

The magazine of the first law school in the Pacific Northwest | Fall 2018

WILLAMETTE LAWYER

A photograph of three law alumni standing on a rooftop overlooking a city skyline. On the left is a man in a dark suit and blue patterned tie. In the center is a woman in a dark, short-sleeved dress. On the right is a woman in a grey and white patterned blazer. They are all smiling and looking towards the camera. The background shows a dense urban landscape with various buildings and a bridge in the distance under a clear blue sky.

The Business of Law
Preparing students for a changing world

FRIENDS & PARTNERS

Jim Griggs '71, JD'75 and Bob Saalfeld JD'74

CAPITAL EXPERIENCE

Law alumni in Boise, Idaho

WILLAMETTE LAWYER

FALL 2018



The Business of Law

Willamette's new Business Lawyering Institute prepares tomorrow's attorneys for a changing world.

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Friends and Partners

After 40 years working together, Bob Saalfeld JD'74 and Jim Griggs '71, JD'75 step down from their successful namesake law firm in Salem, Oregon.

Cover: Business Lawyering Institute fellows (left to right) Will Kurka JD'20, Lindsey Adegbite JD'19 and Alexandra Hutchinson JD'20



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Capital Experience

A number of College of Law alumni apply their talents and skills in legal fields in Boise, Idaho.

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Dean's Message



Dear Alumni and Friends,

This academic year has brought many changes to the College of Law, including exciting developments in new and continuing initiatives. We have welcomed several new faculty and staff, who just a month ago helped usher in our Class of 2021. We're enthusiastic about what they bring to the College of Law, and we can't wait to see their contributions here, as well as the accomplishments of this new class.

As you know, we extended our efforts concerning bar preparation over the past two years, and thus far we are very happy with the results. In a year that saw the lowest scores nationally since 1984, nearly 80 percent of our students in Oregon and Washington passed on the first try — despite Oregon having one of the toughest pass standards in the nation. The faculty remain committed to doing what it takes to help our students prepare, and we intend to improve these results moving forward.

In addition, the Business Lawyering Institute is up and running, and our first cohort of BLI Fellows was chosen in the spring. As you will read in this issue, the BLI is a new venture at Willamette Law that trains future lawyers in the art and practice of business lawyering. It also aspires to be the space where business executives and lawyers convene to share best practices, identify trends and explore legal strategies that support business strategies.

Our fellows who didn't graduate will continue to shape the BLI through this academic year. They helped implement our first BLI Roundtable in March, where business executives and attorneys from around the Pacific Northwest gathered at Willamette Law to share advice and help launch our program. We hope that event will be the first of many.

You will also read about some of the impressive things our students are doing, Boise alumni making great strides in the pursuit of justice, the scholastic achievements of our faculty and, of course, news from your classmates.

Lastly, on a more somber note, in this issue we also mourn the passing of two members of our Willamette family: Maribeth Collins and Professor Gwynne Skinner. As you will see from the articles about them, both women were influential and beloved within our community, and their legacy will continue in the lives of our alumni and students.

As we forge ahead through this fall semester, we are constantly reminded of how grateful we are for you, our alumni, and the assistance you offer the College of Law. We invite you to visit campus often — you are always welcome — and we encourage your involvement. Thank you for your support.

Sincerely,

Curtis Bridgeman

Passing the bar with the help of BEAST

By the time **Jessica Ismond JD'17** was preparing for the bar exam, she'd moved far from her Willamette Law peers and study group to live in Ohio.

Rather than study in isolation, she joined a WUCL program called the Bar Examination Accountability and Support Team (BEAST) and signed up for Edmodo, a Facebook-like online forum that connected her to other Willamette students taking the bar.

In addition to feeling much less alone, Ismond also passed the bar.

"The bar exam has so much material to learn and remember," she says. "The BEAST program is integral to the success of bar-takers."

Stakes for bar examinees have always been high — the endurance required to push through testing days, the expense, the possibility of failure after months of preparation — and the need for academic and emotional support has only grown. According to the ABA, July 2018 saw the lowest national test scores since 1984.

Oregon's bar exam ranks among the toughest in the nation, even after the state Supreme Court lowered the minimum passing score from 284 to 274 last year. Add to that a nationwide decline in bar passage rates and a puzzling discovery by the College of Law: Even when grads completed a commercial bar prep program, many still didn't pass the bar.

In response, Director of Bar Preparation Professor **Amy Meyers**, with support from WUCL's administration, overhauled the "Legal Analysis for the Bar Examination" course and in 2016 created BEAST — a volunteer, around-the-clock effort by the entire law community to help examinees succeed. Within one year, the average MBE score of WUCL graduates rose to the highest in four years.

A supplement to a commercial bar program, BEAST is a catch-all resource for first-time examiners and re-takers that starts several months before testing commences. BEAST offers mentoring from law deans and faculty, a Google drive full of study resources, and live-streamed lectures and workshops — all for free.

So far the results have been very positive. Nearly 80 percent of first-time takers from Willamette in Oregon and Washington combined (who make up the bulk of Willamette takers) passed on the first try this past summer. Since the BEAST program was implemented, Willamette first-time takers have performed at or above the state averages, despite having average LSAT scores well below their in-state peers.

Bradley Mielke JD'18, who passed the February bar, says BEAST's biggest advantage is its transparent learning environment.

If he posed a question to the online community, everyone could learn from it.

"The gap in your understanding may be filled entirely by coincidence," he says, "and you're that much more likely to pass."

Beyond its abundant study resources, BEAST's biggest benefit is community support. On test days, WUCL alumni volunteered to field calls from stressed-out examinees and even offered them dinner in Portland. Placement and alumni staff provided lunch, office supplies and an over-the-counter medicine kit to examinees. One alumnus mailed his old law textbooks to a graduate retaking the exam.

Cristina Gordon JD'17, a BEAST alumna who passed the bar in February 2018, says the program's resources adapt to all learning needs. The academic and emotional support provided by expert mentors like Meyers is also invaluable.

"I had a great mentor who truly knew me, how I took tests and how I process information," she says. "It's great to have someone who's not only a cheerleader but is giving you more tools to succeed."

"I had a great mentor who truly knew me, how I took tests and how I process information. It's great to have someone who's not only a cheerleader but is giving you more tools to succeed."

Cristina Gordon JD'17



Professor Amy Meyers (center) with Brittany Summers JD'18 and Zachary Causey JD'18, who used the BEAST program to prepare for the bar.

Class of 2021

In August, Willamette Law welcomed the class of 2021 to campus. Members of the incoming class have previously worked as a personal chef, a chemistry teacher, a personal trainer, an actress, a 911 dispatch operator, a ski instructor and a commercial hazelnut farmer.

Top undergraduate feeder schools include Oregon State University, University of Oregon, Portland State, Brigham Young, Willamette University and University of Washington. For the fourth time in history, women make up more than half of the new class. In addition to the new JD students, two transfer students, two MLS students and one LLM student began their studies at WUCL.

CLASS SIZE **132** STUDENTS

53%

FEMALES

47%

MALES



48
MAJORS
REPRESENTED



41%
OREGON
RESIDENTS

3.17 MEDIAN GPA

25th percentile GPA: 2.73

75th percentile GPA: 3.47

152
MEDIAN LSAT

24%
STUDENTS OF COLOR

79
SCHOOLS
REPRESENTED

23
STATES
REPRESENTED

AVERAGE AGE **27.4**

NAPABA Convention a success for Willamette Law students

Five Willamette Law students represented the school in great fashion in early November 2017 at the National Asian Pacific American Bar Association (NAPABA) Convention. Two WUCL students were named Students of the Year, while another two were sworn in to positions on a national student board.

The annual NAPABA Convention brings together Asian Pacific American attorneys, judges, legal scholars, officials and law students from around the country. Willamette students **Melissa Cohen JD'18**, **Megan Oshiro JD'18**, **Noelle Chan JD'20**, **Alex Dooley JD'20** and **Megan Irinaga JD'20** attended the convention. They heard presentations on legal topics affecting the Asian Pacific American legal community, networked with other attendees and represented Willamette Law at the NAPABA pre-law conference for prospective students.

The student version of NAPABA, the National Asian Pacific American Law Student Association (NAPALSA), named Oshiro and Cohen the Students of the Year for their commitment and service to Asian Pacific American individuals in the legal profession. Cohen and Oshiro were involved with the Asian Pacific American Law Student

Association (APALSA) at Willamette since their 1L year, and Oshiro served as the group's president in her 2L year.

"Willamette's APALSA chapter is known for its dedication and involvement not only on the national stage, but also in Oregon," Oshiro says. "Members work hard to represent our communities, while also encouraging new members to take leadership positions and to continue supporting our goals of equity and representation."

Two other Willamette Law students also returned from the convention with new titles. Chan and Dooley were elected to the NAPALSA executive board for 2018-19 as vice president and treasurer, respectively. They'll fulfill their duties through emails and monthly conference calls, handing their positions over to successors at next year's convention in Chicago.



National Asian Pacific American Bar Association

Students hone their trial skills in real-world setting

For one week each winter, a Willamette Law classroom turns into a courtroom.

The brainchild of Professor Emeritus Leroy Tornquist, the "Intensive Trial Practice" course began at Willamette in 1978 and revolutionized the way trial practice is taught nationally. In this experiential course, students learn to prepare civil and criminal cases through courtroom exercises, group trial preparation and lectures. Each student's work culminates in trying a case before a sitting Oregon judge and citizen jury.

Some of the Pacific Northwest's finest legal professionals help students develop their legal skills through a real-world educational experience. For the past few years, Marion County Circuit Court **Judge Mary James** has brought her skill, passion and first-hand knowledge of the jury trial system to teaching the course.

Alumni, including **Judge Norman Hill JD'94**, **Judge Courtland Geyer JD'93** and **Judge Tracy Prall JD'95**, often serve as judges in the classroom. Community members, including

Willamette Professor Emeritus Grant O. Thorsett, return year after year to serve as volunteer jurors.

Students taking the class are eligible for the Bruce Spaulding Memorial Award for Trial Advocacy. This annual award, established in 1991 to honor the 1930 graduate who had an illustrious career as a trial lawyer in Oregon, is presented to an outstanding student in trial practice each semester.

Spring 2018 saw a three-way tie, and the award was split between **Tim Applebaum JD/MBA'19**, **Alyssa Herron JD'18** and **Heidi Shultz JD'18**. **Grant Elder JD'18** was the fall 2017 recipient.

Social Justice and Equity Law Journal publishes first issue

The *Social Justice and Equity Law Journal* at Willamette Law published its inaugural issue in January 2018. Students formed the journal in fall 2016 to contribute to society's understanding of legal and policy issues concerning topics such as race, class, gender and sexuality.

The journal (willamette.edu/go/sjelj) is the first of its kind in Oregon. Editor-in-chief **Felipe Rendón JD'18** came up with the initial idea after noticing there weren't many places to publish scholarly work on social justice issues.

"The journal became a natural end goal for all of us who got involved in the early stages," Rendón says. "It's a collection of input of all the members of our founding editorial board."

The first issue of the journal contains four articles:

"Deconstructing Sex and Gender Essentialism: Protecting Transgender, Nonbinary, and Gender Non-Conforming Employees from Discrimination in the Context of Sexed and Gendered Dress Codes and Grooming Policies" by **Bailey Moody '14, JD'17** discusses the issues faced by transgender individuals who experience discrimination based on company policies dealing with dress code standards.

"I'm on the Wrong Track Baby, I Was Made This Way: How Gender

Essentialism and Cisnormativity Discipline the Transition Processes of Transgender Individuals" by **Kai River Blevins MLS'18** examines the legal difficulties individuals face when transitioning due to society's cisnormative approach to the law and medicine.

"The Fiction of Intent: Why the Equal Protection Clause is Incapable of Remediating Inequality in the Criminal Justice System" by **Erin Roycroft JD'18** analyzes the intent requirement behind many criminal statutes and argues that the requirement helps exacerbate and shield some of the racial discrimination and disparity seen in the criminal justice system.

"Searching Scrutiny: Thurgood Marshall's Constitutional Jurisprudence and its Influence on *Lawrence v. Texas* and *Obergefell v. Hodges*" by Shantanu Chatterjee, JD, a law clerk for the Superior Court of Maine in Bangor, explores Justice Marshall's equal protection jurisprudence and how it paved the way for the court's decision in *Lawrence v. Texas* and *Obergefell v. Hodges*.

The board's goal is for the journal to become a leading civil rights publication in the Pacific Northwest. Any legal scholar, practitioner or Willamette Law student can submit articles for consideration. The journal will publish at least once a year, with the possibility of twice a year if there is enough content.



In Memoriam: Professor Gwynne Skinner

In December 2017, Willamette Law lost one of its most gracious, enthusiastic and accomplished professors.

Professor **Gwynne Skinner**, aged 53, passed away on Dec. 11, 2017 after a lengthy and courageous battle with cancer.

Skinner directed Willamette's Human Rights and Immigration Law Clinic for several years. Human and civil rights were her passion, and she dedicated much of her life to advocating for those issues. At Willamette Law, she taught students about immigration, refugee law

and human rights and also served as the faculty advisor for OUTLaw, the LGBTQ law student organization.

"Gwynne was truly inspirational both inside and outside the classroom, and we will miss her friendship and spirit every bit as much as her professional contributions," says Law Dean Curtis Bridgeman.

Laura Appleman, law professor and associate dean of faculty research, adds, "Gwynne was both respected and beloved by students. She was a real treasure — always willing to

pitch in, even if she was juggling a million other things."

Before joining the faculty in 2008, Skinner was a civil rights and international human rights attorney in Seattle, earning accolades such as the Seattle Human Rights Advocate of the Year award in 2008 and being named one of the city's top civil rights lawyers by Seattle Magazine in 2005.

Skinner is survived by two daughters and her wife, Beth Skrypzak.

New staff join Willamette Law

From December 2017 to summer 2018, Willamette Law welcomed five new staff members.

Ann Allen is a student services coordinator in the Office of Student Affairs, where she provides administrative support and frontline assistance to law students and faculty. Prior to joining Willamette, Allen worked as a student services specialist at Clackamas Community College.

Maegan Dunlap, student services manager for the Office of Student Affairs, earned her bachelor's in journalism and master's in higher education and student affairs leadership at the University of Northern Colorado. Following her master's graduation, Dunlap worked at UNC as a career counselor and at the Community College of Aurora as a student achievement coach.

Logan English, manager of communications, provides branding, marketing, communications, media relations, website, and writing and editing support. A Kentucky native, English recently graduated from Murray State University in Murray, Kentucky, with a bachelor's degree in organizational communication and a minor in business administration.

Leah Straley, associate director of admissions, works with JD, LLM and MLS students from inquiry to matriculation. Prior to joining Willamette, she was assistant director of recruitment and outreach at Thomas Jefferson School of Law in San Diego. Straley has a JD from Albany Law School and an MBA from Keller Graduate School of Management.

Betsy Yager, an office specialist II, moved to Oregon from her home state of Iowa and brings to Willamette over 20 years of experience in human resources.



Ann Allen



Logan English



Maegan Dunlap



Leah Straley



Betsy Yager

Attorney-Mentor Program attracts big numbers

The Willamette Law Placement Office matched 118 students with attorney mentors for the 2017–18 school year.

Attorneys and their mentees are encouraged to meet once or more each month to work on study strategies, exams prep, the job search and more. Attorneys can also bring their students to networking events, CLEs and other learning activities.

For the most part, the program serves first-year law students, although some second- and third-year students continue to meet with their mentors past the 1L year and a few LLM and transfer students take part. This year, 172 students and 123 attorneys — including 52 who have not previously mentored — are participating.

