

Cave Junction's lawyer, Ryan Kirchoff disbarred for 2 years

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IVN Senior Contributing Writer

The city of Cave Junction might have to shop for a new lawyer, as James R. Kirchoff, who did legal research and provided advice to the city on several issues for several years, has been suspended from practicing law for two years, starting around mid-August 2017.

In a lawyer disciplinary proceeding, the Oregon State Bar charged Kirchoff with multiple violations of the Oregon Rules of Professional Conduct (RPC), based on his submission of false evidence to a tribunal, according to public documents filed by the Oregon Supreme Court. Then, a trial panel of the state's Disciplinary Board conducted a hearing and found that indeed, that Kirchoff had violated those rules.

"It's a loss to the city," said Cave Junction Mayor Daniel Dalegowski. "Ryan Kirchoff seems to always have provided the city with very solid advice, even though we

didn't all always agree on the topics that we were pursuing legally."

Dalegowski refers to the city's controversial marijuana lawsuits. Several former and current city council members had said - on the record, numerous times - that these lawsuits were a "colossal waste of time and money."

"Never-the-less," Dalegowski continued, "I think the advice he provided the city was well-researched and helpful and I always personally found him to be helpful regarding dealing with policies. He's really just been a shortcut to getting answers that we have found to be pretty reliable. Saved us a lot of time from having to research ourselves."

Regarding Kirchoff's legal troubles, Dalegowski said: "I do not know many specifics about the disbarment. I'd heard he was under review a while back, but I do not know about the actual reasons for his disbarment."

"We'll need to find someone who can fill in for Ryan Kirchoff, from here on out,

or until he's back on the team, either way," Dalegowski added. "But our main city attorney, Pat Kelly, is around, and he's really efficient at property issues, dealing with closures, easements and other legal questions the city deals with."

At the heart of the case that led to Kirchoff's suspension is the purported existence of an email that Kirchoff claimed he'd sent in a marital dissolution action where Kirchoff represented the husband. The email was important - but later, no one could find any evidence of this email having been sent.

According to public documents about Kirchoff's suspension: "The charges arise out of the accused's [Kirchoff] representation of husband in a marital dissolution action initiated by his wife. [The] Wife's lawyer, Claar, had filed a petition for dissolution on January 10, 2014. On January 13, husband retained the accused to represent him in the dissolution proceeding, and husband signed a retainer agreement on February 7.

"The accused did not file an appearance

in the proceeding, nor did he provide written notice to Claar about his intent to file an appearance. On February 11, Claar filed an Ex Parte Motion for Order of Default and Entry of Judgment by Default on wife's behalf on the ground that husband had made no appearance in the case before the February 10 deadline."

Essentially, Kirchoff claimed is saying an email was sent before that deadline, but again, sufficient evidence indicates that the email never existed. Based on its investigation, the state Bar charged Kirchoff with the violating RPC 3.3(a)(1) (making a false statement of fact or law to a tribunal or failing to correct a false statement of material fact or law previously made to the tribunal by the lawyer); RPC 3.4(b) (falsifying evidence); RPC 8.4(a)(3) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation that reflects adversely on the lawyer's fitness to practice law); and RPC 8.1(a)(1) (knowingly making a false statement of material fact in connection with a disciplinary matter).

"Humor In Art" show opens at the Guild

"It seems like a good time for some laughter," said Southern Oregon Guild President Joyce Abrams, who is extending an invitation to "Come laugh with us" at the opening of a new exhibit, "Humor In Art".

The opening celebration for the new show takes place at the Guild's air-conditioned Gallery and Art Center in Kerby, Sunday, August 20 from 5 to 7 p.m. In addition to the opportunity for lots of laughter and enjoying new artwork, the event features live music, wine tasting, an

hors d'oeuvre buffet and lively conversation.

The \$5 admission includes all that and a raffle ticket for the evening's drawing, which, if it doesn't win, goes into the 2017 Grand Prize drawing in December. The prize, a beautiful large copper piece, will be on display.

The Guild Gallery and Art Center is located on the Rogue Community College Kerby Campus, 24353 Redwood Highway in Kerby, Oregon. Phone is 541-592-5019 Website is www.southernorenguild.org.

Bruce Stone's "Pulling the Plug" takes a minute but delivers a big laugh. The image is part of the Southern Oregon Guild's new show, "Humor in Art", opening Sunday, Aug. 20, 5-7 p.m. at the Guild's Gallery in Kerby.



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