

Criminal Law



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Report on Executive Committee Status and Projects

by Jesse Wm. Barton

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Oregon State Bar Executive Committee Roster

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The Criminal Law Section's Executive Committee, including its current slate of officers, took office on October 1, 1999. Because of a recent change in bar policies, members' and officers' current terms will expire on January 1, 2001. New terms will run in one- and two-year cycles from that date.

At its October 1999 meeting the Executive Committee identified three priority projects for the next year. (These are in addition to the Section's 13th Annual CLE, Contemporary Issues in Criminal Justice, scheduled for April 15, 2000. Please see the registration form on page 3.) The committee projects include:

- “Frivolous” bar complaints. At its March 2000 meeting the Executive Committee will meet with Sylvia Stevens, bar assistant general counsel, to discuss possible strategies for resolving this nagging problem.
- Uniform judgment of conviction and sentence. Also at its March 2000 meeting the committee will be meeting with Jeff Barlow, manager of the Oregon Judicial Department's information systems project and process office, to discuss the department's work on developing a uniform judgment form. The Committee also will discuss providing technical assistance on the department's work.
- Miscellaneous court forms. The Executive Committee is developing proposed policies and forms for managing jury waivers, waivers of counsel (in favor of proceeding pro se), motions for appointment of substitute appointed counsel and plea petitions.

Finally, treasurer Scott Asphaug and at-large member Jack Ransom are serving as the Executive Committee's representatives on the bar's Indigent Defense Task Force III.

Articles on the Task Force's work and the frivolous complaints and miscellaneous court forms projects are found elsewhere in this newsletter.

“Expunging” Frivolous Bar Complaints

by Angela Lee

It's something that all attorneys dread and loathe. If you want to make an attorney squirm, say the words “bar complaint.”

It's not so bad if the complainant has a genuine belief that the attorney has done something wrong. But when the complaint is frivolous, and filed purely as a means of revenge or harassment, it becomes a completely different animal.

Forget the fact that you, the attorney, will be bombarded with paperwork from the state bar and have to explain or justify your every move in the case. Forget the fact that this will take up a great deal of your time. Forget the fact that you may need to hire an attorney to defend you. All of that is insignificant compared to the reality that when is all said and done, and you have been cleared of any wrongdoing, the “complaint” remains part of your permanent record with the bar.

This means that for the rest of your career as an attorney, this nasty little black mark will stay with you. When a potential client calls the bar asking if any complaints have been filed against you, the bar gives a straightforward answer: yes or no and, if yes, how many. What they do not necessarily tell the inquirer, and what the inquirer may not pass on to anyone else, is whether the complaints were frivolous. This can spell disaster for many in the profession. After all, the amount of business attorneys receive is directly related to their reputations.

Who would gain the most from having frivolous complaints expunged? Without benefit of empirical evidence a good old-fashioned guess would say that public defenders would most benefit (especially those eventually going into private practice).

With public defenders the clients don't get to choose their attorneys. On top of that they often have the idea that public defenders are lousy attorneys and will do little to help them with their cases. Although nothing could be further from the truth, there are times when nothing can be done to satisfy the clients and they file bar complaints. They don't file the complaints because the attorney did something wrong, but file them instead because the

clients aren't satisfied with their convictions and want to get a little revenge. The client can't take it out on the DA or the judge, so the defense attorney becomes the target.

If an attorney stays in the public defender business long enough, he or she can rack up a substantial number of frivolous complaints. When the attorney decides to go into private practice, the complaints follow.

This isn't to say that only public defenders would benefit from expunging frivolous complaints. To the contrary, it would benefit any attorney who must deal with a dissatisfied client determined to get revenge through a bar complaint.

In an effort to try to make the complaint system more fair to Oregon attorneys, the Executive Committee is working on a proposal that would allow attorneys some means of excluding frivolous complaints from their permanent records. This won't be the committee's first effort. At the April 1998 Criminal Law Section CLE, the committee polled section members on whether they would be in favor of having frivolous complaints expunged from their records. An overwhelming 94 percent voted in favor. The Committee then presented the concept to the Public Affairs Committee who would propose legislation on behalf of the Criminal Law Section.

The Public Affairs Committee nixed the idea. Undaunted, the Executive Committee appealed the decision to the House of Delegates at its September 1998 meeting; unfortunately the House defeated the proposal.