Placement Office staff members spend time poring

over applications to best match each student to a mentor. While most students look for a mentor with a specific kind of expertise or cultural background, some are happy just to ask for someone with similar hobbies or interests, like cannabis law, bioethics, rock climbing, agriculture law and the Pittsburgh Steelers.

College of Law employees retire after years of valuable service

Three College of Law employees retired this year, including one person who worked for WUCL for 46 years.

Ann Abbott, recorder in the Office of Student Affairs, achieved a rare kind of longevity. Phom Ashford, Willamette University assistant director of housing who used to work with Abbott at WUCL, recalls that Abbott started work at age 18 as a Willamette faculty secretary and later advanced to the role of recorder, the registrar for the College of Law.

Ashford says Abbott had a keen attention to detail, a commitment to accuracy, never lacked a red pencil and was a “fierce advocate” of catching and releasing spiders who made their way into the office.

“I learned so much from Ann over the years,” say Ashford, “and I’m so pleased to be able to call her a friend.”

J.W. Long Law Library employees Cherri Miles and Kelly Slaughter also retired this year.

Miles, a library administrative assistant and office manager, retired in



Ann Abbott



Cherri Miles



Kelly Slaughter

February after 20 years at the university. She managed the library’s accounts and helped with the budgeting process. Known as a cheerful employee who was popular around campus, Miles won Willamette’s Richard “Buzz” Yocom Campus Service Award in 2015.

Slaughter left in March after working as an acquisitions assistant and periodicals manager since 2011. She also worked at the library from 1999-2007 as an administrative assistant and circulation services specialist.

Ann Kitchel, director of the Law Library and assistant professor of law, says Miles and Slaughter were both great employees, adding, “I wish them success and happiness in their retired life.”

Membership grows in student drug reform group

The College of Law’s student drug reform organization recently experienced some reform of its own.

Last year, **P. Kai McGuire JD’19** assumed leadership of Willamette’s Law Students for Sensible Drug Policy (LSSDP), one chapter of more than 300 around the world that advocates for a common sense and compassionate approach to drugs policy challenges by focusing on reform, treatment and education. Once he revamped the authority structure from a cabinet to a board, membership grew to 45 students who sit on various committees related to drug policy, ranging from opioid abuse to civil asset forfeiture.

McGuire says the student organization is still relevant 20 years after it was originally founded. “While there may have been some improvements in certain areas of global and U.S. drug policy, controlled substances are still very much illegal,” he says. “The law as it stands today criminalizes what is in effect a public health issue: drug addiction.”

In March, the group held an educational forum featuring Willamette University Director of Campus Safety Ross Stout and Rob Bovett, legal counsel for the Association of Oregon Counties, who has been instrumental in shaping state drug policy. Students also plan to network with state and federal lawmakers this year. Plus, McGuire, who is the group’s chairman, is working with Willamette Law administrators to develop a course on cannabis law.

LSSDP’s recent registration as an official student organization will provide access to Student Bar Association funding that can support events. The group also aims to tap into the interest of students from Willamette’s College of Liberal Arts, who are developing an LSSDP chapter.

LSSDP will retain some core activities — submitting amicus briefs to the Supreme Court, participating in the Cannabis Bar Section — but it also wants to broaden its reach by participating in court cases and advocating for Oregon lawmakers. McGuire says the chapter wants the Salem community to “view the law school as part of their community, not as an ivory tower.”

Remembering Maribeth Collins

Willamette University lost a dear friend — and a member of one of the university's largest and oldest legacy families — in the passing of **Maribeth (Wilson) Collins** on Oct. 4, 2017.

Collins' father-in-law, **Everell S. Collins**, became a trustee in 1912. Her husband, **Truman Wesley Collins Sr.**, graduated from the university in 1922 and was elected a trustee in 1926. Another 12 Collins family members — including Maribeth and Truman's four children, **Terry '70**, **Timothy '70**, **Cherida '72** and **Truman Jr. '86** — also became Willamette alumni.

"Maribeth's legacy touches every part of the law school today," says **Dean Curtis Bridgeman**. "It endures each time visitors pass through the doors of the Truman Wesley Collins Legal Center. It can be found in our law students who benefit from those programs Maribeth endowed here, including the Clinical Law Program and the Willamette University Public Interest Law Project fellowships, both of which help law students pursue real-life, practical legal experience, especially in nonprofits and other public interest organizations."

Professor and Dean Emeritus **Symeon Symeonides** worked closely with Collins when she was active on the Board of Trustees and recalls, "Maribeth was a gentle, kind-hearted and generous friend. She and her family helped us not only in erecting one law school building and renovating another, but also in developing and nurturing a strong academic program capable of withstanding the financial challenges that came later."



New military and veteran group welcomes all students

With more than 20 million veterans currently living in the United States, Willamette Law graduates will likely help them with issues related to family, business or property.

To help law students prepare for such work, **Andy Blevins JD/MBA'19** founded the Military and Veterans Law Association (MVLA) last year.

"Whether you are aware of it or not," he says, "you will likely serve a member of this community in your first few years of practice."

MVLA offers a community for students who are veterans, but members don't have to have military experience to join. The group also provides an educational platform for the entire university law community.

MVLA has held two informational panels, one of which featured Marion County Deputy District Attorney Matt Gipson and **Judge Tracy Prall JD'95**, who presides over Marion County Circuit Court and oversees veterans treatment court. Veterans who commit minor offenses but suffer from combat-related problems like post-traumatic stress disorder are tried in this court, which aims to keep veterans out of the traditional justice system because of their distinct needs and situations.

Caleb Berthelsen JD'19, MVLA president and a veteran, says that his Willamette law peers also benefit from knowing more about military law. Divorce, child custody and dependency actions, for instance, can be halted or slowed down until a service member is back from deployment.

Berthelsen says, "Representing veterans or military members can take more time and effort for all parties involved."

In the future, MVLA plans to develop networking opportunities with veteran and ally attorneys in the greater Pacific Northwest area, as well as a program in conjunction with the Oregon State Bar that gives members skills to advocate for veterans and military members at their own practice. Blevins says the organization wants to highlight some of the fantastic work happening locally and throughout the country.

"I have dedicated my entire professional career to advocating for my siblings-in-arms," he says. "I am grateful to have many of our students looking to learn more about the culture of those who have served this country, so they can be better advocates."

Two students land D.C. externships



Emily Lohman JD'19 (left) and U.S. Sen. Lisa Murkowski JD'95

Before **Emily Lohman JD'19** externed with U.S. Sen. **Lisa Murkowski JD'95**, R-Alaska, she expected to observe the legislative process — not draft legislation herself.

But amid a whirlwind semester this year of lengthy research and repeated consultation with a senate committee in Washington, D.C., Lohman achieved a personal goal: She drafted language within four bills, two of which were introduced.

She also created a resolution recognizing the culture and contribution of indigenous women that was introduced in March for National Women's History Month. "It all started with a blank sheet of paper," she says. "I really got to draft something that's going to be on congressional record."

This kind of experience can't be replicated in a classroom. That's why 40-45 percent of upper-division students take advantage of externships each year, working everywhere from nonprofit organizations to public defense firms.

With dozens of pre-approved externships available through the College of Law and more available through personal connections, Director of Externships **Theresa Wright JD'81**, says students can really tailor their externship to their interest. They're also often better prepared for the work than they thought.

"When students observe lawyers in the court system, they find they can probably provide equivalent representation to the client," she says. "They realize the practical skills they've learned in law school are pretty close to a professional level already."

Lohman says she chose Willamette in the first place because of its "close proximity to state agencies and its connections to the local government."

She says, "I don't know if I'd have opportunities like the externship without the incredible mentorship and legwork of the law school."

She seized the rare opportunity to extern at the Senate. Through Law Dean **Curtis Bridgeman**, she learned Murkowski occasionally takes interns throughout the year. Public service had long interested Lohman, but with no exposure to civic duty growing up, she had questions — How is legislation created? Why is it so hard to pass a bill? — that could be answered by spending time at the nation's capital.

"The Senate and Capitol Hill were such a huge mystery," she says. "I wanted to pull back the curtains to see what was going on and be in the room where decisions are being made."

Sometimes, classwork alone can lead to the externship. **Taylor VanScoy JD'18** wrote a paper for **Dean Emeritus Symeon Symeonides** that led her to the U.S. Department of Justice's Constitutional & Specialized Tort Litigation Section in Washington D.C., which represents federal employees sued in their personal capacities.

As most of the cases this section handles are brought under the cause of action in *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics* — a landmark 1970s Supreme Court case that afforded people the right to sue federal officials for alleged violations of constitutional rights — the section is nicknamed the "Bivens branch." VanScoy's critical analysis of a fatal shooting case that involved a Bivens action made her well-qualified for the externship — and its sole extern in spring 2018.

VanScoy worked closely with attorneys on motions to dismiss, helped interview expert witnesses and contributed to a reply to a magistrate judge's order that denied disqualification of opposing counsel. She even evaluated representation requests, an exclusive opportunity for an extern to write memoranda recommending whether the government should represent the individual.

Although Lohman and VanScoy were externs, staff respected them as equals. When VanScoy composed objections to a judge's order denying disqualification to a federal employee, she crafted an argument new to the other attorneys.



Taylor VanScoy JD'18

"They used it in their objections and even copied and pasted portions of what I'd drafted," she says. "My opinions and suggestions were truly valued and considered — they really treated me like part of the team."

Lohman felt the same way in Murkowski's office. From the moment she began working for the senator, Lohman attended back-to-back meetings on topics ranging from the national budget to a legal memo on obstruction of justice. One day, she spent 12 hours with the senator, trailing her from one policy meeting to the next, then to a March of Dimes fundraiser that evening.

Externships can be eye-opening. VanScoy knew through her own research Bivens attorneys represented law enforcement officials, but she hadn't realized the scope of federal employees who faced personal capacity lawsuits — prison wardens, Transportation Security Administration agents, even neighborhood mailmen. She also learned a lot about new-to-her areas of prison litigation and defending prisoner lawsuits.

Lohman was surprised by the difference between the reality of legislative work versus the political grandstanding portrayed in the media.

"There are a lot of people who work very hard to try and get something done that pleases everyone and meets needs across the country, which is a hard thing to do," she says. "They face constant roadblocks and challenges but still get up the next day and do it all over again."

Externship experience often parlays into postgraduate employment for students. VanScoy plans to stay in the D.C. area and pursue

"There are a lot of people (in government) who work very hard to try and get something done that pleases everyone and meets needs across the country, which is a hard thing to do. They face constant roadblocks and challenges but still get up the next day and do it all over again."

Taylor VanScoy JD'18

jobs in constitutional law. Eventually, she wants to work for the Bivens branch because she loved her time there as an extern.

"Fitting in with the culture of the work environment is just as important as loving what you do," she says. "I was fortunate enough to experience both."

Lohman felt her externship answered all of her questions, including her biggest one: Could she see herself doing that work?

After Lohman graduates from Willamette, she plans to attend city council and urban renewal meetings in Salem to learn about policy issues affecting her local community. She spent the past summer as a law clerk for the U.S. Attorney's Office for the District of Oregon and will continue to do so this year.

Someday, she might even run for a city council position or the House of Representatives — a concept that's one step closer to reality because of her externship.

"So many people told me, 'Wait until you see Capitol Hill, you're going to be so jaded,'" she says. "It wasn't like that for me at all. I only felt encouraged, inspired and motivated to do more."

To learn more about hosting a Willamette Law student as an extern, contact Theresa Wright, director of externships, at 503-375-5431 or tlwright@willamette.edu.



THE BUSINESS OF LAW

Willamette's new Business Lawyering Institute prepares tomorrow's attorneys for a changing world

By Christopher Tritto

Law professors
Karen Sandrik and
Vincent Chiappetta



Willamette University Trustees Robin Brena JD/MBA'83 and Eva Kripalani JD'86.

Willamette University law professors **Karen Sandrik** and **Vincent Chiappetta** knew they were on to something.

It was the spring of 2017, and they had gathered before members of the dean's Leadership Cabinet in downtown Portland. Their goal was to pitch a new approach to equipping law students with problem-solving skills for the business world.

Within 10 minutes the room exploded with dialogue. Participants excitedly batted about all sorts of ideas, scenarios, input and feedback.

"I remember we had a box lunch, and I only ate one bite of my sandwich in an hour," Chiappetta says. "It turned into a mini-roundtable more than a presentation, with good, substantive conversations."

Such preliminary discussions, coupled with rigorous planning, administrative backing and alumni investment, resulted in the early 2018 launch of the College of Law's Business Lawyering Institute, or BLI.

The institute's goal is to prepare the best business lawyers of tomorrow with the recognition that the most effective business attorneys possess not only excellent legal training but also a working knowledge of management, finance, operations, marketing, technology, human resources, social responsibility and other topics that come into play in real-life situations.

Co-directors Chiappetta and Sandrik are also working to make BLI a forum where students, faculty, practicing lawyers and business executives can discuss the challenges and opportunities facing the legal and business communities — now and in the future.

"We often graduate lawyers who can spot everything wrong with a transaction but don't know how to get one done," says Willamette Trustee **Robin Brena JD/MBA'83**, managing shareholder of the Brena, Bell & Clarkson, P.C. law firm in Anchorage, Alaska, and an early investor in BLI. "Business and law don't work in isolation. The future is in interdisciplinary thinking. Applying that to the law, you

need to be able to read financial statements, understand what a client is trying to achieve and then know your role in how to assess risk but get it done. You want to be solution-oriented and someone worth listening to in a business environment."

The importance of adding value to traditional legal expertise became increasingly apparent following the economic downturn of 2008. As businesses took a harder look at their bottom lines and scrutinized expenses, legal costs became a target.

Fewer firms and companies were willing or able to provide the same level of initial training as in the past, and that created a training gap among new law graduates. The emergence of a gig-economy approach to some legal services and the influence of new technologies made it additionally clear that more lawyers need to bring additional value to businesses to hold a seat at the table.

Developing Team Players

That's easier said than done, says **Eva Kripalani JD'86**, chair of the Willamette Board of Trustees' Law Committee and co-founder of Office of General Counsel Network LLC. Law school curriculum has changed little in recent decades, she says, due in part to tradition-bound reluctance to view law as a business and a resulting bias against practical skills training.

"We have an opportunity to eliminate some of the elitism that has not served us well over time," Kripalani says. "A lot of business people look at lawyers and see them as arrogant and a hindrance to getting things done. We want them to say, 'They get it. They are team players.'"

To get there, BLI faculty are offering and developing new classes, planning to partner more closely with the Atkinson Graduate School of Management and the College of Liberal Arts, and building bridges with working professionals.



Willamette Law Dean
Curtis Bridgeman and
Mark Hoyt JD'92.

The Business Lawyering Institute earned praise from attendees at its first formal roundtable discussion event, held in March 2018 at the Oregon Civic Justice Center on the Willamette campus. In a post-event survey, 100

100%
say the College of Law is
“on the right track”

percent of respondents said the College of Law is “on the right track” with the institute.

Respondents also described the roundtable as providing:

“Excellent and highly informative presentations.”

“Learning and innovations from fellow participants.”

“Valuable mix of diverse perspectives from legal professions and the business world.”

“Very interesting business model.”

Sandrik, for example, teaches a “Deals” class, which frames legal issues around transactions rather than doctrinal areas. She brings in outside lawyers, bankers, accountants, real estate professionals and other business experts to provide case studies and context. Students examine deals including family succession plans, joint collaborations between a biotech and a pharmaceutical company, and an acquisition of a software company. The course has quickly become a popular draw, with waiting lists of interested students.

Chiappetta, building on decades of business law practice and teaching experience, is developing “Lunch in the C-Suite,” a class in which senior executives from various companies discuss real-world business issues with students in an interactive setting.

