



Start Anew, Renewed

by Rob Raschio

Monday morning after the Annual Conference is an excellent time to reflect, go over materials and start anew. A little exhausted, but refreshed with a new perspective on how to do the good, hard work we do. For me, the Annual Conference has become my professional New Year. A time for friendship, professional growth and a party celebrating our successes.

I learned a lot at this conference. From start to finish, the speakers and topics were inspired. I am especially thrilled when I hear members coming out of lectures saying, “Wow, he could take that on the road” and, “I really needed to hear that.” For me, my moment came when I realized Marjorie Russell was teaching me that the presumption of innocence is love. Makes me glow.

My goals for this year are the same as last year. We have a great, seasoned board this year. The membership is very well represented. Please take a moment to scan the Board Member list for your representative. Contact them via email and tell them what you expect, need or want from the board. Your input will not be ignored.

As an example, the board will be discussing its structure and our numerous committees over the next year. I was approached about these issues by various corners of our community. To stay vibrant, the OCDLA must engage in self-evaluation. The board, as you can see, is perfectly constituted for having those discussions, including our newest board members: Gordon Mallon, past president and the second past president on the board (Dave Audet is the first); Lane Borg, current director of MPD; Megan Jaquot and Tony Bornstein, both returning board members.

Remember, contact your board members with any suggestions you have for the health of the OCDLA. The board met in Grants Pass in mid-July for the board retreat, and has scheduled all of its meetings for 2011-2012. (See page 2 or ocdla.org for upcoming meetings.)

A shout out to David Degner of the Oregon State Public Defender's Office. He is retiring in July after a career in service to the Oregon Constitution. He was in Seaside when the OCDLA was born over 32 years ago, and David has been appearing in written opinions as counsel since 1985 (118 times). Most importantly, he is a kind-hearted guy with whom I, and everyone he meets, really enjoy spending time. Thank you, David, for all you have done for us.

I would also like to note that The Ardent Advocate lecture

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series, in honor of Nancy Bergeson, drew over 100 attendees on July 21. A stirring introduction by Judge Brown and a poignant remembrance by Lisa Hay were an appropriate preface to Jodie English's excellent lecture on “The Art of Ardent Advocacy.”

September's conference is “Sex Cases: When a Child Is Involved,” being held September 16–17 at the Agate Beach Inn in Newport. Lisa Maxfield will be giving a talk on crossing the child witness. I saw her give a variation on this talk at the juvenile conference earlier this year. Inspired.

September will mark my tenth year with the OCDLA when I came to the DUII conference between finding out I had passed the bar on September 10 and swearing in on October 4, 2001. Spending the time there, working under the guidance of Jennifer Root and Tracey May (as I still am), meeting amazing advocates, having great talks and trying out Bob Thuemmel's Intoxilyzer 5000. At least I think it was Thuemmel's. I have never properly thanked my friend Grant Wenzlick, whose criminal law/personal injury practice is in Beaverton, for taking me to that life-altering moment and for, ultimately, not allowing those fishermen to shanghai me. Thanks, Grant.

I will write further about that conference in a couple of months. Let me say one thing about it now. That weekend was the first moment after September 11 when I relaxed and realized that everything was going to be OK. Another in the litany of reasons why I love my chosen profession and consider the OCDLA home.

Some notes about the remaining seminars (see CLE calendar on page 2, or visit ocdla.org) for 2011–2012.

First, the public management/death penalty seminar is in Pendleton this year. Pendleton was chosen by the board to honor Dennis Hachler who died a year ago. He saved a lot of lives out of his little office in Pendleton. We need to remember and learn from those who came before us. Ralph Smith and Geoff Gokey will share a remembrance. Plus, you can fly from Portland to Pendleton on Seaport, or take a beautiful drive up the Columbia River Gorge.

Second, the Sunny Climate Seminar is booking up. Get your tickets now and enjoy the sun in November. Great line-up of

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*OCDLA Board President **Rob Raschio** is with Morris Olson Smith Starns Raschio in the Dalles. He serves on the Legislative and PAC committees.*

speakers, including our own John Henry, a captivating lecturer. The Winter Conference at The Benson is also going to be very special this year because of John Henry.