Still, the Executive Committee refuses to give up on this important issue and may present a second proposal to the House of Delegates in September of this year. Toward that end, the Committee will be meeting with the OSB assistant general counsel Sylvia Stevens at its March meeting to exchange ideas and seek guidance.

Meanwhile, if anyone out there has some ideas that would be helpful, please contact any member of the Criminal Law Section Executive Committee.

Indigent Defense Task Force Issues Draft Report

by Scott E. Asphaug

A combined subcommittee of the Criminal Law and Judicial Administration Sections of the Oregon State Bar have completed a draft compilation report on the status of indigent defense provision around the state. The subcommittee wishes to thank all of the participants who were interviewed about criminal defense services and gave their many opinions on how to improve the state of indigent defense services.

The subcommittee submitted its draft compilation report to the Board of Bar Governors at the end of January. The subcommittee now is awaiting further input from the Board of Bar Governors prior to drafting a final report.

Uniformity and Miscellaneous Court Forms

by Walter M. Beglau

The Executive Committee's miscellaneous court forms project is in the final stages of gathering examples of plea-petition and jury-waiver forms, and forms and policies for managing motions to waive counsel (to proceed pro se) and for substitute-appointed counsel. From these the committee intends to draft simple, uniform documents and policies for statewide use. If implemented, these forms and policies should noticeably reduce the volume of appellate and post-conviction litigation.

Once the forms and policies are completed, the committee will submit them, as appropriate, to the bar's Public Affairs Committee and the Chief Justice's Criminal Justice Advisory Committee. The Executive Committee also intends to solicit Criminal Law Section members' comments on the draft forms and policies, by providing copies to attendees at the April 2000 CLE.

The OSB Criminal Law Section Presents: 13th Annual Seminar

Contemporary Issues in Criminal Justice: Professionalism in the New Millennium

Saturday, April 15, 2000
DoubleTree, Lloyd Center, Portland, OR
5.5 General credits and 2 Ethics credits
(credit determination and approval pending)

Name _____

Bar # _____

Firm Name _____

Phone _____

Address _____

City _____ State _____ Zip Code _____

REGISTRATION:

Please enroll me for the seminar on April 15 in the category I've chosen below. *Lunch is included with the registration.*

\$175 Regular registration for non-members . . . \$_____

SPECIAL OFFER:

I would like to register for the seminar and also join the OSB Criminal Law Section for a special rate of \$175.
\$155 Registration (56-4565) + \$20 Section membership (811)

\$150 Criminal Law Section Members \$_____

\$100 New lawyers (admitted after 1/1/99),
paralegals or law students \$_____

\$10 Late fee if received after 3/26/2000 \$_____

TOTAL REGISTRATION FEES (SCRIM00): \$_____

PROGRAM MATERIALS:

I will be unable to attend. Please send me:

Program materials (____ set(s) at \$35 per set)
(56-4445) \$_____

Shipping and handling fee: \$ 5.00

TOTAL PROGRAM MATERIALS ORDER: \$_____

PAYMENT OPTIONS:

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Credit Card: Acct. No. _____

VISA MasterCard Expiration Date _____

Authorized Signature _____

THREE WAYS TO REGISTER OR ORDER:

1. **MAIL:** Mail this form with payment to: Oregon State Bar, CLE Registration and Order Desk, P.O. Box 1689, Lake Oswego, OR 97035-0889.

2. **FAX:** Fax this page, including credit card information, to (503) 968-4456. To avoid duplicate registration or orders, do NOT mail a copy.

3. **PHONE:** To register or order materials with a credit card, call the CLE Registration and Order Desk at (503) 684-7413, or toll-free in Oregon at 1-800-452-8260, ext. 413.

Supreme Court Cases Still Standing

by Timothy A. Sylvester

The following 23 cases are currently pending in the Oregon Supreme Court. The cases involve 24 P4R's, several of them filed by the state. Many of the cases have been argued and submitted for decision, so opinions on them are imminent.

State v. Allen, 157 Or App 397, 972 P2d 1230 (1998) (aff'd without op.), *rev allowed* 328 Or 293 (1999): This case was affirmed without opinion, but the Court of Appeals subsequently addressed the same issues in *State v. Crocker*, 160 Or App 445, 982 P2d 45 (1999). The issues before the Supreme Court are: [1] Whether section 9b of 1997's Senate Bill 936, requiring the exclusion of prospective jurors who are not registered to vote or have felony convictions, is valid and applies to all trials commenced after December 5, 1996. [2] Whether exclusion of those prospective jurors violated defendant's right to a "fair cross-section" under the Sixth Amendment and Article I, section 11. [3] If so, is the error harmless given that defendant does not challenge the impartiality of the jurors who were seated.

