CAMPAIGN FOR EQUAL JUSTICE
SUPPORTING LEGAL AID IN OREGON
Fall 2005
921 SW WASHINGTON STREET, SUITE 520 • PORTLAND, OR 97205 • 503-295-8442 • office@cej-oregon.org • www.cej-oregon.org

Campaign kicks off $1 Million fund drive with boost from Meyer Memorial Trust

by Matthew Jones

The Campaign for Equal Justice turns fifteen this year and is setting up to top the $1 million dollar mark with its annual fund drive. To assist the Campaign leadership in that effort, the Meyer Memorial Trust has awarded the Campaign a two-year $175,000 challenge grant. The Trust will match all new and increased gifts, dollar for dollar, up to $125,000 this year. And to keep the momentum moving forward, they will continue the challenge in 2006 with a $50,000 challenge.

“Recent surveys show that we are still meeting less than 20% of the legal needs of the poor in Oregon. We must do better and the Meyer challenge provides us with a needed boost,” explains Executive Director Sandy Hansberger. “We want to continue to reach out to all lawyers, including those who have never given to the Campaign before. This is an opportunity to connect with young lawyers and associates (including the law schools), build on the positive relationships that the legal aid offices have created with partners and stakeholders in the communities they serve, and increase awareness and understanding about the need for legal services.”

See Meyer Memorial Trust, page 4

Advocating in Oregon

TARA CONSTANTINE

by Jane Wilcox

Tara Constantine enjoys her new job as a spokesperson for child safety. Seeing that children have bicycle helmets and car safety seats properly used and properly installed gives her great satisfaction. As she protects children in her community, Tara protected herself and her son Kory from domestic violence. To do that, she had to walk away from a secure job she had held for six years. Safety has come at a high price. It has been more than two years since she obtained a restraining order against her abusive husband, gave notice at her job and began to pack up her apartment and she still struggles in her efforts to build a new life. Along the way she has become a public advocate for others endangered by domestic violence.

Tara Constantine graduated from Oregon State University in 1997. She began work with a software company in Corvallis, Oregon. Tara did well in her job and, four years later, was married and had a son. She says that the trouble started early in her marriage while she was pregnant with Kory. During the first year her husband was emotionally abusive, arguing and criticizing. Later, he began to shove and throw things and hit her with his fists. She said, “I kept in it thinking he’ll get better, he’ll change, but it would always come back to the same thing.” During the last two months of May 2003, Tara’s husband’s violence escalated and he physically attacked Tara several times.

When Tara made the decision to separate from her husband and move away, she explained the situation to her employer and gave two weeks notice. He allowed her time off to get a restraining order. “I just needed to leave because I didn’t want to put myself and my son through all the abuse.”

Tara said that during the two weeks that followed, she picked up her son after work, drove to her apartment, locked the doors, and stayed inside all night. On the weekends, her mother and sister came and stayed with her because she was so afraid.

Tara’s last day of work in Corvallis was on June 13th, 2003. On June 16th, Tara applied for unemployment benefits to assist her while she looked for work in Astoria where her mother was able to provide safe housing. She had very little money after paying the bills, nothing for immediate expenses at the time of the move. Tara notes that without the emotional support of her mother and sister and a place to stay, she might not have been able to leave at all.

Tara arrived in Astoria and began looking for work. In mid-July 2003, the Employment Department denied her unemployment benefits. At the Employment Department office, Tara saw a poster for legal aid. She called and spoke with attorney Leslie Kay. Kay represented her before an administrative law judge and benefits were denied. Legal aid lawyer Julia Olsen then took Tara’s case to the Employment Appeals Board, but benefits were denied a second time. The Employment Appeals Board thought that Tara should have stayed at her job longer to see if her husband further violated the restraining order. Olsen says, “People in Tara’s situation should not be required to compromise their safety when they already know a restraining order isn’t working.” In May 2004, Julia Olsen argued Tara’s case before the Oregon Court of Appeals.

This past spring, before the Court of Appeals issued its decision, Tara was invited to testify before the legislature on behalf of women forced to leave their jobs as a result of domestic violence. On June 3rd, the legislature amended existing law to strengthen the language regarding unemployment benefits for survivors of domestic violence while they relocate to a safe place.

See Tara, page 4

The Meyer Challenge:
Year One: $125,000

New Donors:
• Dollar for dollar match on the entire amount of your gift.
• Two to one match on your entire new gift if it is $1,000 or more (Major Donor).

Renewing Donors:
• Dollar for dollar match on the increased amount of your gift greater than last year.
• Two to one match on the increased amount of your gift if you become a Major Donor (gifts over $1,000).
• Dollar for dollar match on the increased amount of your gift (over last year) if you were already a Major Donor.

