

# Oregon BENCHMARKS

THE U.S. DISTRICT COURT OF OREGON HISTORICAL SOCIETY NEWSLETTER

*Upcoming Famous Cases Program:*

## Oregon's Cornerstone in the Right to Privacy Doctrine

By Judge Jack Landau

On Thursday, May 13, 2004, the United States District Court Historical Society will turn its attention to the Ku Klux Klan, Oregon's infamous "compulsory education law," and the beginnings of twentieth-century individual liberties jurisprudence. The Society's Famous Cases Program will sponsor a panel discussion of *Pierce v. Society of Sisters*, its historical context and its current significance.

In *Pierce*, the United States Supreme Court struck down the 1922 Oregon law that obligated parents of children between the ages of 8 and 16 to send their children to public schools. The Court concluded that the law unreasonably interfered with "the liberty of parents and guardians to direct the upbringing and education of children under their control." Although issued nearly 80 years ago, the decision has enjoyed remarkable influence and vitality. Since the publication of the decision, it has been cited in over 100 Supreme Court cases—as recently as last term—perhaps most significantly as a cornerstone of the Court's right to privacy doctrine. The panel will consist of three distinguished scholars who are particularly suited to the task of exploring the origins and significance of the decision.



**Dr. David A. Horowitz**, a professor of history at Portland State University, teaches U.S. cultural and 20th century history. An expert on the history of the Ku Klux Klan, he is the author of *Inside the Klavern: The Secret History of a 1920s Ku Klux Klan*. Dr. Horowitz will speak on the historical and political context in which the 1922 compulsory education law originated in Oregon.



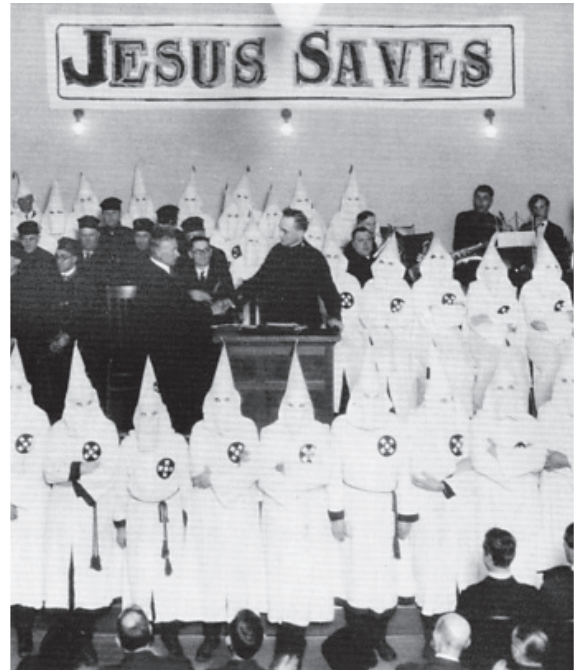
**Judge Susan M. Leeson** is a Senior Judge and former Justice of the Oregon Supreme Court. For over twenty years, she also was a professor of political science and associate professor of law at Willamette University. She is the co-author of *Constitutional Law: Cases*

*in Context*. Judge Leeson will discuss the *Pierce* case itself, its facts, the arguments, and the Court's decision.



**Professor Paula Abrams**, teaches constitutional law at Northwestern School of Law, Lewis and Clark College. Currently working on a book about *Pierce*, Professor Abrams will discuss the role of the decision in the development of individual rights jurisprudence during the twentieth century.

The program is scheduled for May 13 on the 16th floor of the Hatfield Courthouse, 1000 SW 3rd Avenue, from 4:00 to 6:00 p.m. The Society will be seeking 1.75 hours of CLE credit from the Oregon State Bar.



*The strength of the Ku Klux Klan in 1920s Oregon politics nearly closed parochial and private schools.*

Oregon Historical Society OHI1017

## President's Message



The Historical Society is as busy as ever planning events for the year. **Judge Jack Landau** and **Bill Long** have put together a terrific presentation of the *Pierce v. Society of Sisters* case, which involved Portland's St. Mary's Academy and the former Hill Military Academy, private education and by extension, religious freedom and the right to privacy.