State v. Amini, 154 Or App 589, 963 P2d 65 (1997), *rev allowed* 327 Or 620 (1998): The trial court, over the defendant's objection, gave the uniform Jury instruction about the consequences of a finding of guilty but insane as directed by ORS 161.313. The Court of Appeals reversed, holding that the instruction violates Article I, section 11, guaranteeing a right to an impartial jury, because the instruction has the potential of causing a jury to disregard the merits of the defense. The issue before the Supreme Court is whether the GBI instruction mandated by ORS 161.313 violates Article I, section 11. (State's petition)

State v. Barnum, 157 Or App 68, 970 P2d 1214 (1998), *rev allowed* 328 Or 594 (1999): [1] Whether evidence of defendant's 1979 attempted murder conviction in California (the mailbombing of a college professor) was properly admitted under OEC 404(3) to identify defendant as the person who committed the arson in this case. The Court of Appeals held that the pattern of a series of accusatory letters both before and after the crime is distinctive enough to

constitute a signature crime. [2] Defendant was convicted on two counts of first-degree burglary based on allegations that he entered the victim's home with the intent to commit theft and arson, and the sentencing court entered separate convictions and imposed consecutive sentences. The Court of Appeals reversed, holding that the two burglary convictions merge. The issue is whether, and under what circumstances, separate convictions for burglary based on separate intended crimes, but a single trespass, must merge. (State's petition)

State v. Barrett, 153 Or App 621, 958 P2d 215, *rev allowed* 327 Or 553 (1998): Based on single incident in which defendant robbed a market and murdered the clerk, he was convicted of three alternative counts of aggravated murder and one count each of murder and first-degree robbery. The court merged the murder conviction into the aggravated-murder conviction based on the "to conceal" theory and merged the robbery conviction into the conviction for aggravated felony (robbery) murder, and it imposed a life sentence with a 30-year minimum on each conviction for aggravated murder, ordering two of the sentences to be served consecutively. The Court of Appeals affirmed: [1] The separate aggravated-murder convictions do not merge, because each required proof of a different element or underlying felony and thereby addressed a separate legislative concern. [2] The sentencing court properly imposed consecutive sentences on the conviction for aggravated felony murder based on kidnapping and on the one based on robbery—the kidnapping was not merely incident to the robbery, and the harm caused by the kidnapping was different from the harm caused by the robbery. Defendant challenges those two rulings before the Supreme Court.

State v. Clay, 160 Or App 438, 987 P2d 517, *rev allowed* 329 Or 318 (1999): In a prosecution for VBR based on the use of "photo radar," *see* ORS 810.438, the state had to prove by a preponderance of the evidence either that defendant was the driver of the vehicle or that she was the registered owner. The issue is whether evidence that a citation was mailed to defendant was sufficient, under OEC 311(1)(j), to establish a rebuttable presumption that she was the registered owner.

State v. Cleveland, 127 Or App 559, 872 P2d 997, *rev allowed* 319 Or 273 (1994); *State v. Fleetwood*, 127 Or App 558, 872 P2d 998, *rev allowed* 319 Or 273 (1994): Both of these cases were affirmed by *per curiam* opinions citing only *State v. Bass*, 126 Or App 303, 868 P2d 761 (1994). The issue before the Supreme Court is whether the warrantless monitoring of a drug transaction by use of a bodywire worn by an undercover agent, per ORS 165.540(5)(a), violates Article I, section 9.

State v. Divito, 152 Or App 672, 955 P2d 327 (1998), *rev allowed* 328 Or 275 (1999): The officer interviewed an eyewitness on the night of the crime but did not put that information in his report. Shortly before trial the prosecutor discovered the existence of that eyewitness, obtained an excited-utterance statement from that witness, and immediately disclosed that information to defense counsel. The trial court found a discovery violation based on the officer's failure to disclose that information in his report, and excluded the statement on that basis. The Court of Appeals reversed, holding that the duty to disclose under ORS 135.815(1) does not require the police to compile all inculpatory information in their possession in a police report and deliver it to the defense. The focus is on whether a written statement of a witness that the state intends to call is relevant to the testimony of that witness, not whether it might be relevant to some issue in the case. Before the Supreme Court, defendant contends that the state committed a discovery violation and that the proper remedy was exclusion of the evidence.