First Time Donor in 2004:
• Dollar for dollar match on your entire renewed gift if you were a new donor to the Campaign last year (2004).

Year Two: $50,000

“...and I was able to start education. I am not a very emotional person, but I think that the process of saying ‘I am not alone’...”

Tara Constantine

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Oregon County Bar Association

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LINDA THORNTON ON LEGAL AID’S FRONT LINE
by Jane Wilcox

Linda Thornton has been a Multnomah County presence throughout the evolution of legal aid’s front office. When Portland clients think ‘legal aid’, it is likely they picture Linda and her fellow intake specialist Claudia Roldan, the first people they talk to when they call or come through the door at the Multnomah County office of Legal Aid Services of Oregon. Linda says, “I like being able to give the person that is in dire straits help.”

Linda is a Portland native. She and all her brothers and sisters grew up in SW Portland and graduated from Lincoln High School. She applied for a position at Multnomah County legal aid and, after her initial temporary receptionist job ended, staff invented another temporary assignment, caring for a client’s children while she was in court, in hopes that Linda would still be available when the next opening came up. In addition to her skills in assessing the needs of callers, she has taken sign language classes (ASL) for many years and is able to assist deaf clients to communicate with lawyers.

When asked about the changes in intake since she began as a receptionist at the Oak Street office of Multnomah County Legal Aid, Linda’s answers are surprising. She says that every day a great number of people who wanted legal help walked into the office and would congregate around her desk. “It was really something back then. I’m glad it’s changed.” Upstairs at the family law office, a crowd would be pressing against the doors every morning and would burst through when the doors opened. Clearly it has taken years of experience to develop a front-office system that will give callers the greatest amount of help and the most appropriate help possible. In the early days, Linda Thornton would greet people, take their names, and direct them, in turn, to the next advocate available. Today, primarily by telephone, Linda assesses the caller’s eligibility for legal services, finds out what type of problem they have, tells the caller whether or not there are resources to help them, takes down information for basic record keeping, and often obtains in-depth information about the caller’s legal need. “It’s a different kind of pressure now. You have to learn how to ‘nicely cut to the chase’ and how to ‘redirect the conversation’ to get the information you need.”

Increased efficiency does not mean that the human element has been screened out. She says, “There are a lot of people that are not going to be helped and, yes, that is frustrating.” An intake specialist’s job experience and life experience may mean that certain kinds of cases have a strong emotional impact. Linda says, “I’ve gotten some horrible, made me cry, domestic violence cases.” Linda says that there have been times when, as the woman told her story, she has said, “Just stand up and get out of there right now. When you have reached a safe place, call me back and I will get your information and talk with you about what to do.”

Thornton praises the efforts made in recent years to develop self-help materials so that many more people are able to get enough help to resolve their problem. “I think as time has gone on, we’ve gotten better information to give. There is self-help if you want to get a divorce versus back then when you would have to line up at the door.” She believes that under the old system, “…just because you were there lined up outside the door, didn’t necessarily mean that you got the kind of help you needed.”

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Briefly...

**National News**

**Vast Justice Gap Documented**

According to LSC’s recently released report, “Documenting the Justice Gap in America,” there is a vast gulf between the legal needs of low-income Americans and the availability of legal services. Despite a general increase in support for legal services from state bars and courts, the study shows that more people eligible for free legal services go without help today than two decades ago. The study reveals that a severe shortage of legal services goes without help today than two decades ago. The study reveals that a severe shortage of legal services attorneys is one of the root causes of the shortfall. To close and eventually eliminate the justice gap, the report recommends that “the federal baseline share of legal services funding] must be at least five times greater than it is now.”

**State News**

**State Bar Honors Board Chair Henry Hewitt**

The Oregon State Bar will honor Campaign for Equal Justice Board Chair Henry Hewitt with its highest honor, the Award of Merit, which is given to an individual who has made outstanding contributions to the bench, bar and community at large, and who exhibits the highest standards of professionalism. Hewitt was a founding member of the Campaign for Equal Justice and began the organization with legal aid lawyers in 1991. His leadership has helped to make Oregon a national leader in private bar support for legal aid. As a partner in Oregon’s largest law firm, Hewitt has recruited other bar leaders to support legal aid and he has also been instrumental in courting Oregon’s bipartisan support for legal aid in Congress. Those familiar with the operations of the Campaign know that it has been Henry’s steady, calm and quiet leadership that has been a key ingredient in building support for legal aid in Oregon. The Bar will honor Henry Hewitt at its December 1, 2005, awards dinner.