Dean Curtis Bridgeman and **Professor Jeffrey Dobbins** combined their classes on contracts and civil procedure and employed the help of working practitioners to lead hypothetical case studies where the two legal areas overlap. **Professor Gil Carrasco** recruited professional mediators and a financial advisor to teach strategies of civil and commercial conflict resolution.

And in March, the institute hosted its first formal roundtable discussion among 14 corporate executives, managing partners and in-house counsel professionals to discuss some of the biggest challenges facing legal practice. The group considered ways Willamette can best prepare its students for a changing work environment.

The successful event served as an unofficial milestone that BLI has emerged as more than just a concept.

“You want to be solution-oriented and someone worth listening to in a business environment.”

— Robin Brena JD/MBA'83

“We all come from diverse backgrounds and have different ideas,” Sandrik says. “It has taken us two years to figure out where we can truly have synergy. It’s one thing for academics to be in an echo chamber and get fired up. But at the roundtable we got a lot of other people saying, ‘Yes, we think this is great, too.’ Vince and I had this moment when we thought, ‘This is real now.’”

Sandrik and Chiappetta have been the primary drivers behind BLI, but they share much of the credit with Bridgeman, who encouraged their efforts.

“Many of us started focusing on business lawyering a long time ago,” Chiappetta says. “We wanted to teach our students how practice really works. Curtis was very interested in ways we could expand our expertise and make it more coordinated and organized.”

Cross-pollination Across Campus

Bridgeman says BLI will help better prepare law students, enhance the Willamette Law brand and attract future applicants. But he also expects graduate management students and undergraduates across the university to benefit from the cross-pollination taking place.

“We want lawyers to be good partners with non-lawyers,” Bridgeman says. “We want students to expand their contacts and better understand the people who operate within other fields. Their time in school is a good time to have a little culture clash.”

To help explain and encourage those interactions, BLI faculty selected four inaugural fellows who will serve as ambassadors to other student groups, alumni and outside professionals. Fellows benefit from exposure to experts and potential employers and can

use their position to develop mentors. Through an independent study course being planned, they will work on capstone projects for businesses and present their findings in written and formal presentations to both the company and at an on-campus colloquium. Each fellow receives a small scholarship for his or her participation.

Despite the groundwork laid for BLI, challenges remain. Chiappetta notes a real willingness among faculty and students to modify their approach to legal education, but there is no road map to follow.

“A lot of experimentation has to happen,” Chiappetta says. “Getting people coordinated and together is very resource-intensive. The dean and our outreach people have done a great job of seeding this, and we are seeing what works. Our needs five years from now may be significantly different. But the focus is on our students to give them a real leg-up on being successful.”

Planning for Success

Financial donations and alumni support inside and outside the classroom will be critical to BLI’s evolution and long-range success, says Bridgeman. “We’re especially grateful to our early investors, like **Mark Hoyt JD’92**, for their involvement not only financially but as participants,” he says.

Seed funding of about \$120,000 has been raised so far for BLI’s two-year launch phase, but more is needed.

“We are approaching this with a start-up model. We’ll assess the program as we go, get real-time and long-term feedback from all participants and make adjustments,” Bridgeman adds. “This will give us clarity about the long-term funding we will need to support faculty, fellowships, roundtables, continuing legal education classes and more. Eventually, we would love for BLI to have a dedicated facility in the center of Portland, closer to where the pulse of business activity happens in Oregon.”

Connections between students, faculty, alumni and senior legal and business practitioners, combined with effective two-way communication and regular reality checks, will be the lifeblood of BLI, Chiappetta says.

“If you are going to be a law student today, you need to be able to deal with change and understand the value of legal services in an evolving environment,” he says. “At the center of all of this, we are a law school and we must think about how we can help students be successful.”



Jim Griggs (left) and Bob Saalfeld.

In the early 1970s, down in the old Willamette Law basement, **Jim Griggs '71, JD'75** and **Bob Saalfeld JD'74** met and worked together on the *Willamette Law Review* editorial board. That shared interest sparked a friendship that has been central to their professional partnership ever since.

Just blocks from the Willamette Law campus — and its basement — lies the law firm Saalfeld Griggs P.C., a downtown fixture. Saalfeld and Griggs joined the firm (then Harland & Ritter) not long after their graduations, and, in little more than 40 years, have taken the firm from four lawyers to about 30 now—making it by far the largest private firm in Salem.

As 2018 rolled in, Saalfeld and Griggs prepared to hang up their hats. Both retired effective January 1, and despite the shared enjoyment of their work and the practice they built, they were ready for their exit.

“The attorneys who remain here will have a chance to succeed in their own right and continue to build on really what is a group effort,” Griggs says. “It’s not the product of Bob and me so much as it’s a product of a group of people who worked hard together in a positive way. The firm has been so good to us, and I’m proud to see how it’s developed.”

The Beginnings

Saalfeld came to Willamette Law having grown up in Salem. He attended the University of San Francisco for his undergraduate



Friends & Partners

After practicing together for 40 years, prominent Salem attorneys Bob Saalfeld and Jim Griggs retire.

BY SARAH CARLSON

degree in history. Following graduation, he went to Army boot camp in Washington, was commissioned as a second lieutenant in the summer of 1971 and started law school that fall. Willamette was a lot different than boot camp.

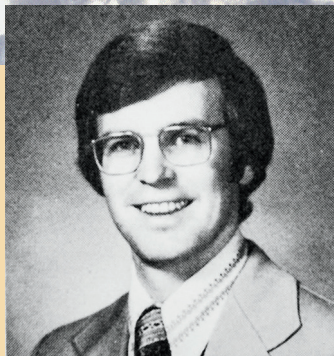
“I did fewer pushups in law school,” he jokes.

Griggs’ path was somewhat similar. He mainly grew up on a small farm in eastern Oregon. Thinking he, too, would be a history major, he went off to Willamette University to get his degree. A tough job market for history professors forced him to rethink his major. He switched to an economics degree, intending to go to law school shortly after graduating.

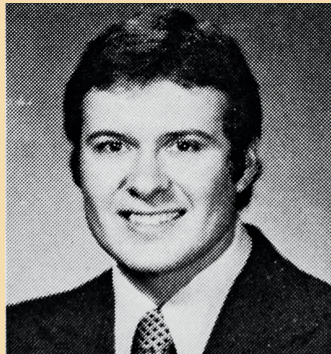
He spent the year between his graduation and enrollment in Willamette Law in the Army Reserves, completing basic and on-the-job training, as well as working as a contractor laying flooring to earn money for law school.

The two friends were just a year apart in school, and they recall fond times working on *Law Review* and playing softball together as students. Both agreed **Professor John Paulus’** real estate course was one of the best offered at the time.

“He was truly a great professor, very gentle with students,” Griggs says. “He could handle the most ridiculous question you could possibly imagine, with grace, and then lead you right back into a good discussion of what the law is and why this was important.”



Bob Saalfeld



Jim Griggs



From their days at Willamette Law (bottom) to outdoor adventures, Jim Griggs and Bob Saalfeld can look back on a friendship spanning more than four decades.

To complement his studies, Saalfeld began clerking at the law firm that eventually became Saalfeld Griggs, then headed by **Roy Harland LLB'32** and **Daniel Ritter JD'65**. He enjoyed the experience and encouraged Griggs, then a second-year, to join him as a clerk.

Griggs, who had continued working as a contractor, decided he should try working in a law office, since it was his chosen profession. The opportunity to see contrasting styles and work with professionals was a good thing, he says. While he graduated and went on to New York University to earn an LLM in tax, he returned to the Salem firm not long after.

Both men agree that their education from Willamette Law set them on a positive trajectory. For Saalfeld, it “just made sense” to get his law degree in the place he saw himself working.

“It gave me a very good background to practice law,” Griggs says. “I was exposed to some really good teachers and encouraged to be successful.”

Practicing Together

At their practice, Saalfeld started out doing general business work. For a number of years, he focused on a bank client, although he eventually transitioned that work off to a younger lawyer. When Ritter left the firm, there was no one to do the estate planning — so Saalfeld volunteered.

“Bob has remade his practice two or three times, and he’s actually an exceptional estate planning lawyer,” Griggs says. “He’s often been the person who pushed innovation, changed things. It’s easy to get comfortable with where you’re at, unless you have somebody who’s willing to say, ‘But should we look at this?’ Through our years of practice together, Bob has consistently pushed complacency out of the way and caused us to do things better.”

Saalfeld is just as complimentary about Griggs and his work in tax. After earning his LLM, Griggs worked in the business corporate tax group, focusing on business formations, reorganizations, purchases and the like. Once, the two worked together on a contested partnership dissolution case that lasted for two years. **Justice Wally Carson JD'62** presided over the trial for that case.

“The firm has been so good to us, and I’m proud to see how it’s developed.”

— Jim Griggs ’71, JD’75

“He was a great judge,” Saalfeld says. “I think Jim and I probably wish we would’ve paid a little tighter attention to evidence class during some of the early hearings.”

In the end, they had a good result for the client and everything worked out. Through the years, the two have earned many awards for their work, including Griggs’ First Citizen of Salem Award and Saalfeld’s 2017 Paul J. De Muniz Professionalism Award from the Marion County Bar Association. Griggs previously received the Professionalism Award, and Saalfeld says his partner should have won it twice before he won it once.

They both say they have enjoyed working with people they admired. Both are grateful to have joined the firm they did and to have had the support of their wives and families.

“We were lucky enough to join a firm with Roy Harland and Dan Ritter, who were very well-respected in the community — as terrific lawyers and terrific people,” Saalfeld explains. “Jim and I had the benefit of learning from them, not only how they were as lawyers, but how they were as people.”

They learned so much during their own clerkships and time under Harland and Ritter, and throughout their careers they’ve passed that on — in many cases to Willamette Law students through clerk or full-time positions. With the physical proximity of the law office and the school, Saalfeld says the relationship was natural.

Many of the firm’s current and former employees are Willamette Law graduates, including at least 14 who work there now. Saalfeld and Griggs encourage students to think about working in a place that has good people.

“People ought to think about where they want to spend their lives, where they want their families to spend their lives, and make decisions based on more than where they’ll get a few more thousand dollars,” Griggs says. “If they can get out and actually work in a law office, that really does add a perspective that I would’ve missed completely if I hadn’t done that.”

After 40-plus years, Saalfeld and Griggs aren’t worried about leaving their namesake. They’re ready for the freed-up calendar space.

“One of the good things is that we really try to replicate skills,” Griggs says. “We just have a lot of good lawyers coming up behind. Both of us have had to accept the fact that just because it’s done differently doesn’t mean it’s not done as well or better.”

In addition to having grown the firm’s client base and reputation, the two emphasize making a positive impact on the community. They’re proud that part of the firm’s culture is to give back.



Ready for Retirement

In retirement, Griggs and Saalfeld will use some of their free time to volunteer. Griggs plans to continue his involvement with the Boys & Girls Club and begin volunteering for SMART (Start Making a Reader Today). Saalfeld spends time helping in a grade school classroom, and he also now serves on the Willamette Law Leadership Cabinet.

Both are in good health and look forward to traveling — something they’ve done together many times and plan to continue.

“I was cleaning out my study recently, and I realized how many photographs of good experiences were with Jim and me together,” Saalfeld says, “whether it was biking in Europe or climbing a mountain or cross-country skiing.”

Indeed, to celebrate turning 60, the two did a cross-country skiing marathon in Canada. Griggs jokes Saalfeld nearly killed him. In training, they competed in a race in Bend, Oregon. “They were taking down the finish line when we came in,” Saalfeld laughs. “That was pretty funny.”

However, the two fared a little better than they expected, finishing first and third in their age group. “There were only three in our age group,” Griggs explains. “We got medals and felt pretty good about it.”

Griggs has since completed running marathons (including New York City), and Saalfeld has completed nearly a dozen cross-country ski marathon races around the world. Although the two won’t work together every day anymore, they will see each other often. Their affection for one another is obvious.

“We’ve worked together 40-some-years, and we still like each other,” Saalfeld says. “He’s like a brother. It’s been great to practice with as good a person as Jim.”

Griggs couldn’t agree more.

“Bob’s really one of my best friends and one of my most trusted advisors,” he says. “Working together has really been mutually beneficial for both of us in our lives.”

Capital



*Whether natives or newcomers,
Willamette Law alumni are succeeding —
and making an impact — in Boise*

by Amy Derbedrosian

Many Willamette University College of Law alumni are attracted to Boise for the Idaho capital's family-friendly atmosphere and professional opportunities. Once there, these graduates make an outsized impact on the city, often finding their place as leaders in the legal community. Contributing in distinctive ways, the alumni are bonded by a strong foundation in law and a drive to help others.

Featured here are the stories of several alumni, whom Dean Curtis Bridgeman met when he visited Boise last fall. "I am eager to do all I can to help them build a robust alumni network there in the future," Bridgeman says. "To a person, their pride in their community and in their professional work is palpable and inspiring."



Experience



Performing With Heart

Performance matters to **Brad Dixon JD'00**, whether he's in front of a jury or playing the drums. A partner and co-chair of the litigation group in Givens Pursley LLP, Dixon is both an experienced commercial defense litigator and member of Bunny Lebowski and the Nihilists, an alt-rock band of lawyers.

Dixon may joke that the bandmates are lawyers who would rather be musicians, but he is committed to his profession, saying, "I can't imagine doing anything else. It's fun, and there's the adrenaline rush. I'm a good counselor and proud of my long-term relationships with clients."

Aware he has the most trial experience in his firm, Dixon embraces the role of mentor. He explains, "The mentoring I received at Willamette was a striking piece of my own career. Practice is about sharing your knowledge, and for me that involves working with younger attorneys."

Dixon also believes in supporting his community. He serves on the boards of several nonprofit organizations, including the American Heart Association. Currently its state advocacy chair, Dixon was instrumental to creating Idaho's indoor clean air act. Also the association's 2009 volunteer of the year, Dixon says, "It's been an important part of my career."



Furthering Success and Satisfaction

Paul Rowan JD'84 always wanted to return home to Idaho as an in-house attorney. Joining the legal department at the Boise-based retailer Albertsons in 1988, after practicing law in a private firm in Colorado and for an international corporation in California, achieved his goal.

"I fell in love with working in-house," says Rowan. "It was a perfect blend of business and law."

Rowan had come to Willamette Law expecting to focus on business law. He served on the *Willamette Law Review* editorial board, which he recalls as "like running a little business, given its budgets and deadlines." In class, professors such as **Kathy Graham** and the late **John Paulus** made an impression.

"It wasn't only their approach to law and teaching, but also the character and integrity beaming from them," recalls Rowan. "All of my first-year professors were influential. I quickly learned that hard work and discipline are necessary to succeed."

Those lessons proved valuable at Albertsons (the now \$60 billion supermarket consortium), where Rowan ultimately rose to executive vice president and general counsel. When Albertsons was split up and sold in 2006, he joined the private equity firm that acquired its underperforming stores.

"There was risk with the move, but it turned out to be the best career decision," says Rowan. "Although still a multi-billion dollar business, there was a real entrepreneurial spirit, much like a startup, that intrigued me."

A few years later, the private equity firm bought back the better-performing stores, reuniting the various Albertsons' banners across the country and making Albertsons a much bigger company. As general counsel,



Rowan was the head in-house lawyer for those acquisitions.

Rowan also took the in-house legal lead on Albertsons' 2015 merger with the Safeway supermarket chain. The lengthy, complex transaction was his last before retirement.

Yet Rowan considers his efforts as a team member most meaningful. He explains, "I enjoyed helping people with their careers, seeing their sense of accomplishment and celebrating their victories."

Contributing beyond the workplace was also important to Rowan, who has served on various community organizations, including the College of Idaho Board of Trustees and as president of the Boise Public Schools Education Foundation.