State v. Ferman-Velasco, 157 Or App 415, 971 P2d 897 (1998) (*in banc*), *rev allowed* 328 Or 666 (1999): The Court of Appeals rejected defendant's claim that ORS 137.700 violates the proportionality clause of Article I, section 16, because the 75-month minimum sentences for the class B felonies that defendant committed (second-degree rape and first-degree sexual abuse) are longer than the presumptive sentences prescribed for some class A non-Measure II felonies.

State v. Fugate, 154 Or App 643, 963 P2 686, 156 Or App 609, 969 P2d 395 (1998), *rev allowed* 328 Or 275 (1999): An officer stopped defendant's vehicle for a traffic infraction, obtained identification from all the occupants of the vehicle, arrested one of the passengers on a warrant, discovered drugs on that per-

son during a search incident to arrest, ordered all the other occupants out of the car, found drugs in the car, and then noticed for the first time that defendant was intoxicated. The trial court suppressed the evidence on the ground that the officer's inquiry exceeded the permissible scope of the traffic stop under ORS 810.410(3), and the state appealed. While the case was on appeal, the 1997 Legislature enacted Senate Bill 936. The state argued that under the bill's section 1, codified as ORS 136.432, the alleged violation of ORS 810.410(3) no longer provides a basis for suppression. The Court of Appeals agreed with the state and reversed. The Court of Appeals holdings before the Supreme Court are: [1] SB 936 is not dependent upon the validity of Measure 40. [2] SB 936 complied with the single-subject and title requirements of Article IV, section 20. [3] Section 1 of SB 936 applies to all pending criminal cases, including cases on appeal from pretrial rulings. [4] Application of section 1 to prosecutions based on crimes committed prior to June 12, 1997, does not violate due process and is not *ex post facto*. [5] "[T]he trial court's ruling excluding the challenged evidence under ORS 810.410 is error because of the retroactive effect of SB 936. On remand, the trial court is instructed to make findings regarding the officer's actions that followed the passenger's arrest. Based on those findings, the trial court must rule on the constitutionality of the officer's actions. In the event that the trial concludes that no constitutional violation occurred, section 1 of SB 936 requires the admission of the excluded evidence. On the other hand, if the court determines that a constitutional violation occurred from which the excluded evidence is derivative, then it shall suppress the evidence."

State v. Joslin, 160 Or App 291, 984 P2d 957 (*aff'd without op.*), *rev allowed* 329 Or 126 (1999): While officers interviewed defendant—a murder suspect—his sister retained a lawyer for him and, at the attorney's direction, called the police and informed them that a lawyer had been retained for defendant and that the lawyer wanted the interview to cease. The officer advised the sister that he would tell defendant about the lawyer but would not terminate the interview unless defendant requested. When he was told about the lawyer, defendant continued to talk to the officers and then to the state's mental-

health expert. The trial court denied defendant's motion to suppress, and the Court of Appeals affirmed. The issue before the Supreme Court are whether the officers violated defendant's federal and state rights to counsel and against self-incrimination by refusing (1) to pass on his lawyer's direction and (2) to terminate the interview.

State v. Kruchek, 156 Or App 617, 969 P2d 386 (1998), *rev allowed* 328 Or 594 (1999): While inventorying an impounded van prior to its being towed, a police officer observed the strong odor of freshly cut marijuana coming from a small, opaque plastic cooler. He opened the container without consent or a warrant. The Court of Appeals held that was an unlawful search, because the cooler did not "announce" that marijuana was the only substance or item it contained. The issue before the Supreme Court is whether the "announce its contents" exception applies when the container is opaque and may contain other items, too. (State's petition)

State v. Langdon, 151 Or App 640, 950 P2d 410 (1997), *rev allowed* 327 Or 431 (1998): The Court of Appeals held that "because Ballot Measure II sentences are mandatory sentences, they are not subject to the 200/400 percent limitation of OAR 213-012-0020." The issue before the Supreme Court is whether, and to what extent, Measure II sentences are subject to the guidelines rules limiting the duration of consecutive sentences.

State v. Lhasawa, 159 Or App 667, 979 P2d 774 (1999), *rev allowed* 329 Or 553 (2000): Defendant was arrested for prostitution within Portland's "prostitution free zone" and was issued a 90-day exclusion order under the city ordinance. The trial court dismissed the criminal charge, concluding that the exclusion order constituted former "jeopardy." The Court of Appeals reversed, concluding that the exclusion order "did not implicate double-jeopardy concerns." The issue before the Supreme Court is whether the exclusion order constitutes "jeopardy."

