers to help staff the centers, Spencer-Scheurich expects to organize and litigate for several centers at once, increasing the breadth and impact of her litigation work.

As participants gain experience and skill dealing with traditional financial institutions and making purchases, Spencer-Scheurich hopes they will expand the grassroots effort to educate others and will guide her impact litigation by establishing and communicating community priorities. It is also her goal to have the centers become a focal point of community activism on a local level, changing the options available to consumers and improving the financial condition of all the estimated 350,000 *colonia* residents.

"I've always been interested in tackling the injustices people face because of race, disability, gender, or socioeconomic class," Spencer-Scheurich says. "I have learned over the last two years that to work on poverty is to deal with all of these issues. Consumer law is a great tool in confronting poverty because it seeks to place information and power into the hands of the people."

Jennifer Coughlin '06 has joined the Bend law firm of Hurley, Re & Gruetter. Coughlin has become the third generation of attorneys in her family. She practices land use, litigation, and employment law. Elisa Dozono '06 joins Miller Nash as an associate in the litigation department, focusing on business litigation and government relations. Dozono has more than 11 years of experience in communications management and government relations, including positions as corporate media

manager for the Port of Portland, communications director for former Portland mayor Vera Katz, media relations director for former governor John Kitzhaber's transition, and a producer for KATU television. Elizabeth Engberg '06 has been appointed an assistant attorney general in the torts section of the trial division with the Oregon Department of Justice. Graham Fisher '06 has joined Metropolitan Public Defender Service as a staff attorney. He formerly worked for the Law Office of Michael Levine in Portland.



Maja Haium '06 has joined Downey Brand in Sacramento as an associate in the firm's water practice. Haium was a law clerk in the environmental section of the trial division

with the Oregon Department of Justice. Stephanie Irvine '06 is a new associate with Klarquist Sparkman, where her practice focuses on intellectual property litigation. Jinnifer Jeresek '06 has joined Karnopp Peterson as an associate. Her practice focuses on litigation.

Robin McIntyre '06 has been appointed an assistant attorney general in the natural resources section of the general counsel division with the Oregon Department of Justice. Previously, she was a law clerk in the appellate division for a year. McIntyre then worked with the U.S. Department of Energy, Bonneville Power Administration, for a year.

Elizabeth Newell '06 has joined Tonkon Torp as an associate. She focuses her practice on corporate finance and mergers and acquisitions.

Jeffery Woodcox '06 has joined Tonkon Torp as an associate. He focuses on corporate and general business law.

Richard Liebman of Barran Liebman has joined the Oregon Law Institute board of directors.

In Memoriam

Keith Burns '58 died March 6 at age 80 of Alzheimer's disease. Burns was a former legislator and longtime advocate for civil rights and progressive politics in Oregon. He was also president of the Oregon State Bar and chief of staff for former governor Bob Straub.

Burns led a successful effort in 1964 to abolish the death penalty in Oregon, although it was later restored. He served as a pro bono legal counsel for the Portland chapter of the National Association for the Advancement of Colored People and fought for workers' rights and religious freedom.

Such activism led to his meeting Molly Sammons B.A. '57, a Lewis & Clark College student who would become his wife of 50 years. Burns, a student at the Law School, was campaigning for Adlai

Stevenson's 1956 run for president. "Hi, girls, will you hold these signs?" he asked Molly and her friend. They obliged, she recalled. He asked her out to lunch. The couple married the next year.

Burns was born in 1927 in Shoshone, Idaho, to a tax assessor and a teacher. He dropped out of high school after his sophomore year and hitchhiked to Portland, where his first job was unloading cherries from Hood River. He served in the U.S. Merchant Marine during World War II. He was a deputy district attorney in Multnomah County, and then served as chief clerk of the U.S. District Court in Portland during the Hon. Gus Solomon's tenure. Burns entered private law practice in 1965 and was long active in his own law firm. He was appointed to fill a vacant seat in the Oregon House in 1971, and then elected as a state senator in 1973. In 1975, he became chief of staff to Straub.

Survivors include his wife, Molly Burns; daughters, Sarah Burns, Emily Heston, and Elizabeth Burns; younger sister, Carol Burns Ettlinger; and five grandchildren. Garth Ledwidge '65 has died at the age of 72. Born in Alamosa, Colorado, Ledwidge moved to east Multnomah County in 1936. He served in the U.S. Army in Japan and became proficient in speaking Japanese. He also served with the U.S. Army Mountain Corps in Colorado.

Ledwidge practiced law in Portland and Gresham for 30 years before retiring in 1997. In his free time, he enjoyed fishing, hunting, and horse and dog racing.

Survivors include his wife, Connie; mother, Irma; brothers, Chris and Sean; sister, Pamela Montgomery; and three grandchildren. His son, Eric, died in 1999. Shaun Wardinsky '95 died unexpectedly on March 26 at the age of 48. A passionate advocate for victims of domestic violence, Wardinsky touched many lives through her work as a family law attorney at her firm, Wardinsky & Bobzien. She served on the faculty of the National Institute for the Prevention of Domestic Violence and was recognized as achieving the highest level of expertise in civil legal matters relating to domestic violence.

Wardinsky and her life partner of 22 years, Lynn, shared the joy of raising their daughter, Arunima Kamile.

Survivors include her daughter, Arunima Kamile; partner, Lynn; parents, Gerry and Corky Wardinsky; many other family members and community friends; and her beloved puppies, Sunny, Ruby, and Belle.

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