We are also planning a **summer associate session** at the federal courthouse in conjunction with the Federal Bar Association, **Thursday, June 13**, as well as our **annual picnic on Sunday, August 1**. Remember to add these activities to your calendar.

A recurring theme throughout our Famous Cases presentations and other society activities is the crucial role that historical events play in our present lives. *Pierce v. Society of Sisters* presents a case in point. This U.S. Supreme Court case from Oregon still gets attention for its role in the debate over both standing issues and the relationship between the establishment and free exercise clauses. The latter was in the spotlight just last month relating to school vouchers. Since 1925, the case has also been cited in cases ranging from parental rights and academic freedom to interscholastic sports and rights to attend embalming school. The presentation on May 13 should be fascinating, given all the ways *Pierce* has been cited.

Occasionally we witness history in the making, as with Multnomah County's granting marriage licenses to same sex couples. This will surely be a lively topic for all. Personally, my views are instructed by what I learned in a college history course regarding another marriage issue—interracial marriage. I recall reading the arguments against interracial marriage from the 1950s and 1960s: "The institution of marriage has from time immemorial been considered a proper subject for State regulation ... to the end that family life ... may be maintained in accordance with established tradition and culture and in furtherance of the physical, moral and spiritual well-being of its citizens...."

"We find [in the Fourteenth Amendment] no requirement that the State shall not legislate to prevent the obliteration of racial pride, but must permit the corruption of blood even though it weaken or destroy the quality of its citizenship. Both sacred and secular history teach that nations and races have better advanced in human progress when they cultivated their own distinctive characteristics and culture and developed their own peculiar genius." *Naim v. Naim*, 87 S.E.2d 749, 756 (Va. S. Ct. 1955). The U.S. Supreme Court did not strike down the last of the anti-miscegenation laws until 1967 in *Loving v. Virginia*.

The trial judge in *Loving v. Virginia* reportedly stated: "Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend the races to mix." *Loving v. Virginia*, 388 U.S. 1, 3 (1967). This statement and others like it seem anachronistic in today's society. Time will tell us whether the arguments for or against gay marriage will also be anachronistic in the years to come. Whatever your feelings on the issue of same-sex marriage, it is a strong reminder that we make history every day.

—Heather Van Meter

## Karin Immergut: Oregon's U.S. Attorney

By Leah Lively

The USDCHS welcomes Karin Immergut as Oregon's U.S. Attorney. Ms Immergut graduated from the Boalt School of Law in 1987. After graduating from law school Ms. Immergut worked as a litigation associate in Washington, D.C. and as an assistant U.S. attorney for the Central District of Cali-



fornia in Los Angeles. While in California, Ms. Immergut was the Deputy Chief for the Narcotics and Money Laundering Section. She also coordi-

nated the Los Angeles Metropolitan High Intensity Drug Area Program.

In 1996, Ms. Immergut moved to Oregon and spent almost five years working as a Deputy District Attorney for Multnomah County. There she served as a Major Fraud Deputy assigned to the White Collar Crime Team. Ms. Immergut assisted in drafting Oregon's money-laundering statute and testified before the legislature regarding the bill.

From June to October 1998 Ms. Immergut worked for the office of Independent Counsel in Washington, DC. As an associate Independent Counsel, Ms. Immergut conducted grand jury interviews of Monica Lewinsky, which helped unravel the extent of the relationship between Ms. Lewinsky and then President Clinton.

In December 2001 Ms. Immergut was the first person hired by Michael Mosman when he became Oregon's U.S. Attorney. After Mr. Mosman was appointed to the federal bench in 2003, Ms. Immergut was given the nod to become Oregon's top federal prosecutor.

*Continued on page 8*

# USDCHS Oral History Project Seeks Interviewers

By Donna Sinclair

Since 1988, the U.S. District Court has worked closely with the Oregon Historical Society to collect oral histories of many significant individuals connected to the court. Many of those interviews have been featured in *Benchmarks*, their life and career stories becoming an important legacy for the future. In the early years, the historical society interviewed Judges Skopil and Eastman, among others. More recently, Judges Panner and Redden were interviewed. Attorneys turned volunteer oral historians, have also spent time interviewing senior attorneys around the state. These interviews add significantly to the historical record connected to the District Court as well as providing an important personal legacy for interviewees and their families.