**House of Delegates Supports Adequate Funding for Legal Aid**

At the request of Oregon lawyer Sid Lezak, the Oregon State Bar House of Delegates unanimously passed a resolution on October 1, 2005 calling for adequate funding for legal aid in Oregon. The resolution acknowledges that “providing access to justice and high quality legal representation to all Oregonians is central to the mission of the Oregon State Bar [and that]...equal access to justice plays an important role in the perception of fairness of the justice system.” The resolution calls upon 100% of House of Delegates members and 50% of all lawyers to contribute to the Campaign for Equal Justice. Currently about 20-25% of Oregon lawyers contribute to the Campaign.

**Banks team with Oregon Law Foundation to create new interest in IOLTA funds**

Oregon lawyers and bankers were among the first in the country to recognize the potential of Interest on Lawyer Trust Accounts as a funding source for legal services to the poor. Separately, these accounts would not create enough interest to benefit the individuals in any significant way, but cumulatively they have had a significant impact in increasing funds for Oregon’s legal services programs. The Oregon Law Foundation is responsible for the administration of IOLTA funds in Oregon. “Several banks have stepped up to the plate to deliver higher interest rates on IOLTA accounts in recognition of this innovative community partnership,” says OLF executive director Judith Baker. “Even a small increase in the interest rate can have a significant impact when taken all together.” Lawyers can help the Oregon Law Foundation by establishing their IOLTA accounts at a bank that has shown leadership in maximizing the rate of return on IOLTA accounts. This will not only increase the funds available to legal services programs, but will also encourage the banks to continue to invest in this initiative. Among the leaders are US Bank, Wells Fargo, Bank of the Cascades, Bank of Eastern Oregon, Columbia River Bank, Key Bank, Pioneer Trust Bank, West Coast Bank, Bank of America, Century Bank and Oregon Coast Bank. For more information on the Oregon Law Foundation’s 2005 Leadership Banks go to www.oregonlawfoundation.org.
LAF-OFF Judges crown Emily Simon ‘Queen of Comedy’

Over 800 people gathered for dinner and entertainment at the Memorial Coliseum for the Campaign’s 15th Annual Fund Kick-Off to hear ten lawyers compete for the title of funniest lawyer of the year. The distinguished panel of judges for the competition included Judge Anna Brown, US District Court; Justice Rives King, Oregon Supreme Court; Judge Julie Frantz, Multnomah County Circuit Court; and Gert Boyle, Columbia Sportswear Chair. The emcee for the evening was the very funny and talented Kerry Tymchuk, Senator Gordon Smith’s chief of staff.

Portland lawyer Emily Simon, who sang her routine, won the coveted rubber chicken award. Her finale was sung to the tune of “There’s a Place for Us” from West Side Story and was a tribute to legal aid lawyers in search of stable funding.

“It’s a crime for us. There’s no dime for us. Without adequate funding we must fight to keep the doors open and do what’s right. Somewhere, someday, we’ll be able to make a good living from the money the legislature should be giving. Somewhere.”

Emily Simon, Attorney-at-Law

Other hilarious contestants were Robert Weaver, Garvey Shubert Barer; Linda Gast, Legal Aid Services of Oregon, Newport; John Bachofner, Bullivant Houser Bailey; Robert Shlachter, Stoll Stoll Berne Loking & Shlachter; William Gary, Harrang Long Gary Rudnick; Samuel Imperati, Institute for Conflict Management; Bruce Becker, Verriform Systems, Inc; Dana Forman, Multnomah Public Defenders; and Sonia Montalbano, Elliott Ostrander & Preston. The event was organized and sponsored by FIOS and friends. ALM Law/Business was the premier sponsor. Official sponsors included Boly Welch Staffing, Portland Business Journal, and DaVinci Digital. Dozens of Portland law firms and businesses sponsored tables for the event.

“The evening was a fun way to kick off the annual campaign,” declared Ed Harnden, one of the this year’s campaign co-chairs. The event raised over $16,000 for the Campaign for Equal Justice and, according to Harnden, “This is just the beginning of our campaign.” Gert Boyle, of Columbia Sportswear fame, generously donated one half of the evening’s proceeds from the sale of her book One Tough Mother to The Campaign for Equal Justice. In recognition of the needs of the Gulf Coast hurricane victims, Tymchuk also held an impromptu auction raising $1250 for the Salvation Army.

DVDs of the event are available for $16. To order, please contact the office of the Campaign for Equal Justice.

David Berger and Jeane Lind

David Berger

David Berger has been volunteering for the Medford Center for Non-Profit Legal Services (CNPLS) of Jackson County for nearly a decade handling housing and consumer cases. Debra Lee, CNPLS Director says, “David is a volunteer we can always count on for his thoughtfulness and thoroughness. His help ranges from mentoring new attorneys to using his expertise to take cases we couldn’t otherwise handle.” David and his lawyer wife, Jeane Lind, have a long history of helping the disadvantaged, both in the Peace Corps and as active volunteers in the legal community.