"Education is still a priority for me," he says. "Education makes a difference in how people view and relate to the world ... and ultimately contributes to their satisfaction with life."



Advocating for Victims

Jan Bennetts JD'92 always viewed law as a path to helping others. Her certainty has persisted through law school, a clerkship with the U.S. 9th Circuit Court of Appeals and a 24-year career in the Ada County Prosecutor's Office.

She arrived at Willamette Law open to discovery. Bennetts explains, "I immersed myself in everything I could possibly do and learned a lot through the process. My desire to use my law degree to help people strengthened in law school. During my clerkship, it crystallized into my wanting to become a prosecutor."

Today, Bennetts is not only Ada County's prosecuting attorney, but also the first woman in the position. She says, "It's hard to describe the honor, or the responsibility I feel to the public. Willamette gave me an incredible foundation to go out into the world and into this job in particular."

Bennetts is an advocate for those traumatized by heinous crimes — domestic and child abuse, sexual assault, murder. Outside the courtroom, she led the creation of the domestic violence unit within the prosecutor's office, Ada County Domestic Violence Court and Faces of Hope Victim Center. She also works with the Women and Children's Alliance, which offers shelter and services for domestic violence and sexual assault victims.

"It starts with a passion for justice," says Bennetts, whose efforts have earned her widespread recognition, including Willamette University's Distinguished Alumni Citation. "I can't take away what happened, but I can have a positive impact on how victims experience the criminal justice system."

Judging the Right Place in Law

The Honorable **A.R. "Richard" Grant LLB'64** chose Willamette Law in part because the school had recently won a national moot court competition. Although his team didn't equal that feat, moot court experience instilled his desire for a career in the courtroom.

Judge Grant initially joined the district attorney's office in Portland, Oregon, but eventually had a change of heart. He explains, "I had an intense trial practice, with a felony case assigned every day of the week. After three years, I wanted something less hectic."

That led him to teach business law at the University of Oregon and later Boise State University. With an MBA as well as a law degree, Judge Grant was well prepared. Yet six years later, it no longer seemed challenging enough.

An appointment to the Ada County Magistrate Court, where he issued rulings in divorce and juvenile cases, criminal misdemeanors and felony preliminary hearings, proved ideal. He says, "Being a judge was my most satisfying professional experience, even if I only heard smaller cases."

Now retired, Judge Grant remains dedicated to law: He recently established a scholarship giving today's Willamette Law students the opportunity to find their own place in the profession.





Building Stronger Communities

From the heart of campus to the heart of downtown, **Nikki Trammel Pantera JD'07, BA'03** makes a tangible impact as Boise State University's associate general counsel.

She points with pride to the university's computer science center and honors college residence building, both private-public partnerships her legal expertise helped make possible. Pantera notes, "Our mission is to be innovative, to make these projects sensible for both taxpayers and the university."

Coursework and a position at Hawley Troxell Ennis & Hawley in Boise during law school sparked Pantera's interest in public finance and municipal law, leading her to return to the firm after a clerkship at the Idaho Supreme Court.

She is also faithful to Willamette University's motto of service. Pantera was a board member and president of the City Club of Boise, a civic organization whose programs she first attended with her grandparents. Currently, she serves on the Willamette University Alumni Association board.

"When I was asked to join the alumni board," she says, "it was an easy yes because I wanted to give back."



Easing Family Fractures

Anthony Pantera JD'08 has experienced divorce hundreds of times. But he recognizes its upheaval is new to his clients.

"I try to be compassionate to the best of my ability and do my best for families going through a really tough time," says Pantera, an attorney with MSBT Law.

Pantera came to family law by chance. He went to law school seeking stimulating and meaningful work. When he married another Willamette Law graduate, Nikki Trammel Pantera, he knew his career would begin in Boise, her hometown. Pantera also wanted to become a trial attorney, which led him to practice family law at Marcus, Christian, Hardee, and Davis.

Outside his practice, Pantera takes cases through the Idaho Volunteer Lawyers Program. This earned him the Idaho State Bar's Denise O'Donnell Day Pro Bono Award in 2014, the same year he joined MSBT Law.

Says Pantera, "Family law allows me to help my community, which is tremendously satisfying."

Mentoring With Meaning



A property outside Boise is not only home to **James Balkins III JD/MBA'79**, but also where he and others have found more fulfilling lives. Here, he offers pro bono seminars that apply strategic planning principles to help individuals and organizations accomplish what they consider most important.

"I do it just for the opportunity to help people be successful if they're struggling with a decision," says Balkins. "If you put strategic planning with value-based decision-making, it increases the probability of success."

Participants benefit from insights Balkins gained from Willamette Law's JD/MBA program and 25 years as a lawyer and business executive at Boise Cascade. Balkins notes, "The joint degree program gave me a broader perspective, so it made me a better advisor and counselor — and not just as a lawyer. I had many opportunities to manifest that at Boise Cascade."

Balkins left Boise Cascade to become chief strategic officer, general counsel and then CFO at Healthwise, a provider of health

content and patient education. "Joining a nonprofit I really believed in made sense," he explains. "The materials Healthwise produces to help consumers make better health decisions are used over 200 million times a year."

Working at Healthwise also influenced his thinking about the seminars. Balkins says, "At Healthwise, the idea was that people should make health decisions based on what's important to them. You can break down barriers if you're clear what's important to you."

Balkins now serves as chair on the Healthwise board and also teaches innovation and business planning in two MBA programs at Boise State University. He says, "I've had a wonderful career and been involved in sophisticated financial transactions, but that's not who I am. My real passion is mentoring. That's what I do, and I love it."

Opening More Opportunities

Nicole Hancock JD'02 embodies Willamette's belief in helping others, while her clients call her "a smart and tenacious lawyer unafraid to tackle tough cases." These qualities have come together in Hancock's work to increase opportunities for women and other groups underrepresented in Idaho's legal community.

Hancock's efforts merited the 2017 Kate Feltham Award from Idaho Women Lawyers. Her advocacy is paying off, as several women were recently appointed as judges.

"Idaho is near last in the nation in the number of women on the bench," says Hancock, a U.S. 9th Circuit Court of Appeals lawyer representative for Idaho and past president of Idaho Women Lawyers. "I wanted to bring this inequality to light and get women into the pipeline of judicial positions."

The former editor-in-chief of the *Willamette Law Review* first came to Boise to clerk for the Honorable T.G. Nelson of the 9th Circuit Court of Appeals. She subsequently joined Stoel Rives, became corporate counsel at Syngenta Seeds and returned to Stoel Rives to chair its food and agribusiness practice.

Managing partner since 2016, Hancock says, "I have the opportunity to combine legal work and my business sense. I like figuring out how to expand our office and maximize our talent."

That talent includes other Willamette Law graduates. Hancock notes, "There's definitely a kinship with fellow alumni and trust in their skills as lawyers."



Law professors receive Willamette awards

Willamette University honored two College of Law faculty members with institutional awards at the convocation ceremony during Opening Days in August 2018.

Assistant Professor **Andrew Gilden** received the Robert Misner Award for Law Faculty Scholarship, and Assistant Professor **Aaron D. Simowitz** was recognized with the Jerry E. Hudson Award for Excellence in Teaching.

Gilden's award nomination recognized his research focusing on the intersection of intellectual property with people's non-monetary interests, such as how their images or artwork are used and portrayed. Gilden has published numerous articles, including in law reviews by Georgetown, Washington University, the University of Iowa, Harvard, Stanford, and William and Mary.

Simowitz's award nomination described him as "a star in the classroom," noting that students praise his enthusiasm, expertise and willingness to try new ways of teaching and providing meaningful feedback. Simowitz teaches doctrinal courses such as "Bankruptcy," advanced courses such as "International Business Transactions" and "Negotiating a Business Transaction," and skills-based courses such as "Negotiation."



Andrew Gilden



Aaron D. Simowitz

Sabbaticals take two faculty members abroad

Two Willamette Law professors returned to campus in the 2018-19 academic year following year-long sabbaticals.

Associate Professor Caroline Davidson worked as a visiting scholar at the Universidad de Chile in Santiago, Chile, during her 2017-2018 sabbatical. Hosted by the Centro de Derechos Humanos (Center for Human Rights), she conducted research on the use of international criminal law in the Chilean human rights trials and on recent efforts to prosecute state agents for sexual violence during the dictatorship.

James Nafziger, Thomas B. Stoel Professor of Law and director of International Law Programs, spent the 2017 calendar year on sabbatical, working on several diverse projects. These included the publication of three articles in law reviews and his 15th book, *Comparative Law and Anthropology*.

Nafziger also began service as a vice-chair of the International Law Association. Headquartered in London, it is the world's leading professional organization in the field. In addition, he traveled to China and Taiwan to deliver lectures at several universities, as well as to open an Asia-Pacific forum on international issues. On the invitation of the Chinese (Taiwan) Yearbook of International Law and Affairs, he contributed the second in a planned series of reflections by senior scholars concerning their careers in the field of international law. During the summer he taught a course on private international law at the University of California-Davis and later gave lectures in Rome and Madrid.

Paul Diller submits *amicus curiae* brief to Supreme Court

Willamette Law Professor **Paul Diller** submitted an *amicus curiae* brief to the Supreme Court for the case *Gill v. Whitford*, which was argued Oct. 3, 2017. The case dealt with gerrymandering — the practice of changing the boundaries of a district to give the advantage to a specific party or group — in Wisconsin.

The case examined several issues regarding whether Wisconsin's 2011 redistricting plan was partisan and favored Republicans' control of the state legislature.

A Supreme Court case argued 13 years ago, *Vieth v. Jubelirer*, divided the justices, with four saying that it was too difficult to determine if politics plays a role in redistricting and four saying courts should be able to review the claims. In that case, the justices said the Supreme Court should stay out of it, but left room to reconsider a case in the future. That case is now *Gill v. Whitford*.

This was Diller's third time being an *amicus*, but his first time as lead counsel on a brief for the U.S. Supreme Court. He said he offered a unique perspective as a scholar of local government law, having studied and written about state preemption of local authority for more than 10 years.

"We wanted to make the point to the Supreme Court that usurpation of local democracy is another very real democratic harm that can result from gerrymandering," Diller says. "We thought this was a unique, discrete point that the parties and other *amici* were unlikely to address."

Also signing on to Diller's brief were the International Municipal Lawyers Association, the National League of Cities, the U.S. Conference of Mayors, the International City/County Management Association and several other local government law professors. He worked *pro bono* while IMLA paid for printing and other costs.

"From a personal perspective," he says, "I wanted to put my scholarship into action in a case with very real stakes for our democratic system."

Student **Mick Harris**, then a 2L, helped with research for the brief as an unpaid assistant. He said he chose to assist because he had



followed the case and could see its importance.

"I was grateful for the opportunity to seek to influence a case that will have political ramifications for the entire country," Harris says. "Students should take every chance that's presented to work on a project of this magnitude, as it is excellent experience."

"Additionally, it provides a student with the chance to make a tangible contribution to a legal matter of national importance."

Harris said the case illustrates how the Supreme Court tends to take a skeptical look at data and statistics. He hopes the case will be "a watershed moment" for the judiciary, whereafter scientific and empirical data are seen as fully legitimate.

In June 2018, the Supreme Court held that the plaintiffs in *Gill* lacked standing to challenge the statewide map of legislative districts. The Court remanded the case back to the trial court to allow the plaintiffs to demonstrate how they had been harmed by any gerrymandering of the districts in which they reside.

Professor Paul Diller (left) and 3L student Mick Harris, who worked together on an *amicus curiae* brief to the Supreme Court on gerrymandering.

In the News



Keith Cunningham-Parmeter

MarketWatch **PortlandTribune**
Cunningham-Parmeter tapped about union fees and Uber

Two Oregon newspapers turned to Professor Keith Cunningham-Parmeter in fall 2017 for his expert perspective on two legal hot topics: mandatory union fees and ride-sharing service Uber.

Cunningham-Parmeter focuses his research on labor law and explores work-family policy, gender theory and contingent workers' rights. In September 2017, the Portland Tribune quoted him in a story on the landmark U.S. Supreme Court case *Janus v. American Federation of State, County, and Municipal Employees, Council 31*, in which Mark Janus, an employee of the Illinois Department of Healthcare and Family Services, challenged paying mandatory union dues.

In 1977, the court permitted the required fees, setting a nearly 40-year precedent.

"The case has the potential to kill public sector unionism as we know it," Cunningham Parmeter told the Portland Tribune. "Mandatory dues are the lifeblood of most unions."

Out of the 50 states, 28 have "right-to-work" laws which make union fees voluntary, while the other 22, including Oregon, have legalized required dues. Opponents, including the four major public sector unions, were critical of the court's decision to hear the case, saying the fees are "fair share" fees, since they pay for collective bargaining and pursuing grievances.

According to the Freedom Foundation, Janus says that collective bargaining is political, therefore the required fees become "government compelled speech," a First Amendment violation.

Although the court heard a similar case, *Friedrichs v. California Teachers Association*, in 2016, the vacancy created by Justice Antonin Scalia's death in February 2016 created a deadlock with a tie of 4-4 on the issue. The

case returned to the Ninth Circuit Court of Appeals, where its verdict was upheld. With the appointment of Justice Neil Gorsuch, a conservative, Cunningham-Parmeter said the precedent will probably be reversed.

"It's extremely likely that opponents of mandatory fees are going to prevail this time," Cunningham-Parmeter said in the article. "All of the tea leaves point to Justice Gorsuch providing the fifth vote to invalidate these ... mandatory fees."

Cunningham-Parmeter was proved correct in June 2018, when the court held the First Amendment rights of non-union workers were violated when the state compelled them to pay union fees against their will. Justice Gorsuch joined Chief Justice John G. Roberts Jr. and Justices Anthony M. Kennedy, Clarence Thomas and Samuel A. Alito Jr in the majority opinion.

Two months after the Portland Tribune article, MarketWatch quoted Cunningham-Parmeter in a story on Uber and its employment practices. In the U.S., Uber's employees are independent contractors, but a U.K. court ruled that Uber drivers there are workers and therefore eligible for more rights, such as a minimum wage.

Uber said it will continue appealing that case, even up to the U.K. Supreme Court. More than 10 similar lawsuits against Uber also await judgment in the United States. Cunningham-Parmeter, who has written about Uber before, said the difference between independent contractors and regular employees is significant.

"Depending on which side of the line you fall on," he said, "you either get this huge basket of rights or basically nothing."

Most companies are required to have a minimum wage, health insurance, overtime pay and scheduled breaks for employees. Independent contractors aren't guaranteed any of those rights; plus, they are required to pay their own taxes. So, if they don't pay into the funds for unemployment or workers' compensation, they may not be eligible for those benefits, either.

That being said, an individual switching from independent contract work for Uber or other on-demand companies to part- or full-time employment might see some drawbacks. Uber would be able to exercise more control than it does now — mandating the type of cars its drivers use or forcing them to work specific hours.

Uber isn't the only company facing these type of lawsuits. FedEx agreed to pay 12,000 drivers \$240 million last year to settle lawsuits from drivers who said they were misclassified as independent contractors and not employees. That case and others could serve as cautionary tales for Uber.

"We could see a similar pattern with Uber and the other on-demand platforms," Cunningham-Parmeter said. "Right now there's a big question mark hanging over Uber."

PortlandTribune

Dobbins discussed OxyContin

Professor Jeff Dobbins was quoted in an October 2017 Portland Tribune story on Multnomah County's lawsuit against Purdue Pharma, the manufacturer of the drug OxyContin.

Multnomah County is seeking \$250 million from Purdue Pharma in an effort to combat the opioid abuse epidemic that Purdue has been blamed for starting. Multnomah County sued the company in August 2017 for purportedly marketing prescription opioids improperly in the area.

