

WILLAMETTE VALLEY

AMERICAN

INN OF COURT

Prepared by:

Mary Mertens James
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Updated by W. Brad Coleman and Tom Elden
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Updated by Mike McClinton and Tom Elden
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Mission of
THE AMERICAN INNS OF COURT

*To foster excellence in
professionalism, ethics,
civility and legal skills
for judges, lawyers,
academicians and
students of law
in order to perfect
the quality, availability
and efficiency of justice
in the United States.*

This Handbook will introduce you to the American Inns of Court and to the Willamette Valley American Inn of Court (AIC 30175). Its purpose is to acquaint you with the history of the American Inns of Court movement in the United States and in Salem, Oregon.

AMERICAN INNS OF COURT

The American Inns of Court is the fastest growing legal organization in the country. Today, there are 350 chartered American Inns of Court in all fifty (50) states, the District of Columbia, and London. Over 25,500 judges, lawyers, law professors, and law students are active members of an American Inn of Court, including federal and state judges. There are nearly 67,000 alumni members. Many Inns are affiliated with one or more of the nation's top law schools.

American Inns of Court are patterned after the English Inns of Court that began in 1292 when King Edward I directed his Chief Justice to satisfy a growing need for skilled advocates at the Royal Court at Westminster. The English Inns of Court grew in number and importance during the Middle Ages. They emphasized the value of learning the craft of lawyering from those already established in the profession. Their collegial environment fostered common goals and nurtured professional ideals and ethics.

In 1977 Chief Justice Warren E. Burger and other American lawyers and judges spent two weeks in England as part of the Anglo-American Exchange. They were particularly impressed with the collegial approach of the English Inns of Court and with the way in which the Inns passed on to new lawyers the decorum, civility, and professional standards necessary for a properly functioning bar. Following his return, Chief Justice Burger authorized a pilot program that could be adapted to the realities of law practice in the United States.

Chief Justice Burger, former Solicitor General Rex Lee, and Senior United States District Judge A. Sherman Christensen founded the first American Inn of Court in 1980. The Inn was affiliated with the J. Reuben Clark School of Law at Brigham Young University in Provo, Utah.

The number of Inns increased slowly at first, but the growth of the movement began to accelerate in 1985 with the creation of the American Inns of Court Foundation.

American Inns of Court are designed to improve the skills, professionalism, and legal ethics of the bench and the bar. They help lawyers become more effective advocates with a keener ethical awareness by providing them the opportunity to learn side-by-side with the most experienced judges and lawyers in their community. The objectives of each Inn are as follows:

1. To establish a society of judges, lawyers, legal educators, law students, and others to promote excellence in legal advocacy in accordance with the Professional Creed of the American Inns of Court;
2. To foster greater understanding of and appreciation for the adversary system of dispute resolution in American law, with particular emphasis on ethics, civility, professionalism and legal skills;
3. To provide significant educational experiences that will improve and enhance the abilities of lawyers as counselors and advocates and of judges as adjudicators and judicial administrators;
4. To promote interaction and collegiality among all legal professionals in order to minimize misapprehensions, misconceptions, and failures of communication that obstruct the effective practice of law;
5. To facilitate the development of law students, recent law school graduates, and less experienced lawyers as skilled participants in the American court system;
6. To preserve and transmit ethical values from one generation of legal professionals to the next; and

7. To build upon the genius and strengths of the common law and the English Inns of Court and to renew and inspire joy and zest in legal advocacy as a service worthy of constant effort and learning.

WILLAMETTE VALLEY AMERICAN INN OF COURT

The Willamette Valley American Inn of Court was founded in 1992. However, its history dates back to 1990 when Chief Justice Edwin Peterson approached Marion County Bar Association President Michael C. McClinton with a proposal to start a local chapter of the American Inns of Court. Thereafter, McClinton contacted numerous members of the Bench and Bar to test their willingness to support an Inn. The initial response was lukewarm, but enthusiasm mounted over the next two years. Consequently, in the spring of 1992, McClinton scheduled an organizational meeting with Federal Judge Michael Hogan, President of the Eugene Inn, and Al Menashe, President of one of the Portland Inns, as speakers. They both gave inspiring presentations about the value of an Inn. At the end of the meeting, a vote was taken about whether we should proceed to form an Inn and the large audience unanimously answered yes.