Berger, a native Oregonian and graduate of the University of Washington Law School, has practiced law in Bend, Seattle, Ashland, and Washington, D.C. After two years in the Peace Corps he returned to Ashland for retirement, “I’ve never really retired,” says Berger. “I spend much of my time doing pro bono work for legal aid and the ACLU.” In addition to local pro bono, David has served on the Oregon Law Foundation Board and the Oregon State Bar’s Low Income Legal Services Committee.

Recently Berger was one of a group of volunteers who helped low-income clients become first-time homeowners. The nonprofit Rogue Valley Community Development Corporation, in conjunction with the US Department of Agriculture and the City of Ashland, offered first-time home ownership for low to moderate-income residents by providing low-interest federal loans. The transactions were complex and applicants needed lawyers to explain the transactions and review paperwork. According to Debra Lee, “It was highly unlikely that these clients could ever have afforded to hire lawyers.” David spent more than 250 hours reviewing and revising documents that will likely be used in future transactions of this type. “The most rewarding aspect of this case,” Berger says, “was being at the groundbreaking ceremony with my client and his two young children.”

Amanda Gamblin

Amanda Gamblin, an associate in the employment group at Schwabe Williamson & Wyatt in Portland, volunteers at the Hispanic Legal Clinic, which serves the Hispanic population in east Multnomah County. The Clinic was founded by the Schwabe law firm with the assistance of the Oregon Law Center. Oregon Law Center staff provide case screening, scheduling and translation services; the Schwabe law firm provides the lawyers.

After attending NYU, and before attending law school at Lewis and Clark, Gamblin spent many years as a struggling artist. She says, “I realized then that people who lack financial resources are often shut out of the system. It’s all about access.” Gamblin, who has been a lawyer at Schwabe since 2002 and has two young children, knew she wanted to help low-income clients but was concerned about how she could fit it into her busy life at a large firm. She says, “Oregon Law Center staff make it easy for me to fulfill my pro bono commitment and I am fortunate to be able make this contribution to the community while working at Schwabe Williamson.

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The Lawyers’ Campaign for Equal Justice 3
Legal Aid in Oregon: Focus on Pendleton

by Jane Wilcox

Legal Aid Services of Oregon's Pendleton team is a mix of experienced legal aid lawyers from all across the country and long-time residents of northeast Oregon. Regional Director Arron Guevara heads a team including lawyers Kit Morgan and Shelley Latin, and support staff Magdalena Reyes and Nonie Roberts. From his office window, Kit Morgan points to the First United Methodist Church right across the parking lot that is landlord to the legal aid office, a bungalow built at the turn of the last century that still has its glass fronted cupboards and dark wood trim. Keeping the hot sun at bay, there is a window-mounted air conditioner in the conference room. The exterior is faded but Kit expects a volunteer group from the church, including himself, will repaint the old house this fall.

The Pendleton office serves six rural counties—Gilbert, Morrow, Umatilla, Wheeler, Union and Wallowa, a territory of more than 13,000 square miles. In addition, Wasco and Hood River counties are served by the farmworker program. Staff provides contract and grant-funded services to specific populations, members of the Confederated Tribes of the Umatilla and eastern Oregon farmworkers. For all the other eligible clients across the six counties, Director Arron Guevara and Kit Morgan each devote half of their time. Guevara says, “We basically have one full time equivalent lawyer position to handle the average low-income case for six counties... for twenty-some thousand low income people, you have half of Kit Morgan’s time and about half of my time.”

Pro Bono help from volunteer private attorneys and county bar associations extends the reach of Pendleton LASO. Arron Guevara has gathered a panel of volunteer lawyers in small towns across northeast Oregon who accept cases in their region. The Pendleton office provides conflict-checking and scheduling for the pro bono lawyers to allow them to help clients efficiently. Former Oregon State Bar President and volunteer Larry Rew talks about the reasons rural Oregon’s pro bono lawyers to allow them to help clients.

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Shelley Latin provides outreach and legal assistance to farmworkers over a wide geographic area. She says that she chose farmworker law because the need for help is so clear. Despite important legislative progress, issues of fair pay, adequate housing and protection from pesticides and other workplace dangers have continued over the years. A graduate of University of Maryland Law School, she began her career with a Reginald Heber Smith Law Fellowship.

Meyer Memorial Trust continued

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Tara continued

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House Bill 2662 improves outlook for survivors

House Bill 2662, which modifies ORS 657.176(12), passed both the House and Senate by a unanimous vote and was effective on June 20, 2005. This bill will help ensure that victims of domestic and sexual violence who are forced to leave their jobs will have fair access to unemployment insurance benefits. For victims seeking safety and attempting to relocate, these benefits can make the difference between life and death.

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