State v. Moore, 159 Or App 144, 978 P2d 395, *rev allowed* 329 Or 438 (1999): Over the defendant's objection, the trial court allowed witnesses to relate the victim's excited utterances even though she did not testify and the state failed to establish that she was "unavailable." The Court of Appeals reversed, interpreting Article I, section II as requiring a show-

ing of unavailability before such hearsay may be admitted against a defendant. The issue before the Supreme Court is whether Article I, section II requires a showing of unavailability before hearsay statements may be admitted against a defendant as excited utterances.

State v. Riddle, 156 Or App 606, 969 P2d 1032 (1998), *rev allowed* 328 Or 666 (1999): Defendant was charged with criminally negligent homicide, assault and DUII. The crucial issue at trial was the cause of the accident. Defendant's attorney hired two accident reconstructionists, one of whom testified for defendant. Over defendant's objection the other expert testified for the state during its rebuttal case. The Court of Appeals held that the trial court erred in allowing the state to call the rebuttal expert: The expert should not have been allowed to testify for the state, because he was a "representative of defendant's lawyer" and his opinion as to the cause of the accident fell within the attorney-client privilege. The issue before the Supreme Court is whether the state may call a defense expert to provide his opinion if he does not disclose any confidential communications and his opinion is not based on such communications. (State's petition)

State v. Rohrs, 157 Or App 494, 970 P2d 262 (1998), *rev allowed* 328 Or 464 (1999): An officer told defendant that his refusal or failure to perform "physical tests" would be admissible in court and further explained that physical tests differ from field sobriety tests in that defendant would not be required to speak. The Court of Appeals held that the trial court correctly suppressed evidence of defendant's refusal to submit to field sobriety tests, because it was incumbent on the state to prove exactly what "physical tests" were to be administered in order to meet its burden under *State v. Fish*, 321 Or 48, 893 P2d 1023 (1995). The issue before the Supreme Court is whether the officer's request complied with the requirements of *Fish*. (State's petition)

State v. Selness/Miller, 154 Or App 579, 962 P2d 739, *rev allowed* 328 Or 418 (1999): As a result of the discovery of a marijuana-grow operation in their house, defendants were charged with drug offenses and the state commenced an in rem forfeiture action against the property. Defendants did not appear in the forfeiture proceeding, and the state obtained a

default judgment against the property. The trial court granted defendants' motion to dismiss the criminal charges on double-jeopardy grounds. The Court of Appeals reversed, holding that because defendants never appeared in the prior forfeiture action, the forfeiture of the property does not provide a basis to claim the criminal action constitutes double jeopardy under either Article I, section 12, or the Fifth Amendment. The issues before the Supreme Court are whether a collateral in rem forfeiture constitutes "jeopardy" within the meaning of Article I, section 12, and, if so, whether defendants' failure to appear in that proceeding bars them from asserting a double-jeopardy objection in the criminal prosecution.

State v. Soldahl, 157 Or App 578, 972 P2d 898 (1998), *rev allowed* 329 Or 666 (1999): A deputy believed he had reasonable suspicion to stop a car because wanted people were inside it. He also thought he had probable cause to stop the car for excessively tinted windows, and asked another officer to make the stop. The trooper who stopped the car was told only that wanted people possibly were in the car. The Court of Appeals held that the deputy lacked reasonable suspicion to believe the wanted people were in the car, and that the stop was not lawful based on the tinted windows because the trooper was not subjectively aware of that justification. The issue before the Supreme Court is whether the stop was justified under the collective-knowledge doctrine. (State's petition)

State v. Tucker, 154 Or App 187, 959 P2d 632, *rev allowed* 327 Or 484 (1998): Defendant was a passenger in a vehicle involved in a one-car crash that left items, including a camera bag, scattered across the road. The officer and tow truck operator put the items back into the car but examined the camera bag and found a gun. Defendant testified at the motion-to-suppress hearing the bag was closed and under the passenger seat when the accident occurred, but he refused to answer whether the bag was his. The trial court denied his motion to suppress, and the Court of Appeals affirmed, concluding that defendant lacked "standing" to challenge the officer's search of the bag, because he did not claim that the bag was his or that it had been in his possession. The issues before the Supreme Court are whether a defendant is obliged to admit possession in order to establish "standing" and, if so, how much evidence must be present.