Mike McClinton then recruited Marion County Presiding Judge Greg West and former Marion County Bar Association Presidents Kathy Evans and Don McCann to develop the structure of the Inn, establish the dues, select team leaders, and develop a program schedule. McClinton and Evans traveled to Chicago to receive the American Inns of Court Foundation Charter Number 175 to give official status to the Inn. The first meeting was held at the courthouse September 17, 1992. Justice Peterson's team presented the Inn's first program: "The Clash of the Titans".

Today, the Willamette Valley American Inn of Court is thriving. One of the objectives is to "promote excellence in legal advocacy at the trial and appellate court levels" through a membership of judges, lawyers, and legal educators. The Inn seeks to foster greater understanding of, and appreciation for, the adversary system of dispute resolution in American law. The Inn emphasizes legal ethics and the highest professional standards of excellence. The Inn provides continuing legal education. It promotes interaction or fellowship to raise the sense

of community among the membership, and to "minimize misapprehensions, misconceptions and failures in communication that obstruct the effective practice of law."

The Inn also takes seriously its charge to provide leadership and development of law students, recent law graduates, and less experienced lawyers. The group tries to "promote collegiality among professionals and to transmit ethical values from one professional generation to another."

MEMBERSHIP

In 2006, the Willamette Valley Inn of Court was comprised of 110 Active members divided into four classifications. Those classifications are:

- 1) Masters of the Bench ("Masters"), a group which include lawyers and law professors with fifteen or more years of experience and federal, state, and local judges;
- 2) Barristers, including lawyers and law professors with five to fifteen years of experience.
- 3) Associates who are lawyers with less than five years of experience;
- 4) Students, principally law students who usually are in their final year of law school.

The Inn's lawyer members are drawn from attorneys residing or practicing in Marion, Polk, Linn and Yamhill counties in the State of Oregon. The Inns' student members principally are drawn from Willamette University College of Law. Membership is open regardless of race, color, sex, age, religion, national origin, or handicap. The Willamette Valley American Inn of Court reflects the rich diversity of the population in the locale. The Inn is professionally diverse. It includes representatives of the plaintiff's bar, defense counsel, solo practitioners, government lawyers, corporate counsel, law professors, persons working in large firms, lawyers working in

small firms, and federal, state and local trial and appellate judges. The Inn is committed to maintaining and enhancing its diversity.

Masters, Barristers and Associate members may continue membership as long as they qualify under the standards of the American Inns of Court (?). Upon approval by the Officers of the Inn, a member may be granted a leave of absence.

SELECTION OF MEMBERS

In the spring of each year, the President invites the Inn's active members and other individuals whom the President deems qualified, to nominate new members for the following term of the Inn. The President also nominates for membership persons who have demonstrated an interest in developing professional skills and in improving the quality of justice. The President submits the nominations to the Inn's officers. The officers extend invitations to join the Inn.

The Inn also requests Willamette University College of Law to recommend students for membership in the Inn. The law school recommends five (5) students who, by their academic performance and participation in extracurricular activities, have demonstrated an active interest in the practice of law.

All lawyers, law professors, and judges living or working in Marion, Polk, Linn and Yamhill Counties are eligible for membership in Willamette Valley American Inn of Court. Students enrolled at Willamette Law School and recommended for membership in the Inn by the College of Law are eligible for Student membership. The Inn's policy is to make membership available to as many lawyers and students as possible.

INN GOVERNANCE

The Willamette Valley American Inn of Court is governed by its Board of Directors and the board's executive officers.

The Executive Officers of the board are: the President of the Board, past president, president elect, secretary/treasurer, program director and historian. The Board of Directors includes the executive officers, the web administrator, and team leaders. The president and president-elect must be Masters.

The Board, by majority vote, makes all major policy decisions, amends the handbook, and approves payment of expenses which, in the judgment of the Treasurer, are unusual or not in the ordinary course. The Board may vote by e-mail.

If the Board votes at a meeting, there must be a quorum of at least 6 board members present, and if there is a quorum a majority of those present suffices for any action. If the Board votes by e-mail, there must be a majority of all currently serving board members to approve any action. The president decides whether to call a board meeting for a vote or to request a vote by e-mail.