Oral history is defined as tape-recorded interviews with a witness or participant in a historical event or time period. Interviewers use structured and well-researched interview outlines in order to collect and preserve first-hand information and make it available to researchers. The main role of oral history is to document the undocumented. It provides a way to get behind the scenes to understand decision-making processes, personal philosophies, and significant events and people who have influenced individuals and social structures.

Not only is the interview process historically important, it is often enjoyable and gratifying to both narrators and interviewers. Interviewers get a chance to listen to the life histories of respected colleagues and to know that they are making a contribution. Narrators get a chance to tell their stories and share their perceptions.

Some of the narrators who have been interviewed through volunteer efforts include Randall Kester, interviewed by Tom Stoel, Barrie Herbold interviewed by Lisa Kaner, and Neva Elliott, interviewed by Diane Ryneron.



*Judge Owen Panner, Barrie Herbold, Neva Elliott and Judge Randall Kester are among the oral histories that the USDCHS has recorded.*

Many important oral histories have been collected over the past sixteen years, but far too many remain undocumented. Those targeted for oral histories in the near future include Judith Kobbervig, Jacob Tanzer, Caroline Stoel, Bill Lubersky, Kris Olson, Garry Bullard, and Karen Allen, among others. The District Court Oral History Project also aims to include court clerks, judge's secretaries, U.S. Marshals and others whose involvement with the court has not been previously documented. This large endeavor requires many volunteers and we need your help.

The steps to conducting an oral history include creating an outline and recording the interview, preferably in at least two sessions. Interviewers should use good sound recording equipment with external microphones and 60-minute tapes.

Many of the attorneys who have

participated also ensure transcription of the interview through their law offices. Tape copies rather than originals should be used for transcription. Original tapes, transcripts, and any associated research materials—articles, resumes, personal reminiscences, photographs—should be deposited with the Oregon Historical Society.

For more information and to become a volunteer interviewer, contact Steve Brischetto, chair of the U.S. District Court Historical Society's Oral History Committee: 503-223-5814, or [slb@brischettolaw.com](mailto:slb@brischettolaw.com). He will provide information about narrators and oral history training materials. Additional questions regarding how to conduct oral history interviews can be directed to Donna Sinclair, Special Collections Coordinator for Oral History, Oregon Historical Society Research Library, 503-306-5246 or [Donnas@ohs.org](mailto:Donnas@ohs.org).

## Do You Know the Judge?



This judge is from Salt Lake City, Utah. He has been married for 47 years and has 6 children and 13 grandchildren. He enjoys spending with them. He played high school football, baseball, and basketball. He also played basketball in the Marines. This judge enjoys traveling and his favorite destination is Ireland. He actively supports children's organizations in the community. If he were not a judge, his dream job would be that of a professional baseball player. Do you know the judge? (*Answer can be found on page 8.*)

# Fort Roach, George S. Patton and a "Tort Revolution;" A Conversation with John Ryan

*John Ryan was interviewed by John Dunbar on January 23, 2002. This article is based on that oral history with some additional research by Adair Law.*

John Ryan is a proud Portland-born third-generation American of Irish Catholic origins. Reserved about his numerous accomplishments, he prefers to tell stories rather than brag into a tape recorder. In private practice since 1950, Ryan is mainly retired now, though he still takes some cases and works out of his home. He has had a lifetime dedicated to the practice of law and the improvement of the legal profession in Oregon.

Both Midwesterners, his father, Thomas Gough Ryan, and mother, Virginia Abigail Hadley, attended St. Anthony's Parish Grammar School in northeast Minneapolis. Thomas left town after graduating from the Christian Brothers Academy in St. Paul. After spending some time in Ireland and Europe searching land titles, a position as clerk with the Northern Pacific Railroad brought him to Portland. He later became clerk for Judge John McCourt in Portland and attended night classes at the University of Oregon Law School which was based in Portland. He graduated in 1915.

Virginia worked for a different railroad, the Soo Line. She and a girlfriend decided to use their railroad passes to go to the 1915 Panama Pacific Exhibition in San Francisco which was celebrating the recent opening of the Panama canal. Virginia had stayed in touch with Tom's sister Sarah, who suggested that she go up to Portland and "Tommy" could show her the town. Tom was now a deputy district attorney under Judge Walter Evans. He apparently did a fine job of showing her the town because the next day there was a marriage proposal, and by the weekend they were married. Thus began several genera-



*John Ryan.* Photo courtesy of the Oregon State Bar.

tions of Ryan family attorneys in the Portland area.