State v. Vasquez-Hernandez, 159 Or App 64, 977 P2d 400, *rev allowed* 327 Or 447 (1999): After the jury found defendant guilty on multiple counts of attempted aggravated murder, the trial court granted his motion to dismiss under ORS 135.755. The Supreme Court, in a mandamus action, directed the trial court to vacate that dismissal and sentence defendant. *State ex rel. Penn v. Norblad*, 323 Or 464, 918 P2d 426 (1996). On remand, the trial court vacated the dismissal and sentenced defendant, but it then granted a new trial and dismissed the case again, this time pursuant to ORS 135.755. The Court of Appeals reversed concluding that, in granting the dismissal, the trial court erroneously relied in part on an alleged discovery violation. The court held that ORS 136.865 required the trial court must exhaust the availability of less severe sanctions for discovery violations before dismissing the case.

State v. Wyatt, 155 Or App 192, 962 P2d 192 (1998), *rev allowed* 328 Or 464 (1999): The trial court precluded defendant's expert from testifying based on its finding that defense counsel committed a discovery violation by failing to disclose in a timely manner his intent to call that witness. The Court of Appeals reversed and remanded for a new trial, noting that "failure to consider alternatives, short of complete preclusion of the witness's testimony, generally warrants reversal." The court concluded that even though the defense theory that victim's mother transferred sperm to the child victim after intercourse with defendant was "fantastic," the defense should have been permitted to present the theory to jury to explain a gap in the evidence. The issue before the Supreme Court is whether the correct remedy is a reversal and new trial or a remand to the trial court to reconsider whether preclusion was a proper remedy under the circumstances. (State's petition)

Delgado v. Souders, 146 Or App 580, 934 P2d 1132, *rev allowed* 326 Or 43 (1997): In this civil stalking case, *see* ORS 30.866, the Court of Appeals rejected the stalker's arguments that his "conduct was so trivial that it [did] not entitle [the victim] to a court's stalking protective order" and that the civil stalking statute is unconstitutional. The court also upheld the constitutionality of the stalking statute (ORS 163.732) in a vagueness challenge. In the Supreme Court, defendant asserts a variety of constitutional challenges to the stalking statutes.

Committee Marks Loss of Member

by Jesse Wm. Barton

Last November the Executive Committee was deeply saddened to learn of the tragic death of one of its members, Renee Schmeling.

Ms. Schmeling was a staff attorney with Intermountain Public Defenders in Pendleton. At its September 1999 annual meeting the Criminal Law Section elected her to its Executive Committee. Although she was to have assumed office in October, a few weeks before the committee's October meeting she was diagnosed with adrenal cancer. She had hoped to beat the disease and return to work in December, but the cancer was too wide spread. She died shortly before the committee's November meeting.

Although most of the committee members did not have the privilege of meeting Renee, those of us who did, knew her to be a woman of high energy and character, and committed to her profession. As a token of the committee's sense of loss, and as suggested by her family, a \$100 donation has been made in Renee's name to the American Cancer Society.

State Public Defender Seeks Contract Attorneys

by Jesse Wm. Barton

Over the last four to five years the State Public Defender's Office has developed an increasingly severe case backlog problem that, if not addressed, will reach crisis proportions at the end of this year. In an effort to head off that crisis the office recently obtained funding from the legislative Emergency Board to contract out a substantial portion of its backlog cases to attorneys in private practice who are qualified to handle criminal appeals.

The office now is requesting information from interested and qualified attorneys to take backlog cases on contract. Interested attorney's should contact state public defender David E. Groom, and provide him information on their qualifications to handle criminal appeals and the numbers of cases they are able to take. Mr. Groom can be reached at:

1320 Capitol N.E., Suite 200
Salem, OR 97303
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Upcoming OCDLA CLEs

The OCDLA has the following CLEs scheduled during the remainder of 2000:

- March 31 to April 1-Juvenile Law, Salishan Lodge, Lincoln City.
- June 15-Death Penalty, Inn of the Seventh Mountain, Bend.
- June 15 to 17-Annual Conference, Inn of the Seventh Mountain, Bend.
- September 8 to 9-Summer Seminar, Holiday Inn, Newport.
- October 13 to 14-Death Penalty, Hallmark Resort, Newport.
- October 26 to 28-Management Seminar, Otter Crest.
- November (specific dates TBA)-Sunny Climate Seminar, Puerto Vallarta.
- December 8-Juvenile Law, Benson Hotel, Portland.
- December 8 to 9-Benson Hotel, Portland.