

Garry Kahn, 2010 MBA Professionalism Award Recipient

By MBA President, Leslie Kay.

Garry Kahn will be awarded the MBA Professionalism Award at the MBA's 104th Annual Meeting and Dinner on May 11. The award is made each year to an attorney who exemplifies the standards in the MBA Professionalism Statement:

Professionalism goes beyond observance of the legal profession's ethical rules and serves the best interests of clients and the public in general; it fosters respect and trust among lawyers and between lawyers and the public, promotes the efficient resolution of disputes and makes the practice of law more enjoyable and satisfying.

Garry, you were born in San Francisco, and later moved to Portland where you attended Grant High School and then Northwestern College of Law at night after serving in the US Marine Corps. You have been practicing law since 1962. What was your path to the legal profession?

My dad was a painting contractor and my mother, a secretary. I was not what one would think of as a model student in high school ... but I was attracted to the law and the courtroom. I would actually skip school to watch the criminal docket at what was then the Municipal Court on 2nd and Oak streets in Portland. After I served in the Marine Corps, the GI Bill paved the way for me to go to college and law school at night at Northwestern in the Park Blocks. I started out at the firm that became Pozzi, Wilson, Atchison, Kahn and O'Leary. In 1982 I started my own firm.

Can you describe your practice? Since 1994 I have practiced with my son Steve in a firm that emphasizes personal injury, wrongful death, products liability, medical malpractice and professional liability. We are a client-centered, no-frills outfit.

What is your most memorable case? My most memorable case was probably a pro bono case. I represented a nonprofit organization that sued a hospital to enforce a 1927 contract that obligated the hospital to provide charity care to patients designated by the nonprofit. The case went to the Oregon Supreme Court - 266 Ore 448 - and raised those wonderful common law contract issues such as whether an agreement existed, laches, statute of frauds, assumption of contract, etc.... We prevailed with the court decreeing specific performance of the agreement.

How has the practice of law changed since 1962? It has changed a lot. There were only 2000 lawyers in Oregon in 1962, which afforded more collegiality. Discovery was more informal. Some things have gotten much better such as the increase of women in the profession, but other things are decidedly worse such as lawyer advertising, the increased cost of litigation, and the size of law school debt. We used to try more cases, and used less time to do so ... now there is more emphasis on alternative dispute resolution.

You served on the Multnomah County Circuit Court Bench, correct? Yes, I was appointed to the bench in 1992 by Governor Roberts and resigned after 22 months. I realized that I preferred and missed representing and advocating for people to judging them and their attorneys.

Garry, you will receive the MBA's most prestigious award to recognize and honor your personal and professional qualities, reputation and conduct during the course of your career, including your pro bono activities. Any tips for the rest of us? [Chuckling] I am sure there have been occasions when I have been less than professional such as in the heat of discovery, however I was advised early that one doesn't practice law in a vacuum. I have had some very good mentors at the beginning of my career. One's reputation is the most important thing that one possesses as a lawyer. One must be vigilant in maintaining that reputation.

Interview conducted, condensed and edited by MBA President Leslie Kay.