Third, the March Conference is DUII and to be held in Silverton at the Oregon Garden. Bring your spouse, they will have private access to the entire garden.

Check out the Library of Defense (at ocdla.org), formerly MPDtrainer. I have made the OCDLA website my home page so I can have immediate access to the best thinking on Oregon criminal law.

Also of note, this year at the Annual Conference I awarded two President's Awards for outstanding contributions to you, the members. I gave one award to Ingrid Swenson, who is also retiring this July from Oregon Public Defense Services. The award made her the record holder of the most president awards—three. Her work as an advocate for juveniles, as a lobbyist for the OCDLA and now as Executive Director of OPDS makes her the right person to hold that distinction. The award stated, "In gratitude for a career in service of justice for all."

The second award I gave to a man I have a great deal of professional and personal respect for—Alex Bassos. I have been listening to his presentations at different conferences through my career. I am always struck by the depth of his commitment to often the most challenging, and most vulnerable clients—the mentally ill. He is constantly advocating for us to raise our game, to do better by our clients, to ensure their rights are protected. His advocacy alone would warrant the President's Award.

He upped the ante when he almost single-handedly wrote the OCDLA *Mental Health & Criminal Defense* manual from scratch. The manual is an important, necessary tool in any attorney's arsenal. The Prologue by Scott Snedecor, a survivor of Oregon's mental health system, shows how deeply Alex's empathy runs. He could have started anywhere procedurally, or with war stories, or cold analysis of the case law. Alex started with the client. I am grateful for the reminder every time I open the book.

Finally, Metropolitan Public Defender made Alex their trainer. Alex took on the task of training the entire criminal defense bar by creating and maintaining MPDtrainer. The MPDtrainer is now the Oregon Library of Defense. You can reach it through OCDLA.org. The library is rapidly becoming the most comprehensive resource of any criminal defense bar in the United States. Alex is instrumental in creating this resource which holds the future of the OCDLA. The effect will be dramatic on our ability to communicate with one another.

The Library of Defense is far from complete and will require a lot of work. The work needs to be divvied up amongst ourselves. Please contribute some of your time to helping Alex make his vision a reality. You'll be happy with the result.

Specifically, he is looking for two representatives from each of our judicial districts to be local editors placing on the website the local rules (written and otherwise), the names and numbers of the major players in your local system, and any other local flavor. Without you, this effort to improve criminal defense in Oregon will not be successful. You can contact Alex through OCDLA.org, email him at abasson@mpdlaw.com, or call him at 503-225-9100.

After the conference, my commitment to do good work is renewed. Thank you for the opportunity to finish my work as President. I expect criticism along the way. If that is happening, I know we are vibrant. I believe we are the strongest criminal defense bar in the country. This very, very strong Board of Directors is committed to ensuring we stay the strongest. I am excited about crushing the challenges that lay ahead for us as an organization, as a community and as a profession. Had to use the word "crushing" so I could sound somewhat despotic for McDonald, et al.

So raise your glass to a great new year. 🍷

New Board Officers, Members

At the 2011 Annual Conference, the Board elected the following officers:

- Rob Raschio, President
- John Lamborn, Vice President
- Karen Stenard, Secretary

Megan Jacquot was elected to to serve District 3. Gordon Mallon was elected to serve District 6. David McDonald was re-elected to serve a second term (District 5). Lane Borg was appointed to the Metropolitan Public Defender seat and Tony Bornstein was appointed to the Federal Public Defender seat.



Ingrid Swenson Retires

Ingrid Swenson, Executive Director of the Office of Public Defense Services, retired at the end of July. Ingrid has been a key member of the OCDLA Juvenile Law Committee, has served as the lobbyist for the association, and has been an ardent advocate for juveniles and justice. Ingrid recently received her third OCDLA President's Award, which stated, "In gratitude for a career in service of justice for all." We wish her all the best.