Born in 1920, John Ryan was the middle son in a family of three boys and two girls. His father died in 1933 when John was 12,

and had a huge influence on his son. Tom Ryan had great skill as an orator, and gave speeches to encourage Irish immigrants to overcome their reluctance in aiding the British and assist with the war effort during the First World War. He told John that he had to learn to speak extemporaneously, that if he was ever going to be a lawyer, he couldn't depend on a written speech. He needed to learn to be not just a talker, but to speak properly.

Ryan learned to appreciate diversity early in life. His father had represented many Chinese-Americans in his law practice. When Ryan attended his parish church in the Albina neighborhood, it was a predominantly Irish and German working class neighborhood. The Ku Klux Klan was strong in Oregon in the 1920s and they focused their energies primarily on Catholics at that time, but Jews were also affected by the political climate. Ryan felt the Klan's attentions briefly brought these communities closer together in a shared outsider status.

He attended Irvington Grammar School, Grant High School, and graduated from New York's Fordham University in 1942. He enlisted and entered the Army Air Corps during World War II. During the war, he taught and organized a school for illiterate and non-English speaking soldiers. An officer helped him make a connection with Motion Picture Procurement and he went to Hollywood to join the First Motion Picture Unit.

The unit was formed to provide training, morale and propaganda films. Some of the more notable films made by FMPU were William Wyler's *The Memphis Belle* and Frank Capra's *Why We Fight* series. Ryan frequently saw Ronald Reagan, Jane Wyman, and other celebrities at the Hal Roach lot (or "Fort Roach" as it was called) in Culver City. Ryan then went overseas with the Eighth Air Force's combat camera unit as script writer. He had responsibility for putting words to the images that the camera unit was capturing.

*We were at the 385th Heavy Bombardment Group [in the United Kingdom] so I watched all these guys coming back and forth from missions. Then we were with the Ninth Air Force and got attached to tactical air forces that were supporting the fight on the Continent. I was with [Lt. Gen. William] Simpson's army for a while up north and came back down and before the crossing of the Rhine and then after that we were with George Patton's army and ended up following them all the way down to around Nuremberg and Munich and then I came home. That was the Third Army....I saw a lot of stuff, you know, God, it was a crazy...but I can't explain the job, you know.*

He returned to Portland and started studying law in 1946 at Northwestern College of Law. The law school was solely a night school in the 1940s. By day Ryan was a claims adjuster for Travelers Insurance. Following law school, in 1950 Ryan joined the practice of Ryan and Pelay, which was the firm of his older brother Tom and Anthony Pelay. He decided to join the plaintiff's bar despite his time with Travelers. Pelay left the firm the following year, but the brothers remained partners until Tom passed away in 1976.

Ryan recalls the battles between the

plaintiff and defense bars that occurred early in his practice. At the time he began practicing law, Oregon still barred a plaintiff's recovery if the plaintiff bore any contributory fault. Wrongful death damages were also limited to \$10,000. It was also difficult for plaintiffs to find doctors or other experts willing to testify on the plaintiff's side, as the conservative professional societies strongly discouraged such activities. A "tort revolution" soon emerged, and many of Oregon's tort laws changed. This occurred around the same time as National Association of Compensation and Claimants Attorneys (which later became the American Trial Lawyers Association), got its start in Portland with Jim Landie, B.A. Green and others.

Ryan tried many municipal court and criminal cases early in his career. In January 1952, Ryan's brother Tom and his partner Anthony Pelay, took a case, *State v. Leland*, to the U.S. Supreme Court on the issue of the burden of proof to be applied in the defense of insanity. The case involved the murder of a young girl under the St. Johns Bridge. The law firm took on the case long before the Supreme Court determined that a criminal defendant had a right to counsel, and before appointed criminal defense attorneys were paid. He recalled that the case cost the law firm approximately \$7,000 and they were reimbursed for about \$750. Leland was executed for this crime although Justices Black and Frankfurter voted to reverse. Ryan worked on this case and the trial to its gruesome end.

Ryan handled a lot of criminal cases without pay, often because he liked the trial experience.

