

2018

Julie H. McFarlane Lifetime Achievement Award Doug Killian

by Mary Bruington

Doug has been practicing juvenile law for 20 years. Earlier in his life he worked as both a professor and a reporter. This background likely forecast his talent as a professional seeking truth in all senses of the word. He spent most of his legal career at Metropolitan Public Defenders, where he has represented thousands of clients.

Doug strives for excellence in his work at every turn. Anyone who has ever carried the heavy caseloads of court-appointed work understands what this means; holding yourself to an impossible standard, every day. He has many notable qualities as an advocate, and they go beyond being smart, well-spoken and compassionate. He follows developments at the local, state and national levels, in case law, best practices, and other areas, such as social sciences. Doug is not afraid to take on unpopular issues, and seems to relish the role of spokesperson for the underdog. He is not afraid to challenge those in authority; for example, he once noted the court's "unfriendly demeanor" for the record.

The criteria for this award states that it is in part to recognize "the physical and emotional toll of representing parents, children, and youth when the state has intervened in the family, and the extraordinary effort required to capably and compassionately do this work." Doug would not be ashamed to admit that this has been true for him. Doug has gone home sick after viewing discovery in a child pornography case. His health has been affected by the crushing grind of a full caseload that includes clients with difficult diagnoses (like personality disorders) who



Doug Killian
will receive his award on
Friday, April 20
Hallmark Resort, Newport

— casual reception to follow at 5:30 p.m. —

Julie H. McFarlane Lifetime Achievement Award

Created in 2017 following the retirement of Oregon's legendary juvenile law defense attorney — Julie McFarlane — the eponymous Lifetime Achievement Award recognizes the long-standing commitment and significant achievements of juvenile delinquency and dependency defense attorneys who have made substantial, important, and enduring contributions to the administration of justice for their clients.

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have berated and hounded him for not producing miracles on their behalf. He has soldiered through budget cuts, staff transitions, judicial tirades, even inept casework, and through it all has maintained his compassion and dedication. He works hard for every client, regardless of how challenging the person or how hopeless the cause, and he inspires those around him to do the same.

The icing on the cake: he's effective. Though his character is one of a quiet leader who works in the trenches of public defense year after year, his advocacy has true meaning for his clients and for all of us in the field. Doug's careful attention to preserving the record for appeal has produced results that have a real impact on juvenile law in our state. Doug's trial work has resulted in definitive and favorable appellate opinions in both delinquency and dependency cases that other practitioners frequently cite. *State v. T.Q.N.*, 275 Or App 969 (2015), affirmed the judge's authority to grant conditional postponements in sex cases; in *Dept. of Human Services v. A.L.*, 268 Or App 391 (2015), the court agreed with Doug's argument that placement with

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grandparents who are under indictment in federal court is not a per se safety threat; in *Dept. of Human Services v. M.E.*, 255 Or App 296 (2013), the court held that a single touch sex abuse incident from several years prior could not be extrapolated to an automatic threat of harm; and, in *Dept. of Human Services v. Z.E.W.*, 281 Or App 394 (2016), the court agreed with Doug's argument that an Interstate Compact on the Placement of Children denial does not equal "unsafe parent" without more evidence.

The cherry on top is this: Doug is a true comrade in the office and a wonderful family man. He sincerely endeavors each day to be a good person, a kind coworker, a present and dedicated father, and a physically and mentally healthy person. He is an avid theater goer, a feminist, a yogi and his two daughters' Number 1 cheerleader. We can all learn from his example of well-roundedness as an antidote to burnout.

Because of who he is and how he conducts himself, for what he has contributed over many years, he is an appropriate recipient of the Julie H. McFarlane Lifetime Achievement Award. 