One month before Multnomah County filed its lawsuit, Purdue filed one of its own against the Oregon Department of Justice to block the release of records detailing its marketing practices. The company said that the records contain trade secrets and medical information, all of which the state said would be kept confidential.

The state has the records because of a 2007 settlement against Purdue that was based

on deceptive marketing to convince physicians that its drug was not as addictive as it actually was. As a result of that settlement, the company was required to ethically market its drugs and enact programs to combat addiction. To see if the company is complying, the state asked for the documents — the same ones that Purdue is now trying to block from release in the Multnomah County lawsuit.

Dobbins said the records could come in very handy for the case.

"Trying to get documents out of somebody who has already managed to extract them from the defendant is a lot easier, generally speaking, than trying to get them from the defendant themselves," he said.

According to officials, from 2009-13 more than 2,200 deaths in Oregon were caused by prescription opioid drug overdose. In September 2017, Oregon Attorney General Ellen Rosenblum announced a new 41-state investigation into Purdue and other opioid manufacturers.

Gilden addresses digital privacy for children

In a western New York newspaper's parenting column in October 2017, Assistant Professor Andrew Gilden weighed in on the subject of children and social media.

The column's author, Michelle Blackley Glynn, asked whether parents should protect the digital identity of their children by limiting posts and pictures about them on the internet and social media. Because the children are minors, what rights do they have in regards to their photo being shared on the web?

Gilden, who teaches internet and copyright law, said the main issue is lack of control.

"That posted video may be cute at the time, but when the kid grows up and embarks on a career, it could be embarrassing," he said. "From a policy perspective, it's up to the social media

companies. Legally comparable is the California 'Online Eraser' Law, which requires social media companies to allow people the ability to delete posts that were made public when they were minors."

On top of the access issue, Glynn said another problem is the effects of social media on children's mental wellbeing. Social media posts often present a façade and not the full context behind an image — exaggerated good times, Glynn said.

"This is an issue that comes up a lot: 'How much can you read into someone's smile?' There is a sense that what people's lives appear to be on social media are not at all what they really are," Gilden said. "I often challenge my students, 'How well can you read happiness into a photo when they are framed to make you see it a certain way?'"

Gilden said with both of these problems adults have a responsibility to help children understand what they're engaging with online.

Appleman appointed to named professorship

In April 2018 Associate Dean of Faculty Research and Professor of Law Laura Appleman was appointed the Van Winkle Melton Professor of Law. Appleman has taught at Willamette Law since 2006 and became full professor in 2014.

“Professor Appleman has established herself as a nationally known expert on sentencing law, criminal procedure and other topics,” said Dean Curtis Bridgeman. “In addition, she is an accomplished classroom instructor and excels at university service.”

Since 2014, she has published four law review articles (the most recent with the *Duke Law Journal*), three essays or book chapters, and a book published by Cambridge University Press about the relationship between juries and communities in criminal trials.

“One of the great privileges of being a law professor at Willamette is being able to devote a large part of my time to research and writing in the area of criminal justice,” said Appleman. “This work not only aims to advance solutions for our current problems in criminal adjudication, but also enhances the breadth and scope of my teaching in both the law school and the wider community.”

The Van Winkle Melton professorship was established by Rosalind Van Winkle Melton '31 and her husband, Edward Melton, in honor of Rosalind's father, Isaac Van Winkle, LLB class of 1901, who served as dean of the College of Law from 1913–27.

“Isaac Van Winkle dedicated his life to improving both the law and the Willamette community,” said Appleman, “and I hope to do the same.”



New faculty member teaches legal research and writing

The Honorable Jack L. Landau has joined Willamette Law's Legal Research and Writing Center as an adjunct faculty member. An adjunct professor at WUCL since 1993, Landau has previously taught Legislation and Statutory Interpretation.

Landau joined the Oregon Supreme Court in January 2011, after serving on the Court of Appeals from 1993 to 2010. Prior to that, he clerked for then-Judge Robert C. Belloni of the United States District Court for the District of Oregon (1981-83), practiced law as an associate and partner in the Portland firm Lindsay, Hart, Neil & Weigler (1983-89), and served the Oregon Department of Justice as assistant attorney general and attorney-in-charge in the Special Litigation Unit (1989-91) and as deputy attorney general (1991-93).

Willamette University magazine highlights a law class

Willamette University's flagship publication profiled a College of Law class in its fall 2017 issue.

Willamette magazine reaches a wide audience of alumni, students, parents, faculty, staff and friends of the university. For the first article in its new In Class series, which highlights interesting and thought-provoking courses taught at the university, it chose to examine some of the important issues raised in adjunct professor Scott Beckstead's class, "Animal Law."

Beckstead has taught this course and others on wildlife law and the Endangered Species Act at WUCL since 2010. He co-authored the first textbook on animal law in 2000 and is currently rural affairs director and Oregon senior state director for the Humane Society of the United States.

Beckstead notes that animal law is fast-growing, not only for tort law but also in policy development, advocacy and academia. "It's an incredibly dynamic and fruitful area for practicing lawyers," he said in the article. "The prospects for law students who are interested in animal law are getting better and better."

In "Animal Law," 2L and 3L students explore and discuss the treatment of pets, wildlife and farm animals under state, federal and constitutional law. Session topics includes the various legal classifications of animals, the obligations and state regulation of ownership, veterinary malpractice, animals in agriculture, wildlife issues and criminal law in cases of animal abuse and neglect. As part of their assignments, students write an animal adoption contract and a 20-page summary judgment memorandum that discusses relevant legal statutes and cases for an animal law tort case.

Unlike animal law courses taught in other universities, this one isn't dedicated to the philosophical bases for advancing the legal cause of animal protection. Beckstead's top priority is simply to help students become good lawyers armed with critical thinking skills.

"We spend some time talking about the concept of 'animal rights' and the ethical justifications for granting animals legal protection. I make it clear that I have a certain perspective, but my job is not to get them to think like me," he explained in the article. "I want them to think like a good

In Class

This new series highlights interesting and thought-provoking classes taught at Willamette.

COURSE LAW 263: ANIMAL LAW



ENROLLMENT
The class enrolls 10-20 students, typically in the second or third year of law school. The small class size encourages dynamic discussion.

INSTRUCTOR
Adjunct professor Scott Beckstead has taught this course and others on wildlife law and the Endangered Species Act at Willamette's College of Law since 2010. Born and raised on a ranch in southern Idaho, Beckstead hunted, showed rabbits, goats and cattle at 4H, and was a member of Future Farmers of America. He practiced law in Oregon for 17 years. A passionate advocate for animals, he co-authored the first textbook on animal law in 2000 and is currently rural affairs director and Oregon senior state director for the Humane Society of the United States.

HIGHLIGHTS
In the first session of the course, Beckstead shows students two photographs: one of a Labrador retriever trapped by the leg in a snail trap, and the other of a coyote caught in a similar device. "The level of pain and suffering felt by both animals is probably the same," he says, "so why does the law decide one act is objectionable and the other is to be encouraged?"

SYLLABUS
The class offers an exploration and discussion of the treatment of animals under state, federal, and constitutional law. Session topics include the various legal classifications of animals, the obligations and state regulation of ownership, veterinary malpractice, animals in agriculture, wildlife issues and criminal law in cases of animal abuse and neglect. As part of their assignments, students write an animal adoption contract and a 20-page summary judgment memorandum that discusses relevant legal statutes and cases for an animal law tort case.

WHAT STUDENTS SAY

"I think animal law is the new frontier of recognized rights. It's been interesting to learn that there are a lot of special interests at play when it comes to protecting animals from cruelty. It's not just activists railing against animal abusers — there are a lot of nuanced policies and rationales motivating the legislation and agency rulemaking going on behind the scenes."
— Emily Lohman, JD '19

Students soon discover that animal law — and the underlying issues — are nuanced and complex. As part of his "real world" emphasis, their professor invites guest speakers from both sides of the animal rights discussion. One week a local attorney explains how he obtained a record-level jury settlement in the case of two livestock dogs that were shot by hunters. In another session, a cattle rancher offers his perspective on how the animal protection movement affects people who make their living with animals.

Unlike animal law courses taught in other universities, this one isn't dedicated to the philosophical bases for advancing the legal cause of animal protection. Beckstead's top priority is simply to help students become good lawyers armed with critical thinking skills.

"We spend some time talking about the concept of 'animal rights' and the ethical justifications for granting animals legal protection. I make it clear that I have a certain perspective, but my job is not to get them to think like me," says Beckstead. "I want them to think like a good lawyer would. This is a law class, so most of our time is spent talking about real cases, real fact patterns and the real legal work a lawyer would undertake in practicing animal law."

He notes that animal law is fast-growing, not only for tort law but also in policy development, advocacy and academia. "It's an incredibly dynamic and fruitful area for practicing lawyers," he says. "The prospects for law students who are interested in animal law are getting better and better."

Beckstead attributes the growth in animal law to increased societal awareness of and concern for animals and their welfare, explaining, "Ideally, the law stands on an issue of concern, and that is the direction that the field of animal law is headed."

PARTICULAR CHALLENGES

To help them become good lawyers, Beckstead tasks students with defending a position they don't support personally. A commercial region might have to advocate for a butcher facing a lawsuit. A student who supports hunting or factory farming might have to argue the case for improving animal welfare legislation. ☐



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on how the animal protection movement affects people who make their living with animals.

Students appreciate the nuances of this growing area of law, as well as its practical applications. The article quoted Brittany January JD '19, who said, "Animal law junctures with so many other areas of law, such as land use, criminal, civil, product liability, business, property, family, trusts and estates. To understand animal law is to better understand the other areas."

"It's an incredibly dynamic and fruitful area for practicing lawyers. The prospects for law students who are interested in animal law are getting better and better."

Scott Beckstead

Faculty Scholarship

Laura Appleman: Democratic criminal justice reform

Laura Appleman, Van Winkle Melton Professor of Law and associate dean of faculty research, asserts in a recent essay “many of our criminal justice woes ... can be traced to the loss of the community’s decision-making ability in adjudicating crime and punishment.”

The essay, “Local Democracy, Community Adjudication, and Criminal Justice,” was published in *Northwestern University Law Review* in 2017, after Appleman wrote it for a Northwestern Law School criminal justice symposium, “Democratizing Criminal Law.”

Appleman focuses on the need to include the community in criminal justice to counter myriad problems she describes as endemic — “a vast system of mass incarceration that locks up primarily black and Latino men; a tremendously lopsided system that dispenses

of 95 percent of all criminal justice adjudication via guilty plea, which leaves all power and discretion to the prosecutor; the high rate of mental illness in our correctional facilities (ranging from 35-40 percent of all inmates); our failure to provide for released offenders when they re-enter society; and our unfair and overly retributive sentencing laws.”

In her essay, Appleman examines how in the American colonies and early nation, the local jury served as a legal lynchpin both to resolve conflict and to adjudicate criminal offenses. She argues that the modern system’s retreat from this central focus on the local community has led to major issues and public anger with the criminal justice system.

“Some frustration with the criminal justice system can be blamed on the community’s current role

as an outsider,” she writes in the paper. “A significant gulf divides the criminal justice system’s insiders and outsiders. Insiders — such as prosecutors, defense counsel and judges — possess power and knowledge, while outsiders—such as crime victims, bystanders and the general public — frequently feel excluded and confused. This divide creates a tension between the two groups, which hinders the public’s faith in law’s legitimacy and blocks the criminal law’s moral, instrumental and expressive goals.”

Appleman points out the limited roles for the public in the modern criminal justice system, noting, “Grand juries are controlled by prosecutors; jury trials are few and far between; the local public has virtually no role at bail or sentencing hearings; and decisions on criminal fines, probation, parole, conditions of incarceration and post-release

supervision usually occur far away from the community.”

She recommends restoring interest, power and accountability to the local community as a critical step. “When the public feels too distant from the workings of crime and punishment — and only sees the media representation of crimes and the occasional (in) famous trial — they often react by calling for ever harsher and lengthy sentences,” she writes. “In contrast, allowing the community to participate in a much larger slice of criminal procedure gives the lay public a more realistic — and more personalized — view of the criminal justice system, hopefully fostering a less punitive streak. ... Local adjudicatory participation may not be the magic bullet for the woes of our criminal system, but it is an important aspect of criminal justice that has been neglected for far too long.”

Andrew Gilden: Intellectual property and artistic licence

In his most recent scholarship, Assistant Professor **Andrew Gilden** examines the often-contentious aftermath of artists’ deaths, when grieving family members and fans may clash in ways involving intellectual property rights, copyright and estate planning.

In “IP, R.I.P.,” published by *Washington University Law Review* in 2017, Gilden explores how intellectual property laws play a pivotal role in deciding how an artist is mourned, commemorated and remembered.

Cases can involve heirs of famous artists seeking to stop work inspired by their family members — such as the “Blurred Lines” litigation between the heirs of Marvin Gaye and Robin Thicke/Pharrell Williams. Situations also arise when heirs of lesser-known artists try to prevent famous artists using their family members’ work, such as the lawsuit by the heirs of Messy Mya, who claim the queer Youtube artist’s work was sampled without compensation by Beyoncé.

Gilden, who teaches property, internet, and copyright law, as well as trusts and estates, wrote the article after noticing a major disconnect between the fields of trusts and estates and intellectual property in terms of how scholars approached inheritance and property management by heirs.

“Trusts and estates scholars often value heirs’ efforts to strengthen their bonds with the decedent or to continue their life work or to ensure a

proper legacy for them,” he says. “IP scholars tend to be quite skeptical. My article seeks to bring these two perspectives together.”

Typically, property and intellectual property laws are framed in terms of economic interests of the parties and incentivizing valuable economic activity more broadly. But, Gilden argues, “Property ownership implicates emotional bonds, family and community, regardless of whether we are talking about a family home or musical composition.”

The situation becomes more complex when famous artists die without leaving a will, as in the case of Prince in 2016 or Aretha Franklin in August 2018. Then, the heirs may allow the creative work to be used in ways the artist would not have approved. Says Gilden, “This emphasizes the importance of deliberate estate planning, particularly with respect to valuable intellectual property.”

The rise of social media has created new concerns. “All decedents leave behind a vast trove of IP-protected materials, such as YouTube videos, Facebook posts and tweets, that can be disseminated long after they die,” Gilden notes. “For celebrities, social media allows IP-protected work to be shared and reworked by future generations of fans in ways that can potentially trigger copyright and publicity rights laws. Mourning has historically tended to be a private matter, but social media makes mourning a much more public endeavor.”

Steven Green: A cultural perspective on disestablishment



In his latest book, *The Third Disestablishment*, **Steven K. Green**, the Fred H. Paulus Professor of Law and Affiliated Professor of History and Religious Studies at Willamette, explores the development of modern separationism from a legal and cultural perspective.

The Third Disestablishment, due to be published in spring 2019 by Oxford University Press, examines the dominant religious-cultural conflicts of the 1930s-1950s between Protestants and Catholics, but it also shows how other trends and controversies impacted both judicial and popular attitudes toward church-state separation. The book is a sequel to *The Second Disestablishment*, which asserted that by the end of the 19th century the U.S. had experienced a legal and institutional disestablishment, but that a cultural disestablishment had yet to take place.

Since 1947, when the Supreme Court embraced the concept of church-state separation as shorthand for the meaning of the Establishment Clause of the First Amendment, the concept has become embedded in the court's jurisprudence. Yet, as Green argues, separation of church and state is not just a legal construct; it is embedded in the culture.