*I felt that the criminal process was really one of the great teachers....that lawyers that hadn't had criminal practice and the chance to let loose on a cross examination in a losing case, and knew how to take a cop or somebody else and turn 'em around had missed part of the training for general trial*

*work in the courts.*

He is highly complimentary of the former U.S. Attorney, Sid Lezak, who was so well-liked and respected that he was reappointed by Democrat and Republican administrations from 1961-1982. Lezak ran a good office, treated everyone fairly, and nobody could question his honesty. Ryan had one memorable case involving the Dyer Act (taking a car across state lines without the permission of the owner). There was a gathering of Native Americans for a stick game in Bingen, Washington. On the request of a friend who was couldn't drive safely, a Yakama Indian man took a girl back to her home in Hood River (across the Columbia River and the state line) using the friend's car. Before the girl was home, the friend woke up and believed his car was stolen, forgetting what he had asked his friend to do. The FBI got involved and it became a federal case. Ryan particularly remembers this case because in his experience, the defendant was "the only guy ever charged that ever showed any remorse." Matt Dishman, the first African-American Multnomah County sheriff and police officer in Portland, was a friend of Ryan's, and called him to help the boy out. Ryan went to talk to him in jail. "So I said, 'Well, how do you feel about this?' He says, 'I'm ashamed of my-

self. I let down my family, my tribe and my religion.' I thought 'This is a unique criminal.'" Ryan wrote a letter to Lezak, who eventually agreed to dismiss the charges.

Ryan had significant federal court experience, thought he tried to keep it to a minimum given the plethora of court rules that impeded a case, raised its cost and required unanimous verdicts. Ryan stated:

*Except for discovery in a limited way, everyone's so-called reform has led to judicial complication and to excessive law work in order to permit it to work. No reformer ever examines the causes of his proposed reform. They only exalt the intended worthwhileness of the reform as a change. And it should be a two-step judgment instead of one. Like we get into wars without ever figuring out how we're going to conclude them. You know, life is a play, you have a beginning and an end in almost all human situations.*

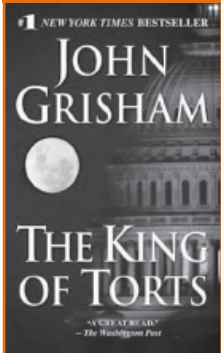
Ryan noted that in his early career all plaintiffs lawyers had to have their connections in order to get personal injury case referrals. Many plaintiff attorneys had connections with the

*Continued on page 7*



John Ryan (standing, third from the left) served on the 1964-5 Oregon State Bar of Governors. Courtesy of the Oregon State Bar.

## ON OUR MEMBERS' BOOKSHELVES



### The King of Torts

By John Grisham

Published by Dell, 2003

Reviewed by

Mary Ellen Farr

*The King of Torts* tracks the history of a “loser” to “winner” and back again.

J. Clay Carter II, starts out a loser. Despite a promising law school background, he is an uninspired lawyer with the D.C. Office of the Public Defender. At the opening of the book, Clay finds himself assigned to defend Tequila Watson, a two-bit crook and drug addict, who has been arrested for the unprovoked killing of Ramon “Pumpkin” Pumphrey. Watson has no apparent defense, even though his history includes no violence. After Clay is unsuccessful in dumping the case, he begins a half-hearted investigation into the case which convinces him he is looking at a simple plea bargain for Watson.

Max Pace enters as a shady character who calls Clay posing as a head hunter. The pose does not impress Clay, but on the promise of a free lunch, Clay meets him and Pace makes Clay a proposal that changes his life.

Pace’s employer is an unnamed pharmaceutical company that produced a drug to treat addiction which has been given to Watson. The drug causes non-violent people to become uncontrollably violent, as Watson did. Pace’s company has pulled the drug from further use and has identified seven cases where someone was killed by a patient using the drug. The manufacturer wants to resolve these “problems” without litigation and with Clay’s help. The scheme involves quick payments to the family of each victim and \$15 million in fees to Clay. Initially, Clay has mixed feelings but he agrees to Pace’s proposition. With Pace’s backing, Clay sets up a prosperous looking law firm and solicits the victims as its only clients. Reflecting on Clay’s new

position, Pace says: “You’ve won the lottery, Clay. The lawyer’s lottery.”

