

Clackamas County District Court judges vie

Both Clackamas County judges up for re-election are facing challenges this year. District Court Judge Robert Mulvey has the stiffer test. Opposing him are Myer Avedovech, Milwaukie city attorney; Robert Burns, Clackamas county deputy district attorney; Vincent Robeson, a Lake Oswego attorney; and Gene Franklin, a Milwaukie attorney.

In other elections, Circuit Court Judge Jacobs is opposed by Lake Oswego City Attorney Lawrence Jordan.

The District Court is called the "people's court" by nearly all the candidates. "The bulk of the people have their initial, and only, contact with the District Court," says candidate Vincent Robeson. The court takes in all traffic offenses, misdemeanors, and small claims and other civil suits for less than \$3000.

The Circuit Court, a step up on the judicial ladder, handles felonies and suits for more than \$3000.

"I've represented every social and economic status, from criminals to bank presidents," says Lake Oswego attorney Vincent Robeson. "I've run the gamut."

Robeson, 45, has been in private law practice for 14 years, 11 of them in Lake Oswego.

Being in private practice, Robeson says, has given him a wider variety of experiences than the other candidates, and given him "exposure to the real problems people have."

Robeson thinks Burns and Avedovech, the two front running challengers, have "a one-sided view of the prosecution." Burns has been deputy district attorney for the county all of his professional life, while Avedovech has been

Milwaukie city attorney for six years.

Robeson would like to see at least one District Court judge on 24-hour call, and wants to provide a night court for traffic offenders.

Robeson wants to see tighter prosecution of criminal defendants. "The way you get more convictions is through better police work and better prosecutor efforts," he says. "I supported the sheriff's budget (request for \$2.6 million, 10 percent more than this year). I want them to prepare better cases."

Robeson says he would be tough but fair as a judge. Generally he would put first offenders on probation, while second offenders would receive jail sentences. "I want to give a man a second chance," he says.

Gene Franklin, 52, feels he has the maturity and temperament to be a good District Court judge.

"I'm definitely more mature" than challengers Burns, Avedovech and Robeson, he says. "I'm not going off on tangents. I would try a case on its own merits."

Judge Mulvey, Franklin says, "has essentially reached retirement age. His health is a matter of public interest. I don't think he should continue."

Though Franklin has been practicing attorney for only three years, he feels he has enough experience behind him. "All of us have something to learn," he says.

Franklin also thinks the court needs more judges. "The load for two judges is too great. We need one or two more judges."

Myer Avedovech, 40, says "You don't force people to respect the court," says Myer Avedovech. "You earn that respect."

The 37-year-old Milwaukie city attorney places emphasis on the fact that "the District Court is a people's court."

Avedovech believes the court must find more ways to serve county residents. Two ways he suggests to make appearing in court convenient are to hold night traffic court and to hold court in outlying areas for half a day every month "for simple cases."

Currently, he says, "People plead guilty to traffic offenses because they can't take the time off from work."

Avedovech is also concerned with the "revolving door effect" of the court on repeat offenders. "I believe in probation, but sometimes it is necessary to get people's attention before probation has any effect. All repeaters ought to be aware that they might spend some time in jail." In his experience, Avedovech says, "very few people that we put in jail we see again" in court.

Besides dealing with lawbreakers more harshly, Avedovech wants to assist the victim of crimes through more frequent requirements of restitution by the criminal.

Avedovech feels he has the most varied background of the challengers, including work as city prosecutor for Milwaukie, in private practice, as a defense lawyer in criminal cases and as a city manager for six months.

Robeson has never been a prosecutor, he says, while Burns has never been a defense attorney.

"This is the courtroom that needs the most improvement," according to Avedovech.

Mulvey, he says, has been very sick and as has been unable to carry a full load of cases. "We need somebody

young and healthy who is able to carry a full load."

Robert Burns

With the endorsements of most of the county's law enforcement bureaus, and the county Central Labor Council, Robert Burns appears to have a leg up on his opponents for Mulvey's seat.

Burns, 37, has been county deputy district attorney for the 12 years since his graduation from the University of Oregon law school. While his background may appear limited, Burns notes that he spent one full year in civil law representing county agencies.

As testimony to his broad base of support, Burns notes that "the people working in my campaign are mostly defense lawyers." To charges that he can see only the prosecutor's side of things, he responds, "I'm not a prosecutor-turned-judge at all. If I didn't have the frame of mind that could be impartial, I wouldn't have the support of defense attorneys."

Burns is Mulvey's strongest critic of the four challengers, citing a poll of lawyers taken about a month ago by the Oregonian. Of the 22 judges up for re-election, Mulvey ranked 21st, higher only than former judge Shirley Field.

"When a judge fails to earn the respect of attorneys and law enforcement people, that should signal something to the public," Burns says.

Like Avedovech, Burns says he is championing the cause of the victim. "I'm really tired of seeing the victim being left holding the bag. The judiciary needs to rededicate itself to seeing that the victim is better represented in the criminal proceeding. It doesn't take a dime for the judge to emphasize the needs of the vic-

tim." Burns has proposed setting up a victim services unit in the district attorney's department which would help present their problems to the judge. In addition, he favors more extensive requirement of restitution to the victim than is made now.

While Burns likes the idea of holding court in outlying areas, he feels it is currently impractical. "They're not addressing how they're going to pay for it. We (the county) don't have two dimes to rub together. If they think they're going to get the personnel, and the rental of the building for nothing, well, fine."

Burns also feels taking the judges out of Oregon City will leave less time for handling cases. With the current nine-month lag in case settlement, he feels the court can't afford to take the time.