The Board nominates in March of each year executive officers for the following year. The membership votes on the nominated executive officers at the regular March meeting of the Inn. Nominations may also be accepted from the floor. A quorum is not required, and the executive officers are elected by a majority vote of those members present and voting at the regular March meeting of the Inn. The person elected as president for the upcoming year immediately begins to serve on the board as president-elect.

The President selects the team leaders, and typically begins the process of selecting team leaders for the following year while still serving as president-elect.

ATTENDANCE POLICY

All active members shall attend and participate in the regular meetings of the Inn. Two unexcused absences during a program year will be deemed to be a resignation, unless the executive committee of the board waives the attendance requirement for good cause. Persons who are unable to attend a particular meeting must inform the president or president's designate prior to the meeting of their expected absence and the reasons for their absence. Absence without advance notice will be deemed unexcused.

GUEST POLICY

The Inn's programs are primarily for the members' benefit. Members occasionally may invite guests to attend Inn programs. Members who wish to invite guests must inform the president in advance of the meeting of their guests' identity.

CONTINUING LEGAL EDUCATION ("CLE")

Members may earn CLE credit, including ethics program and professionalism program credit, by attending and participating in the Inn's programs. The number of credits available for participating in the presentation of a CLE program is determined by the Oregon State Bar. Members and guests desiring to obtain CLE credit are responsible for submitting requisite reports to the Bar.

MEETINGS AND PROGRAMS

The Inn's program year begins on the third Thursday in September with a dinner and program prepared by a team formed in the previous program year. Thereafter, the Inn holds six meetings on the third Thursday of every month except December. Meetings are currently held at Roth's IGA Hospitality Center in West Salem. Each meeting begins with a hosted cocktail reception at 5:30. Dinner follows the reception, and then one of the Inn's eight (8) teams

presents a program, usually dealing with a practical aspect of the practice of law. Meetings end at approximately 8:00 p.m.

The programs are highlight of the monthly meetings. They involve practical legal skills with an emphasis on ethics, civility, and professionalism in lawyering. They generally involve a demonstration or presentation of principles, skills, techniques, and relationships involved in trial and appellate court proceedings and in activities preliminary to courtroom appearances. The programs also incorporate opportunities for critique and discussion.

TEAMS

The Inn's active members are divided into eight (8) teams of about twelve (12) members. The president select the teams with the goal that each team include Masters, Banisters, Associates, and one Student who would not otherwise encounter each other frequently in their daily work. Team assignments may be changed for good cause. Members desiring to change teams must do so as early in the program year as possible. They may change teams only with a member of another team that has not yet presented a program who is willing to change teams. The member requesting a change must inform the president of a reason for changing teams and the name of the replacement.

The Inn encourages teams to meet monthly, or more often if necessary to prepare their program and to promote comraderie among the team members. The teams choose their own meeting places and times, but are expected to notify the president and the program chair when team meetings are scheduled.

Each team is led by a team leader. The team leader is responsible for convening the team, for assuring that the team members attend the Inn's meetings and activities, and for promoting

contacts among team members between Inn meetings. The team leader supervises the preparation of the team's program and is responsible for all the other team activities.

Each team must prepare and present one of the Inn's programs. The team's responsibilities in this regard include: (1) Coordinating with the program director the selection of a program topic; (2) selecting the method of presentation most likely to present the assigned topic in an interesting manner; (3) preparing written materials that meet CLE requirements; and (4) (optional) preparing an American Inn of Court Demonstration Report to be included in the American Inns of Court Foundation National Programming Manual.

In addition to presenting a program, the teams provide their members with opportunities to become better acquainted with each other. The teams are the principle component of the Inn's mentoring activities. Their diverse membership is intended to build an inter-generational relationship that encourages frank and personal discussions of matters of practice, ethics, civility, and all other aspects of the practice of law. The most experienced members of the team are encouraged to pass on the best of the practice to the less experienced members. Accordingly, Masters are encouraged to provide their Associate and Student colleagues with opportunities to observe them in court, in deposition, or in the office.

ANNUAL DUES

The annual dues are: Master- \$240.00; Barrister- \$215.00; and Associates- \$165.00. Willamette University pays \$100 for each of the five student members. The revenue provided by the dues defray the Inn's operating expenses, including the cost of the members' meals at the monthly Inn meetings, the Dues of the American Inns of Court Foundation, and the CLE fees charged by the Oregon State Bar. The American Inns of Court Foundation has received a 501(c)(3) designation from the Internal Revenue Service, and the Willamette Valley American

Inn of Court benefits from this designation as an affiliate of the Foundation. Members may deduct their dues either as a business expense or as a charitable contribution. Members electing to deduct their Inn dues as a charitable contribution must reduce the amount of their contribution by the value of the meals and CLE.