Pace then becomes Clay’s source for mass tort cases and he introduces Clay into the company of mass tort lawyers, a group constantly competing for the most clients in each case. In his second foray into mass tort cases, Clay sues Ackerman, a major pharmaceutical company producing a drug for the treatment of arthritis. The drug has the previously unknown side-effect of producing largely benign tumors in the bladder. Pace schools Clay in the methods of the mass tort lawyer, including how to solicit claimants nationwide. Clay wins the race to the courthouse against Ackerman, and is on his way to becoming a real winner, the King of Torts, without ever having actually tried a civil case.

Clay gets involved with several more class actions. As is customary in a Grisham novel, Clay’s naiveté and foolishness are his undoing. As is also customary with Grisham, the ride along with Clay involves some great characters and unexpected twists.

Grisham uses this novel as an indictment of the mass tort system, which he sees as producing losses all around. Clients lose their health and peace of mind and generally receive modest awards. The defendants are often bankrupted, causing loss of jobs and destruction of local economies. Grisham presents the plaintiffs’ lawyers—the quintessential winners—in an unrelentingly harsh light. They spend their time buying bigger and more expensive jets, yachts, and cars. Their meetings are consumed with discussions of their latest acquisitions and devoid of discussion of law.

However, Grisham has no greater love for the defense lawyers. When Clay asks why Ackerman doesn’t just pay off Clay and his claimants, Pace explains the way things work:

*The lawyers have to get fat first. Walker-Stearns will put fifty associates on the case with meters churning at full*

*blast. [The] class action is worth a hundred million bucks to Ackerman’s own lawyers. Don’t ever forget that. . . . They’ll pay you even more, but first they have to pay their lawyers. That’s just the way it works.*

Grisham’s greatest concern about the system is the invisibility of clients, and his sympathy lies with the single lawyer working hard for the single client. Grisham has praise for the overworked lawyers of the OPD, although all of them seem to be waiting for their invitation to better things. Grisham’s strongest praise comes for Dale Mooneyham, an Arizona lawyer who tries product liability claims and has not had a loss for over twenty years. When Clay visits Mooneyham, he realizes he “was not welcome there.” Mooneyham is stern with Clay:

*Class actions are a fraud, at least the way you and your pals handle them. Mass torts are a scam, a consumer rip-off, a lottery driven by greed that will one day harm all of us. . . . The people who’ll get harmed are all the future plaintiffs out there, all the little people who won’t be able to sue for bad products.*

The only warm words Grisham has for the mass tort lawyers come in a soliloquy by one of them about why he continues to handle mass torts despite all the money he has already made:

*‘There’s a thrill in catching a big, rich, proud corporation doing something dirty that is better than sex, Clay, better than sex. It’s the biggest thrill I know. You catch the greedy bastards putting out bad products that harm innocent people, and you, the lawyer, get to punish them. It’s what I live for.’*

Ultimately, it is Clay’s own greed, ambition, and failure to concentrate on the needs of the individual clients that brings him down. Ironically, his undoing comes at the hands of another class action lawyer, this one showing con-

cern for the losses the clients have suffered and refusing to participate in the crass show of Clay's new friends. Clay also comes to understand that he has to make his peace with the victims of his greed, starting with Tequila Watson. Making amends also means that Clay cannot continue to practice law, but Clay achieves redemption by rejecting his greed and ambition.



1853 log jail at its former site. Photo courtesy of Washington County Historical Society and Museum

## A Jail of the Old West

Ever wonder what law enforcement in Oregon was like 150 years ago? You can find out more by going to “Doing Time: Then and Now,” an exhibit comparing law enforcement of the Old West to modern jail facilities and forensics techniques. Step into a completely restored Washington County jail built in 1853, and then walk through a facsimile of a modern jail cell. View artifacts, try on period costumes, have your fingerprints taken and play Name That Detective—a game that highlights the current popularity of police dramas and forensics in our culture. This exhibit is a partnership between the Washington County Historical Society & Museum and the Washington County Sheriff’s Office, the Washington County Department of Community Corrections, the Hillsboro and Tigard Police Departments and local private forensic labs. It runs May 14–November 19 at the Washington County Historical Society, 17677 NW Springville Rd. Call (503) 645-5353 or look at their web site, [www.washingtoncountymuseum.org](http://www.washingtoncountymuseum.org) for more information.