Church-state separation was a popular cultural ideal, chiefly for Protestants and secularists, long before the Supreme Court adopted it as a constitutional principle. While the court's church-state decisions have impacted public attitudes — particularly those controversial holdings regarding prayer and Bible reading in public schools — the idea of church-state separation has remained relatively popular. Recent studies indicate that approximately two-thirds of Americans support the concept, even though they disagree over how to apply it.

In *The Third Disestablishment*, Green studies the impact of the Jehovah's Witnesses' cases of

the late-1930s and early-'40s, Cold War anti-communism, the religious revival and the rise of civil religion, the advent of ecumenism and the presidential campaign of 1960. He examines how events of the 1960s — the school prayer decisions, the reforms of Vatican II and the enactment of comprehensive federal education legislation providing assistance to religious schools — produced a rupture in the Protestant consensus over church-state separation, causing both evangelicals and religious progressives to rethink their commitment to that principle.

Green concludes by examining a series of church-state cases in the late-1960s and early-'70s

where the justices applied notions of church-state separation at the same time they were reevaluating that concept.

"The time period considered in *The Third Disestablishment*, 1940-1975, was a highly transformative period in church-state jurisprudence, and I know of no other book that examines the law's development using the same cultural framework," Green says. "I believe my book fills a hole in the scholarly literature in the way it examines the interaction of the law and cultural forces of the time, without making either determinative of developments in the other."

Aaron Simowitz: The Supreme Court and transnational litigation

Assistant Professor **Aaron Simowitz's** most recent scholarship examines how a Supreme Court decision inadvertently and radically altered the landscape of transnational litigation.

In "Legislating Transnational Jurisdiction," published in the *Virginia Journal of International Law* in 2017, Simowitz examines the fallout from the Daimler AG v. Bauman decision of 2014. He argues that, in the name of interpreting and applying the supposed commandments of the Due Process Clause of the Fourteenth Amendment to the Constitution, the Supreme Court "turned the United States into one of the most jurisdictionally stingy countries in the world. [It has] so narrowed constitutional personal jurisdiction that numerous federal statutes are now being rendered wholly or partly inoperative."

According to Simowitz, Daimler proved the most important decision on transnational litigation since the 1970s, radically changing the type of cases that can be heard in U.S. courts. Previously, a party could be sued on any claims where it had "continuous and systematic" contacts, such as if it maintained in the U.S. a leased sales office with a handful of employees. After Daimler, a party can only be sued where it is "at home" — in its domicile or principal place of business.

The decision notably affects cases concerned with acts of terrorism and drug patents. "All these regulatory systems had been designed with the assumption that all these parties could be haled into U.S. courts," explains Simowitz. "Overnight it changed, and the system went haywire."

At WUCL, Simowitz teaches international business transactions, debtor and creditor law, negotiation and a seminar on resolving business disputes. The Daimler case offers a valuable lesson for his students. As Simowitz explains, "I tell students that when they write the dispute resolution part of their contracts, they need to know whether courts will have actual jurisdiction."

Simowitz considers the Daimler decision so critical that it warrants extensive scholarship. In 2016, he co-authored a paper with New York University Professor Linda Silberman — "Recognition and Enforcement of Foreign Judgments and Awards: What Hath Daimler Wrought?" — published in the *New York University Law Review*. He's currently working on another paper with Silberman that addresses other aspects of the decision.

"The Daimler case really changed the landscape of transnational litigation," he explains. "It's an ongoing problem."

Share your success

Editorial Goal The ultimate goal of our websites, e-newsletters and magazine is to share both general and specific information that supports and exemplifies the quality of legal education received at Willamette University College of Law.

More to the Story Editors of various college website news feeds and e-newsletters publish information at their discretion depending upon subject matter, space available and editorial goals for the given period of publication. There is no regular editorial schedule or calendar. The types of stories featured in publications may change from year to year based upon a balance of available information, trends or specific marketing/promotional goals of the law school and the university.

Sharing Your News We want to know about your professional successes. Submit an update about your career to willamette.edu/law/alumni-update or email law-alumni@willamette.edu.

Class Action Degree Key **JD** Juris Doctor. **L** Non-degreed. **LLB** Bachelor of Law (equivalent of JD). **LLM** Master of Law. **MM** Master of Management, Master of Administration. **MBA** Master of Business Administration. **H** Honorary degree. **C** Certificate in Dispute Resolution, International and Comparative Law, Law and Government, Law and Business, or Sustainability Law.

'67

Robert E. Maloney Jr. was reelected as the Oregon Zoo Foundation's chairman of the advocacy committee and to serve on the executive committee of its board of trustees. He was also appointed a member of the Volunteers of America's National Lawyers Advisory Council.

'73

Allen Lyons retired from his law practice at Lyons Lederer in Salem. He plans to spend time with family, travel and volunteer.

'74

Bob Saalfeld received the 2017 Paul J. De Muniz Professionalism Award from the Marion County Bar Association. He retired from his estate planning practice at Saalfeld Griggs in Salem on Jan. 1, 2018.

'75

George M. Jennings was named the 2016 First Citizen of the City of Salem. Jennings, a 42-year member of the Oregon State Bar, has served as a member of the Oregon Board of Bar Examiners, chair of a school board, and in leadership positions for various charities and nonprofit organizations in Marion and Polk counties.

Jim Griggs retired from his business and tax law practice at Saalfeld Griggs in Salem on Jan. 1, 2018.

'77

Rodney Norton was recognized in the 2017 Oregon Super Lawyers list for personal injury medical malpractice: defense. He is a partner at Hart Wagner in Portland, Oregon.

'79

Kent Hansen received an honorary doctorate from his undergraduate alma mater, La Sierra University, in Riverside, California. Hansen serves as general counsel for Loma Linda University Health.

Thomas D. Miller received the BPA Meritorious Service Award, the highest honor from the Bonneville Power Administration, an agency of the U.S. Department of Energy, in March 2017. The award recognizes individuals who have made extraordinary contributions to BPA's mission through excellence in their chosen field for 10 years or more. Miller is a BPA Legal Services attorney-adviser and has been with the agency for 36 years.

'80

Dr. Jamison Pokorny Starbuck, an attorney and physician in Missoula, Montana, writes and produces a weekly short radio program called "Dr. Starbuck's Health Tips for Kids" that airs on Montana Public Radio.

'81

Douglas S. Parker was recognized with a top ranking in the 2017 edition of "Chambers USA: America's Leading Lawyers for Business." Parker is office managing shareholder in the Anchorage, Alaska, and Portland, Oregon, offices of Littler, the world's largest employment and labor law practice representing management.

'82

Jay Richardson joined Cosgrave Vergeer Kester LLP in Portland, Oregon, as a partner in its business practice group. His practice focuses on taxation, business formation and transactions, estate planning and employee benefit planning consultation.

'84

Mark Prater was awarded the 2018 Pillar of Excellence Award by the Tax Council Policy Institute in recognition of his extraordinary contributions to the tax community and efforts to formulate tax policy. Prater is the deputy staff director and chief tax counsel for the Senate Finance Committee.

David A. Shaneyfelt was named to the 2018 Southern California Super Lawyer list. He is an attorney with the Alvarez Firm in Camarillo and has helped policyholders recover millions of dollars in disputes against insurance companies covering virtually all lines of insurance.

'85

Joseph Schierhorn JD/MBA'85 was named president and CEO of Northrim Bancorp Inc., the parent company of Northrim Bank in Anchorage, Alaska, where he will continue to serve as president and CEO. In October 2017, he was also named chairman of the board of the bank and the company.

Mary Del Balzo was promoted to Head of Americas Legal at Mentor, A Siemens Business (formerly known as Mentor Graphics). She leads a nine-member software group with staff at Siemens locations across the nation, as well as in Sao Paulo, Brazil.

'86

Linda B. Clapham was elected shareholder at Carney Badley Spellman, a Seattle law firm.

Jesse Barton edited the practitioner's manual "Still at War: A Guide for Defenders, Prosecutors, & Judges Dealing with Oregon's Veteran Defendant Crisis." The manual is a joint publication of the Oregon Criminal Defense Lawyers Association and the state's Veterans Defense Resources Center.

'88

Coni Rathbone and members of her Rathbone Law Firm joined the Real Estate Practice Group of Dunn Carney LLP, ranked by the Portland Business Journal in 2017 and 2018

as the largest commercial real estate law firm in Portland. Rathbone has extensive experience in real estate, construction finance, real estate securities and corporate general business. Prior to starting her own firm in 2010, she was with Davis Wright Tremaine.

Russell D. Garrett was elected managing shareholder of Jordan Ramis PC, Attorneys at Law, in Portland, Oregon.

'89

Billy J. Williams was nominated by President Donald Trump as the United States attorney for the District of Oregon. Since February 2016, he has served as the court-appointed United States attorney for the District of Oregon, and he has worked in that office since 2000.

Walter Beglau was given the 2017 Carson Award for Service to the Community from the Marion County Bar Association.

'90

Karlin Scott Myers practiced law in state and federal courts in Oregon, Idaho and Utah for 15 years before his appointment to the bench in Utah's Fifth Judicial District in 2005. He recently published his first book, "Ezekiel James, Lawyer Prophet."

Nancy Erfle was named a Law360 2017 MVP of the Year for her role as national and lead trial attorney for Gordon & Rees' client Imerys Talc America. Attorneys selected to receive this award have distinguished themselves in high-stakes litigation, complex global matters and record-breaking deals.

'92

Jan Bennetts received the Distinguished Alumni Citation from Willamette University at Alumni Reunion Weekend in September 2017. She also received the Idaho State Bar's Professionalism Award in November 2017. Bennetts is the first woman to hold the post of prosecuting attorney in Ada County, Idaho.

David Brickey was unanimously appointed city manager of West Jordan, Utah. He had served as interim city manager since July 2017.

'93

Matthew L. Clucas was appointed court commissioner for the Kitsap County Superior Court.

David Groff was selected as the Oregon Institute of Technology's first in-house legal counsel. Groff was previously county counsel for Klamath County and chief deputy in the Klamath County District Attorney's office.

Jennifer S. Robertson was featured by 425 Business magazine as one of six dynamic women impacting their community. Robertson is a city councilwoman for Bellevue, Washington, and a managing attorney for Northwest Urban Law, PLLC, in Mercer Island, Washington.

'94

Skip Winters was recognized in the 2018 edition of The Best Lawyers in America for his competence in construction litigation.

'95

Brian McQuaid was named vice president and general counsel at Base Commerce in Tempe, Arizona. For more than 16 years, he was a litigation partner at Squire Patton Boggs in Phoenix. Base Commerce is a provider of integrated payments solutions for computer-based service providers and billing services.

'97

Adam Hardwicke formed a new law firm in Burley, Idaho, with his wife, Jennifer Dockter. The firm of Dockter and Hardwicke will focus on criminal law, family law, immigration and general civil litigation.

'98

Theresa Hollis won the 2017 President's Public Service Award from the Oregon State Bar. She is secretary of the OSB Elder Law Section's executive committee and president of the board of trustees for the nonprofit Guardian Partners. She is also a partner in the elder law and estate planning firm Fitzwater Meyer Hollis & Marmion in Portland, Oregon.

Greenawald helps victims of domestic and sexual violence



Although born and raised in Newport, Oregon, **Erin Greenawald JD'98** says she "grew up," professionally, in the Marion County District Attorney's (MCDA) office.

On her first day at MCDA, she was introduced to domestic violence work, which became a focus of her career. Until July 2018, with the exception of a very short-lived stint at a Portland law firm, Erin worked primarily as a domestic and sexual violence prosecutor.

Before opening her own practice in Portland, Oregon, in 2018, Greenawald worked for eight-plus years as the state's first domestic violence resource prosecutor (DVRP) in the Criminal Justice Division at the Oregon Department of Justice. She handled complex domestic violence cases statewide; provided technical assistance to prosecutors, civil attorneys, law enforcement and others; developed trainings and resource materials; and engaged in the legislative and policy-making processes.

Now in her own practice, Greenawald works statewide and nationally to bring her expertise in the development and delivery of high-quality trainings, curriculum and best practices guidelines for criminal and civil legal system(s) partners around domestic, family, and sexual violence issues. She also provides expert witness consultation and testimony, develops and delivers legislative and public policy concepts, and advises and represents victims of violence.

"I didn't set out to do this domestic and sexual violence work," she says, "but once I was exposed to its challenges and what it could mean for victims, my interest was sealed. I've always been drawn to helping people and holding others accountable for their actions."

Greenawald presented training on the "Myths and Misconceptions about Domestic and Sexual Violence" for Willamette Law students in late 2017, at an event sponsored by the Women's Law Caucus student group.

Although her work is often emotionally challenging, Greenawald manages to maintain her resilience. "I'm always honored to help victims and survivors," she says, "and I feel fortified as a result."

'99

Micheline Fairbank is deputy administrator for the Nevada Division of Water Resources within the Nevada Department of Conservation and Natural Resources.

Todd Hanchett was elected to the Federation of Defense & Corporate Counsel (FDCC). Membership is by nomination only and limited to 1,000 practicing lawyers and corporate counsel in the U.S. Hanchett, an attorney with Stoel Rives LLP in Portland, Oregon, is one of only 11 FDCC members in Oregon.

'00

Melanie Lawrence was appointed deputy chief in the Office of the Chief Trial Counsel of the State Bar of California. The office reviews approximately 16,000 complaints of attorney misconduct annually.

Nicole Owren-Wiest joined Crowell & Moring LLP in Washington, D.C., as a partner in the firm's government contracts group. She is a nationally recognized government contracts lawyer with more than 15 years of experience representing aerospace,

defense, professional services, healthcare, and IT and emerging technology companies in all aspects of government procurement.

Deanna L. Franco joined Cosgrave Vergeer Kester LLP in Portland, Oregon, as a partner in the business practice group.

'01

Stacy Chamberlain was named executive director of Oregon American Federation of State, County & Municipal Employees in Portland, Oregon. Chamberlain previously served as interim executive director for the council.

Crystal Miller-O'Brien was reappointed to the California Law Revision Commission by Gov. Edmund G. Brown Jr. She has served on the commission since 2011 and has been corporate counsel at Medical Management Consultants Inc. since 2006. She is also a pro tem judge for Los Angeles County Superior Courts.

Vicki M. Smith was elected president of the board of directors for the Oregon Association of Defense Counsel (OADC), Oregon's statewide association for civil defense attorneys. Smith previously volunteered on OADC's board of directors for five years, serving as president-elect in 2017 and as secretary/treasurer in 2016. She is also a trial lawyer and partner with Portland, Oregon, civil litigation firm Bodyfelt Mount LLP.

Tonya R. Meehan '98, JD'01

joined Seattle family law firm Goldberg Jones. She works on divorce, child custody and other family law matters.

'03

Kirstin (Fjeld) Dutcher joined Jill Eshman Law in Ketchum, Idaho, in July 2017. Her practice focuses on family law, estate planning and administration, probate and civil litigation.

Kristin Bremer Moore was appointed chair of Tonkon Torp LLP's Labor & Employment practice group. Bremer Moore joined Tonkon Torp in 2006 and was named a partner in 2011.

Megan McAlpin was named 2017-18 president of the Association of Legal Writing Directors, which has members from 150 law schools in the U.S. She teaches in the University of Oregon School of Law's legal writing program.

'05

Sasha Buchert was hired as a staff attorney by Lambda Legal in Washington, D.C. Previously, Buchert was a staff attorney and policy counsel at the Transgender Law Center.

Rachel Kittson-MaQatish was named one of Linn-Benton Community College's distinguished alumni at a reception in April 2017. She graduated from LBCC in 1991 and went on to earn a bachelor's degree from Oregon State University before attending Willamette Law for her JD. She is a partner at Morley Thomas Law Firm in Lebanon, Oregon.