Robert Mulvey, 62, is seeking his third term on the court. He is currently finishing out his twelfth year.

Mulvey is past president of the Clackamas County Bar Association and the Oregon District Judges Association, and has served as Circuit Court judge pro tem in Clackamas, Lane and Multnomah counties.

Because Mulvey was undergoing tests, the Post was unable to contact him. However, his secretary reported that he was unwilling to answer his challengers' criticisms of his health and performance on the bench.

"He'll let his record speak for itself," she said.

Mulvey has said elsewhere that Clackamas County needs one or two more judges on the District Court to handle the caseload, one of the highest in the state.

Lawrence Jordan

"The judge should know nothing about the parties and everything about the case," says Lawrence Jordan. "That's not the case in his (Dale Jacobs') courtroom."

Jordan, 47, has been a practicing attorney for seven years. Before he went to law school he worked as a research engineer and chemist.

Despite his limited background, Jordan feels he has enough experiences to be a judge. "You have a minimum period of learning and education" before inner qualities become more important than experience, he says.

"I have a broader background, more diversified experience, more intelligence, and I can be fairer" than Jacobs, Jordan

says. Jordan is married and has three children.

Dale Jacobs

Judge Dale Jacobs admits that he does have friends among the lawyers who appear before him, and such friendship might appear on the surface.

"But I have never let my friendship with lawyers get in the way" of making the

proper decision, he says. "They would never, ever try to take advantage of my friendship."

Jacobs also condemns the bar poll that Jordan cites. "This wasn't conducted right. Many of the

workhorses, the trial lawyers, said they threw theirs in the wastebasket. It's very unfair that they take quotes out of

anonymous letters."

The bar poll, Jacobs says, reflects only the frustrations of the young attorneys rather than the attitudes of all lawyers in the area.

Jacobs, 59, has been on the Circuit Court since 1971, and is a 30-year member of the Oregon Bar.

Jacobs is married and has three children and five grandchildren.

Oregon roads face ruin Measure 5 vote critical

Oregon roads—many of them old—are losing a disastrous battle against inflation, weather, pounding traffic, and lack of funds to keep them repaired and maintained.

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Badger-Jordan plan approved

The land management plan for the Badger-Jordan Planning Unit has been approved, reports Mt. Hood Forest Supervisor Dale Robertson.

The plan outlines management for the 58,000 acre area, which lies west of Tygh Valley.

The Badger-Jordan Planning Unit contains the

21,200 acre Badger Creek Roadless Area which is being reviewed under the National RARE II evaluation.

"We intend to be responsive to the RARE II

process and not implement any action which would foreclose the option for wilderness for the Badger Creek Roadless Area until RARE II is completed," Robertson said.

Robertson added that land management planning for this area has been on-going since 1971, with several public meetings, workshops and field trips scheduled.

"There was a considerable amount of public input throughout the process and this input significantly affected the final decision," Robertson said.

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Landscaping awards offered

The 1978 Landscape Awards Program of the Oregon Association of Nurserymen will again offer recognition and \$350 in prizes to people and companies who have beautified their surroundings.

This seventh annual statewide contest is open to homeowners and weekend gardeners, as well as professional landscapers. Non-professionals will not be in competition with professionals. There is no entry fee. The landscaping need not be new but it must not have previously won an OAN award, according to Carl (Dusty) Plog, OAN executive secretary.

The program is designed to encourage beautification of homes and public places by calling attention to landscaping which has enhanced the community, according to R. Larry Rowse, OAN Landscape Awards chairman and landscape services manager for Portland General Electric Co.

The three award categories are residential (professional), residential (amateur) and commercial

or public buildings, with three winners in each category. An awards program will be held at the Portland Chamber of Commerce Forum Luncheon on Sept. 5.

Professional categories involve landscaping done wholly by the homeowner.

Homeowners and amateur category is for landscaping done wholly by the homeowner.

Homeowners and amateur entrants will compete for \$350 worth of plant material awards, as well as award plaques. Professional entrants will be vying for award plaques as well as industry recognition.

Deadline for entry is July 31. Information and entry

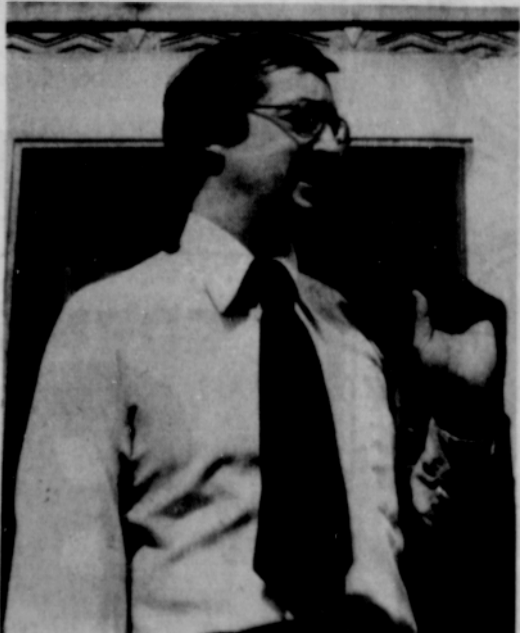
blanks may be obtained by contacting the Oregon Association of Nurserymen, 9224 SW Hamilton St., Portland, 97201 or by calling 221-1182.

FIGHT SMOG CONDITIONS

A new rule approved by the Southern California Air Quality Management District decrees that "smog holidays" may be declared when ozone levels threaten to reach 0.5 parts per million for one hour.

All firms with 100 or more employees in four southern California counties, including Los Angeles County, are affected. The holidays that may be called for the purpose of reducing auto traffic when the air is bad will be in addition to any union-specified holidays.

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