BENEFITS FROM THE FOUNDATION

Members of the Willamette Valley American Inn of Court receive benefits from the American Inns of Court Foundation. They receive a subscription to *The Bench*, the Foundation's quarterly magazine, and a national membership directory. Members of the local Inn are also entitled to attend the annual national meeting and to purchase videotaped programs such as the *Visions of Excellence Series*. Members traveling to England may also obtain letters of introduction to one of the four English Inns of Court. The American Inns of Court Foundation has a comprehensive website <http://www.innsofcourt.org>. The Willamette Valley American Inn of Court started its own website in the spring of 2005 at <http://www.innsofcourt.org/inns/wvinn>.

AWARDS AND HONORS

The 1995 American Inns of Court Annual Meeting, the national organization presented the Willamette Valley Inns Team of former Chief Justice, Wallace P. Carson, Jr., with an award for its development and presentation of one of the top 10 presentations by Inns in the United States.

In 1998, Justice Edwin Peterson was nominated by the Willamette Valley Inn, as well as all the other Inns of Court in Oregon, to be recognized for his professionalism. He received the American Inns of Court Professionalism award for the Ninth Judicial Circuit of the United States. The award honors a senior law practitioner whose life and practice demonstrate the highest character and integrity, coupled with an ongoing dedication to the highest standards of the legal profession and the rule of law. Then, in the fall, Justice Peterson was awarded the Lewis F. Powell, Jr. Award for Professionalism and Ethics given by the American Inns of Court. This prestigious award is given only for extraordinary contributions, and past recipients include The

Honorable Lewis F. Powell, Jr., and the Honorable William J. Brennan, Jr. Justice Peterson received the award from Supreme Court Justice Anthony Kennedy at the US. Supreme Court on October 24, 1998.

In March 2005, the Willamette Valley Inn first nominated then Chief Justice Wallace P. Carson, Jr. for the Lewis F. Powell, Jr. Award for Professionalism and Ethics. More than 50 lawyers, judges and law students and all the other Inns in Oregon supported the nomination. In the summer of 2006 The American Inns of Court selected Justice Carson for its professionalism award which was presented in Washington, D.C. on October 21, 2006.

AWARDS AND HONORS

In 2005 the Willamette Valley American Inn of Court received the third highest score in the country in competition for the American Inns of Court “Model of Excellence” Award. In 2006, at the suggestion of the Willamette Valley Inn, the American Inns of Court instituted a “Circle of Excellence” award to recognize a category of inns highest caliber.

In 2007, Willamette Valley American Inn of Court Team 5 received an Outstanding Program Distinction Award from the National American Inn of Court for its program **Barristers in Babel—Certified Interpreters for Courts and Clients** presented in March 2007.

This program addressed problems that attorneys encounter dealing with clients for whom English is not the native tongue. Through a series of lively, hands-on exercises, skits and discussions, the program demonstrated pitfalls and possibilities for communicating across language barriers in legal advocacy, and the proper use of court certified interpreters. The program also encouraged the discussion of practical tips, ethical dilemmas, and cross-cultural facets of practicing law.

Judge Mary James received notice of the Award as team leader. This is only the second time that an Oregon Inn has received such a distinction. Of note, the last award also went to a team of the Willamette Valley Inn of Court and Justice Carson was also a member of that team.

PRESIDENTS

Michael C. McClinton

1992-1993

1993-1994

Kathleen A. Evans

1994-1995

Donald W. McCann

1995-1996

Honorable Pamela Abernethy

1996-1997

Michael B. Brink

1997-1998

Honorable Don Dickey

1998-1999

Gary Rueter

1999-2000

Honorable Mary James

2000-2001

Honorable Dennis Graves

2001-2002

Jim Brown

2002-2003

Gordon Hanna

2003-2004

Tom Elden

2004-2005

Honorable Joseph C. Guimond

2005-2006

Honorable Claudia M. Burton

2006-2007

Michael Martinis

2007-2008

Sarah Troutt
2008-2009

Honorable Tracy Prall
2009-2010