Melissa Tahir JD/MBA'05, a partner at Hart Wagner in Portland, Oregon, was named to the Rising Stars list in the 2017 Oregon Super

Bloemers wins Raising the Bar Award



The Willamette University Public Interest Law Project (WUPILP) student group named **Ralph Bloemers JD'98** its Raising the Bar Award winner at its annual Bid for Justice Auction in February.

The award recognized Bloemers' commitment to public interest law and advocacy for environmental stewardship at a time of national tension on the topic.

Bloemers co-founded the Crag Law Center in 2001 to provide "legal aid for the environment." The six-attorney Portland, Oregon, environmental law firm regularly challenges the government, oil and timber companies, and big corporations on behalf of individuals, conservation groups and Native American tribes working to preserve the West's natural resources and landscape.

The firm has helped restore rivers for fish, fought for the removal of dams, crafted successful legislation resulting in the designation

of 125,000 acres of new Wilderness and 85 miles of new river protection, stopped Nestlé from bottling public spring water in the Columbia Gorge and successfully defended Portland's fossil fuel ordinance.

"The biggest challenge we face is shifting our culture so that society sees that we cannot continue to live beyond the natural capacity of the Earth," Bloemers says. "We have to power past dirty energy and factory farming and transition to a sustainable future."

At WUCL, Bloemers studied international environmental law for a semester in the Netherlands, externed at 1000 Friends of Oregon and completed a WUPILP fellowship with The Nature Conservancy.

"I appreciate being recognized for my conservation efforts," he says. "When Willamette recognizes people for doing this work, I hope it inspires students to pursue work that aligns with their values."

Lawyers magazine. She was also honored in the Personal Injury Medical Malpractice: Defense category.

'06

Jeff Auxier was appointed by Oregon Gov. Kate Brown as Columbia County District Attorney.

Leila R. Kimbrell was hired by **U.S. Sen. Lisa Murkowski JD'85** to serve as her new state director, based in Anchorage, Alaska. She has practiced law in Alaska for the past decade, and from 2013-15 served as a policy advisor to Murkowski in her Washington, D.C., office.

'07

Naomi (Levelle) Haslitt was named to the Portland Business Journal's 2017 Forty Under 40 list.

Cristin Casey became chief prosecutor for the Portland, Oregon, Bureau of Labor and Industries in September 2017.

Julia Rice joined Buckley Law P.C. in Lake Oswego, Oregon, as a shareholder with the estate planning team.

'09

Rocky Dallum was elected partner at Tonkon Torp LLP in Portland, Oregon. His practice includes strategic counsel and direct advocacy for corporate and nonprofit clients engaging with Oregon's legislative and executive branches. He has also joined the board of directors for the Oregon and SW Washington Chapter of The ALS Association.

'10

David Anderson was promoted to shareholder at Schwabe, Williamson & Wyatt. He supports the company's real estate and construction industry group and helps clients throughout Oregon's diverse industries to litigate business disputes and resolve succession issues.

Daniel Kittle was elected shareholder of Lane Powell's Seattle office effective Jan. 1, 2018. His practice focuses on complex contract claims, state and local tax disputes, franchise and dealership matters, and corporate governance feuds.

Rebecca Van Loon was elected shareholder of Seltzer Caplan McMahon Vitek in San Diego. She practices in the areas of estate planning, trust and probate administration, and taxation law.

'11

Erin Dawson was recognized by the Oregon State Bar with the President's Membership Service Award. She is an associate attorney at Parsons Farnell & Grein LLP in Portland.

Terrence S. Green received the Marion County Bar Association's 2017 Lawyer of the Year Award for pro bono service.

'12

Stephanie Palmblad '09, JD'12 received the Marion County Bar Association's 2017 Carson Award for Service to the Bar.

Young Walgenkim received the Marion County Bar Association's 2017 Arno Denecke New Lawyer of the Year Award for pro bono service.

'13

Rebecca J. Frolander was appointed district attorney of Wallowa County by Oregon Gov. Kate Brown, effective June 1. She previously served as Wallowa County deputy district attorney since 2014.

Stephen Scott '10, JD'13 joined the Portland, Oregon, office of Fisher Phillips. He represents employers in employment-related administrative claims, including wrongful termination, wage and hour laws, and discrimination.

'14

Layla McLean joined Buckley Law P.C. in Lake Oswego, Oregon, as an associate attorney with the estate planning team. Her practice focuses on estate planning and administration for taxable and non-taxable estates, business law and real estate transactions.

Jennifer Jefferies joined Davies Pearson in Tacoma, Washington, as an associate attorney practicing in the areas of general business, real estate, commercial litigation and probate.

Miller leads Pennsylvania DHS

As Pennsylvania's new Secretary of the Department of Human Services, **Teresa Miller JD'02** has been learning how to oversee an agency with more than 16,000 employees, a budget of tens of billions of dollars and programs that impact every aspect of American life, from Medicaid to child welfare.



Since she was confirmed as head of DHS in March 2018, her learning curve has been steep but rewarding. Her previous job as state insurance commissioner in Pennsylvania more than qualified her for the new role — last year, she spent most of her energy pushing back on multiple attempts by the federal government to repeal the Affordable Care Act. She testified four times before various congressional committees on the potential impact of repealing the law.

"I believe the conversations that took place while so many of us were attempting to save the law are one of the reasons the law is now more popular than ever," she says. "People now have a better understanding of the law and how they or their family, friends and neighbors have benefited from it."

In her fight against the repeal, Miller regularly incorporated one topic she learned about at the College of Law: federalism.

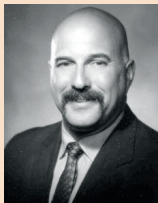
She says she's had "a front row seat" to a major case study in federalism over the last seven years because she's seen the implementation of ACA from several perspectives. In addition to her past job as insurance regulator in Oregon and Pennsylvania, she used to be a liaison for the states on behalf of the Obama administration.

"It's one thing to read about federalism in concept," she says. "The biggest lesson is that it's a lot messier in practice than in theory."

As she looks to the future of DHS, Miller wants to scrub the stigma attached to several department programs, such as child welfare, Medicaid or behavioral health, which prevents people seeking help. She also wants to further modernize the state Medicaid program and improve care for Pennsylvania's lowest-income citizens, the vast majority of whom are women with children.

She says, "If individuals don't have affordable housing, struggle with food insecurity or don't have transportation to get to medical appointments, the quality of their health insurance or health care is irrelevant."

Order in the Court



Carnaroli



Snyder



Ramras



Vitolins



Powers



Crusier



Tripp



McCauley

Idaho

Idaho Gov. C.L. “Butch” Otter appointed **Judge Rick Carnaroli JD’85** Sixth District Judge, based in Pocatello, in November 2017. Carnaroli has served as a magistrate judge since October 2004.

Michigan

Michigan Gov. Rick Snyder appointed **Valerie Snyder JD’95** to serve as 7th Probate Court judge for Charlevoix and Emmet counties. Snyder has been in private practice since 1996, focusing on real estate and estate planning. She fills the vacancy created by the retirement of Judge Frederick Mulhauser.

Oregon

Oregon Gov. Kate Brown appointed **Christopher A. Ramras JD’96** judge for position 15 on the Multnomah County Circuit Court. The appointment was effective July 17, 2017.

Daina Vitolins JD’85 was appointed judge by Oregon Gov. Kate Brown to the 22nd Judicial District Circuit Court encompassing Crook and Jefferson counties. Vitolins fills the vacancy created by the retirement of Judge Gary Lee Williams.

Steven R. Powers JD’01 was named judge by Oregon Gov. Kate Brown for position seven on the Oregon Court of Appeals. His appointment began on July 17, 2017.

Jenn Gaddis JD’06 was named administrative law judge for the Portland, Oregon, Bureau of Labor and Industries. She started the position Sept. 1, 2017.

Judge Alta Brady JD’83 retired from the Deschutes County Circuit Court in Bend, Oregon, Dec. 31, 2017. She was appointed to the court in May 1994 by then-Gov. Barbara Roberts and served as the presiding judge from 2012 until her retirement.

Washington

Washington **Gov. Jay Inslee JD’76** appointed **Anne (Mowry) Crusier JD’97** Cowlitz County fifth Superior Court judge. Crusier fills a newly established seat on the court. Previously, she was a supervising attorney for the appellate division at the Clark County Prosecuting Attorney’s Office. The appointment was effective in August 2017.

Judge Gregory Tripp JD’73 retired from the Spokane County District Court in September 2017 after serving on the bench for 20 years.

Judge Mark McCauley JD’79 retired from the Grays Harbor County Superior Court in Washington after nearly 25 years spent serving on the bench.

’15

Corey Driscoll joined Hendrix, Brinich & Bertalan LLP in Bend, Oregon, as an associate. His practice focuses on wills and trust drafting, probate and trust administration, wrongful death probate procedures, guardianships and conservatorships, special needs trust planning and long-term care planning.

Arash Afshar JD/MBA’15 is an associate attorney at Sherman Sherman Johnnie & Hoyt, LLP in Salem, Oregon. His practice focuses on business and corporate law, secured transactions, creditor’s rights, real estate and land use. He and Amanda (Peterson) Afshar JD/ MBA’17 were married on October 7, 2017, in West Linn, Oregon.

Alexandra Robins joined the Seattle City Attorney’s Office as an assistant city prosecutor.

Lauren Visoria joined Miller Nash Graham & Dunn’s Seattle office as part of the trusts and estates team.

’16

Shangar Meman joined the Portland civil litigation firm Hart Wagner LLP as an associate. Her practice focuses on medical malpractice defense, professional liability, commercial litigation and premises liability.

’17

Eric Robertson joined the Salem, Oregon, firm Saalfeld Griggs, working with the employee benefits and corporate practice groups.

Laura Zaro joined the Salem, Oregon, firm Olsen Daines as an associate attorney in bankruptcy and litigation.

Amanda (Peterson) Afshar JD/ MBA’17 joined the Saalfeld Griggs firm in Salem, Oregon, as an associate attorney in the estate planning practice group.

Elizabeth Schultz joined Tonkon Torp LLP in Portland, Oregon, as an associate in its business department.

Katie Taylor joined Harder, Wells, Baron & Manning in Eugene, Oregon. Her practice focuses on Social Security disability law.

Corrections

In the Fall 2017 Willamette Lawyer Class Action section, **Judge Joshua F. Grant JD'75** was mistakenly identified as having served 15 years as a judge in Lincoln County, Oregon, rather than Lincoln County, Washington. Judge Grant is currently practicing law as a sole practitioner in elder law, located in Wilbur, Washington.

In Memoriam

Faculty

Gwynne Skinner, 53, passed away on Dec. 11, 2017. Gwynne was promoted to full professor at Willamette Law in June 2017 and directed the Human Rights and Immigration Law Clinic for several years. See article on p. 6.

'54

Mark C. McClanahan '52, JD'54, 87, died peacefully after a brief illness from complications from Alzheimer's disease on Jan. 2, 2018. He received his undergraduate degree in political science from Willamette University, followed by his JD from Willamette Law school. After graduating, Mark joined the Miller Nash law firm in Portland, Oregon, and was invited to become a partner in 1960. Mark practiced law with Miller Nash from 1954-1995, then went into private practice. Mark served as attorney for the Portland School Board, and later provided legal services for Pacific University in Forest Grove as a member of the board of trustees. While working with the Portland schools, he was integrally involved in the resolution of the Jackson secession case of 1986 in the

Oregon Court of Appeals. Another successful legal project took place over 30 years, involving claims under the Indian Claims Commission Act for tribes on the Warm Springs and Umatilla reservations. Mark also worked on the Chiles v. Fred Meyer case, one of the longest civil trials in Oregon history, and he participated in arguments presented to the Supreme Court of the United States. He is survived by his wife, Faye (Wheeler) McClanahan; his five children, Craig, David, Julie Baugh, Edward and Kathleen Wolfe, and their families; and six grandchildren and one great granddaughter.

'57

Bill Arthur Galbreath '54, LLB'57, 87, passed away on Sept. 13, 2017, in Portland, Oregon. He was born and raised in Sherwood, Oregon, where he grew up on the family onion farm with his eight brothers

and sisters. His attendance at Willamette University was interrupted by his enlistment into the Army and completion of Officer Candidate School. Upon his discharge, he finished his undergraduate and law degrees at Willamette. He practiced law in Milton-Freewater, Oregon, for more than 20 years, including service as a municipal court judge. In the mid-1980s, he returned to the Portland area and continued to practice. He is survived by a sister, nieces and nephews, his four children and their spouses, as well as several grandchildren and a great-granddaughter.

'65

Stephen T. Tucker, 77, passed away Aug. 30, 2017. Steve was born in Berkeley, California, and raised in Oakland and Hayward, California. After undergraduate

Allen honored twice with awards



Judge Beth Allen JD'96 now knows how well her friends can keep secrets.

The Willamette Law alumna, a judge on the Multnomah County Circuit Court, was surprised last fall with two awards for her work in the community and judiciary.

OGALLA: The LGBT Bar Association of Oregon awarded Allen its 2017 Community Service Award in October. A few months earlier, Allen had received the Chief Justice's 2017 Juvenile Court Champion Award at the Through the Eyes of a Child conference for juvenile judges.

Kamron Graham, co-chair of the OGALLA board, says the board assesses an award candidate's contribution to the legal community and dedicated efforts for the LGBT community, social justice and equity.

"Judge Allen embodies what we look for in leaders in our community. She is dedicated and tireless in her contributions to the LGBT and legal communities," Graham says. "She is an advocate for change, a role model and humble."

As part of the Oregon Judicial Department, Megan Hassen's office solicits nominations for the Chief Justice's Juvenile Court Champion

Award. Chief Justice Thomas Balmer ultimately decided the winner.

Hassen says, "The award goes to a judge who has made significant contributions over the past year to raise the profile and priority of child abuse and neglect cases."

She says Allen has been active statewide and locally with LGBTQ issues, as well as instrumental in helping judges and attorneys understand and be sensitive to LGBTQ youth involved in the court system.

Allen says disproportionate numbers of LGBTQ children are in the system, so she has been educating her colleagues on how to ensure they receive procedural fairness. She has also labored in Oregon courts to advance procedural justice for LGBTQ court participants.

"I was pleased to see that the chief justice and others recognized how important the LGBTQ kids' issues are and that there are things we can and must do to ensure their proper care while in our system," Allen says. "As for the Community Service Award, I do what many of us do and was just the lucky one to have my work noticed."

studies at Pacific University in Forest Grove, Oregon, he graduated with a JD from Willamette University School of Law. His legal career evolved from the Alameda District Attorney's office, private practice in Hayward, deputy district attorney in Sonoma County and 25 years in Ventura County. He was a leader of the California Family Support Council in the 1970s and '80s, serving as president in 1985-86. He is survived by his wife, Jan; his children, Jennifer Tucker Darby and Gene Tucker, and stepdaughter, Kendra Sullivan; his brothers, Gary Tucker and Brent Tucker; and 10 grandchildren.

'69

Dwight P. Billman '62, JD'69, 78, passed away March 31, 2018, due to complications from cancer. Born in Santa Rosa, California, Dwight attended Princeton Theological Seminary and was a Presbyterian missionary in Sitka, Alaska, before he came to Willamette. He graduated from Willamette with a BA in history and a JD. He practiced law in Salem until 2014. He is survived by his daughters, Elizabeth Mann and Suzanne Billman; three grandsons; and two great grandchildren.

Daniel F. Hughes, 74, passed away Dec. 24, 2017, at his home in Grants Pass, Oregon.

'78

Bill Fleming, 69, passed away on Jan. 11, 2018, in East Hampton, New York. He grew up in Garden City, New York, and attended George Washington University and Adelphi University before earning his law degree at Willamette Law. He was drafted into the U.S. Army in 1971, serving until his discharge in 1973. He married his wife, Abby, in September 1985 and spent his general practice career in New York. He is survived by his wife, Abby, and daughter, Catharine.

