

Life-changing judge ready for her own change

By Stacey Barchenger

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When Marion County Judge Pamela Abernethy started presiding over juvenile court 10 years ago, she took case notes on plain white notecards.

One of those cards outlined the case of a troubled teen girl with the odds stacked against her. Weeks ago, Abernethy saw the woman, her husband and their children.

"I just saw her and her husband downtown and they're doing great," Abernethy said. "It goes to show that people do change."

Changing the lives of children growing up in rough circumstances has been a focus of Abernethy's judicial career. She will resign from the Marion County bench June 30 after 18 years.

Abernethy chose to preside over juvenile court from 2001-09. It's where she found her niche and arguably became one of the county's most prominent advocates for early-childhood programs and family support.

Abernethy, 59, helped start three specialty courts for juveniles: Fostering Attachment for families with child-welfare cases; Ten on Tuesday, or TOT, for pregnant moms with known drug addictions to stay clean; and STAR Court, which served juveniles overcoming substance abuse.

"She's always emphasized accountability for kids but also looked at a strength-based approach," said Faye Fagel, director of the Marion County Juvenile Department, "(She had) the idea that these are kids; they have something to offer. They've made some poor choices and created some harm in our community. … But we need to look at the years ahead of them."

At juvenile court, Abernethy found compelling work fueled by community involvement.

She'd see children go into the courtroom facing tough odds, such as growing up around drugs and violence or being involved in criminal



Marion County Circuit Judge Pamela L. Abernethy will retire June 30. She has been a judge in Marion County for more than 18 years, working at least eight years in juvenile court. Danielle Peterson / Statesman Journal

The Abernethy file

-Pamela Abernethy graduated from Willamette University School of Law in 1980.

-She worked for about two years as a judicial clerk for the Oregon Supreme Court and Oregon Court of Appeals before moving to a job in the Department of Justice.

-She was a civil trial lawyer for about eight years in various divisions of the DOJ. She was special counsel to the attorney general in 1989 and three years later served as chief counsel of the civil enforcement division.

-She was appointed to the bench in District Court in 1993 by Gov. Barbara Roberts and the Circuit Court bench when the courts consolidated under the direction of the Legislature.

activity themselves. Those cases inspired Abernethy to change the lives of children.

"The kids are growing up in this toxic pool of risk factors," she said. "To see someone come out of that, to hold a job, stay clean, be a parent, it's really good."

In juvenile court sessions, Abernethy met the teen girl whose case notes fill the only notecard Abernethy has kept for 10 years and an unforgettable boy named Gerardo.

"His whole neighborhood was gangs, drugs and violence," Abernethy remembered. "He was right in the middle of it."

STAR court changed that and, at graduation, Gerardo told Abernethy: "I have worked hard to become a person I can respect."

That saying guided Abernethy's attitude on the bench.

Her passion to protect the innocent in each case, the children, stems from her desire to parent coupled with seeing how children were treated, she said.

"I was sort of acutely aware of the way we were treating children in court," she said about her decision to move to juvenile court 10 years ago. She recalled reading a story about a 3-year-old boy with development problems.

"I didn't know much about child development, but it seemed odd that he could have all these problems by three," she said.

Abernethy's work showed that children, including 3-year-old boys with development issues, can change and improve if given resources.

She focused on "how do we work with them and support them," Fagle said. "She has absolutely been a huge component of public safety in Marion County. She's had a real leadership role in looking at how we get ahead of these issues."

Abernethy's passion, knowledge and incredible public-speaking skills helped her mobilize people in support of children and "get them impassioned to do something," said Sue Miller, director of Family Building Blocks. "I think it's her deep understanding of how important those first few years of life are as far as setting a person up for having a successful future."

Family Building Blocks, a Salem relief nursery, works with Fostering Attachment court.

"I think she's played a key role in having the community focus on helping youth," Miller said.

Abernethy holds a position on the board of Family Building Blocks. She plans to continue in that role after her retirement, as well as continue her law career in private mediation and arbitration work.

In the courtroom, Abernethy is known for holding people accountable with compassion.

"She is able to care about them but also be very firm and draw the line or explain the boundaries," Miller said. "She's also very good at building relationships with children."

-From 2001-09, she worked in juvenile court. She since has worked at the circuit court's downtown courthouse handling civil, criminal and some juvenile cases.

-Her resignation is effective June 30.

-Abernethy is a member of the Oregon Women Lawyers Association; National Council of Juvenile and Family Court Judges and its permanency planning advisory committee; and the American Bar Association's Center on Children and the Health of Court-Involved Infants Toddlers and Preschoolers Advisory Committee.

-She plans to stay active with Family Building Blocks.

Abernethy is an active advocate for children and families outside her courtroom.

She has been recognized by the Salem Leadership Foundation and earned the community accolade of the ATHENA award. She was a 2008 graduate fellow for the national early-childhood advocacy group Zero to Three.

Abernethy also was instrumental in starting a biannual symposium of family law professionals in Salem and a parent education course mandatory in custody cases.

Key to her compassion may be Abernethy's beliefs that she's no different than the children and adults who have appeared in her courtrooms.

"A judge is not unlike the people who appear before him or her but is only separated by opportunity, education and privilege," Abernethy wrote in her resignation letter.

Despite egregious cases she has seen in her tenure, Abernethy said she believes that all people are capable of good.

"A judge must truly believe in each person's capacity for good while recognizing that a person severed from his or her true self can act in ways that are atrociously ugly," she wrote.

sbarchenge@StatesmanJournal.com or (503) 399-6610 or follow at Twitter.com/SJPublicSafety

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Judge Abernethy's letter of resignation(function() { var scribd = document.createElement("script"); scribd.type = "text/javascript"; scribd.async = true; scribd.src = "http://www.scribd.com/javascripts/embed_code/inject.js"; var s = document.getElementsByTagName("script")[0]; s.parentNode.insertBefore(scribd, s); })();
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