## A Conversation with John Ryan *continued from page 5*

unions and other sources of constant referrals. Ryan had some union contacts, some lumberman and railroad contacts, and he spoke fondly of one particular connection. “I had a lifelong buddy that had a tavern and I bet you there wasn’t a month that went by that he didn’t have some guy in my office. He was keeping me alive.” Ryan told one young attorney that it didn’t matter whether he was the greatest trial attorney in the world, if he didn’t have a source of referrals he wouldn’t make it. “You may be a great Shakespearean actor, but you still need the Schuberts to build you a theater.” This was all long before the Supreme Court ruled that lawyer advertising constituted free speech, which opened the floodgates. Ryan successfully fought against state bar recognition for specializations for lawyers. His memories of the specialization controversy at the Oregon State Bar Convention in Seaside in 1977 can be found at [www.osbar.org/publications/bulletin/02augsep/heritage.html](http://www.osbar.org/publications/bulletin/02augsep/heritage.html).

Ryan appeared frequently before Judges Fee, McCulloch, Solomon, Belloni, East, and Kilkenny. He respected all of them, especially their unique qualities and quirks which he remembered with charity and humor as he recalled them in his oral history.

Ryan served on the Oregon State Bar Board of Governors in 1963–1967, and as state delegate from Oregon to the ABA with nine years of service on the Nominating Committee of that organization. He also served on the standing committees on law and literacy of the ABA. During that time, he was instrumental, with others including the late Judge Oswald Lowder, in founding the Lowder Learning Center Criminal Probations in Multnomah County and in establishing a similar center in Washington County, improving literacy and offering GEDs. It has had a good effect in reducing recidivism as well as bettering lives. He also taught at Northwestern College of Law, and has been inducted into the American College of Trial Lawyers.

He married his wife Florence in 1970, and welcomed four step-children in the process. She passed away in 1981. He married his wife Virginia in 1996 and welcomed three step-daughters and several more step-grandkids along the way. His nephew, Thomas F. Ryan practices in Portland and John is pleased to know he is part of three generations of lawyers in the Portland.

## CALENDAR

**Thursday, May 13, 4:00 to 6:00 p.m.**  
Famous Cases presentation *Pierce v. Society of Sisters* (see story on p. 1 for details). 16th floor of the Hatfield Courthouse, 1000 SW 3rd Avenue. The Society will be seeking 1.75 hours of CLE credit from the Oregon State Bar.

**Thursday June 17th—Summer associate program. 12:00–4:30 Summer Associates program, Mark O. Hatfield Courthouse. 4:30 Bench and Bar Social—All are invited!** Mark O. Hatfield Courthouse, 9th floor lobby. Contact Kelly Zusman for more information [Kelly.Zusman@usdoj.gov](mailto:Kelly.Zusman@usdoj.gov)

**Save the date! Sunday, August 1, Annual USDCHS and FBA picnic at Judge Leavy’s Hop Farm.**



Boarders at St Mary’s Academy, 1914. Sisters of the Holy Names Archives. Marylhurst, OR.

## Karin Immergut

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Ms. Immergut's success over the years is due in part to her intelligence, fairness and tenacity and in part to the respect she commands in the legal community. She is liked and respected by prosecutors, judges, and defense attorneys.

Ms. Immergut is married to Jim McDermott, a partner with the Portland law firm of Ball Janik. Ms. Immergut and Mr. McDermott have a four-year-old daughter. Ms. Immergut speaks Spanish and Swedish, the latter learned from her parents who were Swedish immigrants to the United States. Ms. Immergut credits her parents with instilling in her, and her two sisters, the importance of honesty, hard work, and doing the right thing—principles that Ms. Immergut clearly has respected and lived by

*Who is the Judge? Judge Garr King*

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**Newsletter Editor:** Adair Law (503) 240-0993; **Design:** Jeanne E. Galick

*Hill Military Academy was a plaintiff in the upcoming Famous Cases Pierce v. Society of Sisters. See p. 1 for details.*  
Oregon Historical Society CN 017501.



The U. S. District Court  
of Oregon Historical Society  
740 U. S. Courthouse  
1000 S.W. Third Avenue  
Portland, OR 97204