Teresa L. Foster, 67, passed away on Oct. 13, 2017, after a short battle with early onset Alzheimer's disease. Terri received a degree in journalism from the University of Alaska Fairbanks in 1972, and then worked as a newspaper staff writer and as a local television reporter. After

obtaining her law degree from Willamette Law, Terri returned to Fairbanks and became a respected and accomplished attorney. She ran a successful private practice for many years before becoming the district attorney for Fairbanks. Terri was extremely passionate about victims' rights issues, and in 2003, she was appointed statewide sexual assault coordinator. Terri is survived by her daughter, Danica; son, Jacob; brothers, Dennis and Curtis; sister, Eileen; former husband/longtime friend, Gary Foster; and three granddaughters.

'80

Richard N. VanCleave, 64, passed away on April 1, 2018. Born in Ontario, Oregon, he graduated from Oregon State University and Willamette Law. A gifted labor attorney for 38 years, Rick was devoted to family and friends from all walks of life. Rick is survived by wife, Kimberly Cobrain; daughter, Sarah VanCleave-Sweat; grandkids, Brodee, Kodee and Gracee; daughter, Katie VanCleave-Jewell; mother, Colleen VanCleave; and brothers, Randy and Robb.

'81

Christopher Jennings, 67, passed away on Aug. 10, 2016, in Olympia, Washington. He grew up in Bellevue, Washington, and received his undergraduate degree from Washington State University and his law degree from Willamette Law in 1981. In 1994, he married Ann Vandeman in Washington, D.C., where their daughter, Geraldine, was born. In 2001, the family returned to Washington to settle in Olympia permanently. Chris approached the law as a caring profession and spent his entire career using the law to advocate for and protect the civil rights of people affected by mental illness and developmental disabilities. He is survived by his wife, daughter, siblings and father.

'83

Ray Baum, 62, passed away on Feb. 9, 2018. With an undergraduate degree from Brigham Young University, Baum earned his JD from Willamette Law in 1983. He dedicated his life to public service, spending many years as an attorney

in La Grande, Oregon, before being elected to the Oregon House in 1988. He served as House majority leader in 1995 and spent time on the Public Utility Commission and as a policy advisor for Rep. Greg Walden, R-Oregon, a close friend. He was the staff director of the House Energy and Commerce Committee, one of the most powerful panels on Capitol Hill with its jurisdiction including telecommunications, health care, energy, the internet and a host of other issues. He is survived by his wife, Kristine, and six children.

'86

Patrick Kubin, 58, passed away on Feb. 22, 2018, at Mt. Hood Meadows Ski Resort outside Portland, Oregon. Raised in Portland, he attended Bellevue Community College and Seattle University before transferring to the University of Portland. While at Willamette University College of Law, he fell in love with Jill Johanson at first sight. Jill and Pat were married in 1987, and they adopted three children and bore a fourth. Pat practiced law in Oregon and Washington, including 30 years in Longview, Washington. His passion was snow skiing and he skied in Austria, Germany, Switzerland, Utah, Idaho, Montana, Tahoe, Wyoming and all over the Northwest. Pat was the president of Children's Community Resources and a coach with SW Washington Special Olympics Ski Team. Pat is survived by his wife, Jill M. Johanson-Kubin; his children, William, Joshua, Jacob and Jessica Johanson-Kubin; a grandson, Cazden; a brother, Greg Kubin; a sister, Melanie Hampton; and his Rotary Exchange children, Priyanka (Mayur) Verma and Santiago Chiriboga.

Diana Parker, 73, passed away on Jan. 5, 2018, in Yakima, Washington. She and her husband, Richard, married in Idaho when she was 16. She attended Willamette Law and passed the Washington bar in 1986. She was a defense attorney for over 20 years and ran a trucking business for more than 30 years. She is survived by her son, Doug; husband, Richard; and four grandchildren.

'87

Maggie Margaret Muller, 57, passed away on Aug. 26, 2017, in Longview, Washington. She was born and raised in Fowler, Indiana, and received her BA in English literature, philosophy and physics from Earlham College in Richmond, Indiana, in 1982. She went on to earn her JD from Willamette Law in 1987. She was passionate about politics and the rights and needs of all U.S. citizens. She is survived by her husband of 26 years, Clay Patrick, and her sisters Betsy and Rebekah Muller.

'89

Ann Postlewaite, 63, passed away on Aug. 25, 2017, in Clackamas, Oregon. She was born and raised in Portland, Oregon, and completed her undergraduate degree in history at Portland State University in 1985. She graduated with her JD from Willamette Law in 1989 and focused her practice on family law. She was active in bar activities and Oregon Women Lawyers. She is survived by her son, Steele.

John "Mike" Unfred '84, JD'89, 55, passed away of a heart attack on Oct. 14, 2017. Born in 1962 in Dayton, Ohio, he was raised in Springfield, Oregon. After receiving his BA degree in history and his law degree at Willamette Law, Mike served in the Air Force as captain and judge advocate/chief prosecutor before returning to Salem to establish his law practice. Mike was active with the Salem Sunset Rotary Club, the Mt. Hood Ski Patrol, the National Thoroughbred Racing Association and the Festival Chorale. He is survived by his stepmother, Toni; his children, Glenna and Joseph; his brother, Steven; his sisters, Amy and Kristina; and his partner, Karen.

'91

Debbie Jean von Blumenstein, 59, passed away on May 29, 2018. Born in Salem, Oregon, Debbie received a bachelor's degree from Alaska Pacific University and a law degree from Willamette Law. She practiced criminal defense law in Dallas, Oregon. Throughout her life, she was involved in marathons, ultra-marathons and triathlons.

Debbie is survived by her sisters, Marlyn Thorpe and Jody Horner; her brother, Robin Blumenstein; and a niece and four nephews.

'98

Troy Biddle, 52, passed away on Nov. 25, 2017, in a car accident in San Pablo, California. His 13-year-old son, Baden; brother-in-law, Daryl Horn; and 14-year-old nephew, Joseph Horn, were also killed in the crash. Troy was a partner at Seattle-based law firm Carroll, Biddle & Bilanko and lived with his family in Bainbridge Island, Washington. He was enthusiastic about serving his community and family and often coached his children's sports teams. Troy is survived by his wife, Amanda Horn JD'98; daughter, Devon; and other extended family members.

'00

Jay L. Thoman, 44, passed away on April 30, 2018. Born in California, Jay earned a BA in political science from Gonzaga University in 1996, a JD from Willamette Law in 2000, and a Master of Laws from The Judge Advocate General's Legal Center and School (TJAGLCS) in 2009. Jay joined the Army through a commission in the Reserve Officers' Training Corps in 1996 and entered active duty in 2000. A lieutenant colonel, Jay was chief of the policy division within the Criminal Law

Division, Office of The Judge Advocate General. He previously served as the regional defense counsel, Mississippi Valley Region; deputy staff judge advocate, U.S. Army Maneuver Support Center of Excellence; a professor at TJAGLCS; senior defense counsel and defense counsel in Hawaii and Germany; officer-in-charge, Trial Defense Services, Iraq; chief, Military Justice, U.S. Army Special Forces Command (Airborne); and trial counsel and legal assistance attorney, 82nd Airborne Division. Jay is survived by his wife, Jennifer; his daughters, Julie and Josephine; his son, Joshua; and his parents, Jay and Cynthia.

'11

Janel Leann Potter, 43, passed away on Feb. 20, 2018. Born in San Diego, she moved to Salem, Oregon, at a young age. She attended Corban University and graduated from Willamette Law with a law degree. She owned her own family law practice. Janel is survived by her three sons, Samuel James West, Benjamin Edward West and Micah Paul West; her mother and father, Gary and Judy Potter; brother, Zachary James Potter; sister, Melissa Ann Potter; grandparents A. Wayne Wymore and Rose Marie Wymore; and significant other, Terry Ralph Barrett.

Powers is first Filipino American on court



Shortly before **Steven Powers JD '01** became the first Filipino American on the Oregon Court of Appeals in July 2017, another judge told him he could expect to read about 30,000 pages of briefs in one year — not counting draft opinions or research.

Not only does the stack of briefs hint at the job's challenges — the sheer amount of reading and breadth of knowledge required for everything from lengthy jury trials to highly

technical land use cases — it also represents a judge's workload in one of the nation's busiest intermediate courts.

Court opinions influence the lives of residents across 27 judicial districts within 36 counties, as every decision has consequences that go beyond the parties in the case. Written decisions can impact future parties in similar situations, while trial courts and administrative agencies refer back to previous opinions to understand the court's reasoning and apply it to future cases.

After Powers' appointment call from Gov. Kate Brown, he says he was "struck immediately with the responsibility of it."

"I knew it would be rewarding, but I also knew it's a place where I have to stay on my toes," he says. "I'm going to be leaning forward the whole time I'm here because it's so important."

Powers has long believed the court should reflect the community it serves. Being the first Filipino American on the state's appellate court and a member of three legal associations that promote diversity — including the Oregon Filipino American Lawyers Association, which he co-founded — supports that belief.

He says, "The legal profession generally needs to be more diverse, and to be part of that is great."

The judgeship also returns him to his intellectual roots. Powers spent his early years at the Oregon Department of Justice as an assistant attorney general in the appellate division, and later did some appellate work at Portland firm Parsons Farnell & Grein, LLP. His long history of public service, including a stint as deputy general counsel and public safety policy advisor for Gov. John Kitzhaber, serves him well in the new role — as does the education he received at Willamette.

One moment he experienced in law school was particularly prescient. In a class led by Professor Susan Smith, Powers once had to look up a statute in a book on criminal code. Of course, the definition of one statute prompted a search for others, until several of his fingers held spots in the book and he was flipping between sections.

"I do that now," he says. "I have fingers in a statute book or case book and I'm holding three or four different ideas at once, trying to figure out how they all fit together."

Online Calendar

Stay up-to-date on all of the latest Willamette Law happenings from receptions to reunions to symposiums and more. Find our online event calendar at

willamette.edu/law/events

Regional alumni events are regularly held in cities such as Salem, Portland, Bend, Seattle, Olympia, Tacoma, Los Angeles, Salt Lake City, Reno, Honolulu and Anchorage. Visit the online alumni calendar for details at

willamette.edu/law/alumni/events

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We are pleased to acknowledge those individuals who have made commitments of \$500 or more between June 1, 2017, and May 31, 2018.

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R.A. Booth Society

The R.A. Booth Society is our expression of appreciation to those individuals who have established planned gifts to benefit future generations at Willamette University. We are grateful to these generous individuals for including the College of Law in their estate plans within the two most recent fiscal years.

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- T Trustee
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 In preparing this report, every effort was made to ensure accuracy and completeness. If you have any questions, please contact the Office of Advancement at development@willamette.edu.

Supporting student success: David Weiner JD'72 sets up a scholarship for students interested in real estate law



David Weiner

Since graduating from Willamette University College of Law, David Weiner has developed a successful and rewarding career concentrated on commercial real estate transactions. Representing developers, owners and managers of shopping centers, office buildings, apartments and industrial parks, he particularly enjoys the complexity of the work.

To help students with similar career interests, Weiner made a gift to establish the David P. Weiner Law Scholarship. The scholarship is awarded with preference to students

interested in pursuing a career providing legal services for real estate transactions.

Says Weiner, "I hope students who receive my scholarship enjoy their law careers as much as I've enjoyed mine."

Weiner decided to enter into a law career after being inspired by his uncle, an attorney who practiced real estate and transactional law. He came to WUCL after earning an undergraduate degree in economics and accounting from Claremont McKenna College in 1969.

Weiner has fond memories of Willamette Law — particularly the camaraderie of his class and the quality of the professors. After graduation, he was admitted to New York University for his LLM, but he decided he'd had enough schooling. Instead, he began a two-year clerkship with Judge James Burns in the U.S. District Court in Portland.

Nine months into the clerkship, Weiner received a job offer from the Portland, Oregon, law firm then known as Samuels, Samuels and Yoelin, and Judge Burns released him from his clerkship. At that time, the firm was small, and although Weiner had been hired to do litigation, he remembers spending the first few years "doing everything." Weiner eventually became a named partner.

Weiner's practice became focused on transactional work, particularly commercial real estate in projects all over the country. In 1996, Weiner left his partnership and became of counsel to Greene & Markley. In 2017, Greene and Markley became the Portland office of Seattle-based Williams Kastner, and Weiner remains of counsel.

Weiner attributes his success to "hard work," although he appreciates how Willamette Law helped him lay solid foundations for his legal career. That's why he decided to set up the scholarship.

"My way of giving back is to invest in institutions, like WUCL, that helped me become what I am," he says. "And I hope that if the students who receive my scholarship become successful, they too will give back."

Scene of the Crime

Portland Thorns Game

July 15, 2018



Bandon Alumni Event

May 20, 2018

[1] Lindsey Hughes JD'81 (left) and Marie Colmey JD'89.

[2] Doug Goe JD'81.



Law/MBA BBQ

Aug. 15, 2018

[1] Incoming 1Ls Eric Seepe (left) and Alex Wilde.

[2] From left to right: A guest and 1L students Stuart Leijon, Mackenzie Schmitt and Hannah Johnson.



Professionalism Program

Aug. 15, 2018

During the Professionalism Program and its breakout sessions, 1L students interacted with WUCL alumni and members of Oregon's bench and bar to learn more about professional ethics.

- [1] Vanessa Nordyke, President of the Oregon State Bar
- [2] Judge Steven Powers JD'01
- [3] Students (left to right) Rebekah Telford, Michelle Temoche, Amanda Swan and Cindy Strahn.



Alaska Summer Solstice Celebration

June 23, 2018

At his home in Alaska, Robin Brena JD/MBA'83 hosted some 80 members of the Willamette University community, including Dean Curtis Bridgeman and numerous WUCL alumni, for a celebration of the summer solstice and Willamette's connections to Alaska.

- [1] Alaskan Bearcat alumni representing CLA, AGSM and Law.
- [2] Mark Hoyt JD'92, chair of the Law Leadership Cabinet, host Barbara Brena; and George Hoyt '58, life trustee emeritus.
- [3] Joe Palmier JD'68 and Jake Staser JD'11.
- [4] Al Clayton JD'91, Dean Curtis Bridgeman and President Stephen Thorsett.
- [5] Host and Willamette trustee Robin O. Brena JD/MBA'83, with Jim Lottsfeldt '85, a member of the Alumni Board of Directors.



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An Enduring Gift

Susan M. Hammer JD'76 knows first-hand the effect of a scholarship on a Willamette University College of Law student — that's why she fosters this impact today.

One of only nine women in a Willamette Law class of 110 students in 1976, Susan received a scholarship that boosted her morale and made her appreciate Willamette's supportive environment. In 2006, she established the Susan Hammer Law Scholarship Fund and in 2018 confirmed that her scholarship will be further funded by a gift from her estate.

Her endowed fund leaves a legacy that will provide crucial financial support for deserving law students for generations to come.

Columbine Quillen JD'14, the 2012-13 recipient of the fund, says, "Susan is generous with her money and time. She helped me become a part of the community, expand my professional network and get to know her through

an enduring and rewarding relationship. It wasn't just a one-time gift."

Susan notes the importance and ease of giving back. "Look at the goodness that a legal education has brought to your life, the opportunities that you have had and the doors that have been opened," she says. "Somebody contributed to make that happen. Now it's your turn."

For more information about leaving a gift to the College of Law through your will or trust, contact Cathy McCann Gaskin JD'02 in the Office of Gift Planning at 503-370-6492 or cmccann@willamette.edu.