

2014 PUBLIC AFFAIRS COMMITTEE

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Mandatory eFiling is Here! Starting on Monday, December 1, 2014, 11 counties now require active Bar members to use Oregon eCourt's mandatory eFiling system. For more information on training, registration, software and hardware requirements, and technical support, go to the [Oregon State Bar's mandatory eFiling webpage](#).

Chief Justice Shares Budget Priorities for 2015 - 2017 Biennium

Oregon's courts perform crucial roles in promoting public safety, promoting a sound business environment, resolving issues for families in crisis, and protecting quality of life. Over the last several biennia, funding for Oregon courts decreased substantially, resulting in court closures and understaffing.

In 2013, the [Citizens' Campaign for Court Funding](#) was created by Mike Haglund, Ed Harnden, and Peter Bragdon to mobilize members of the Oregon State Bar and members of the business community to advocate for sufficient court funding. The 2013 – 2015 court budget addressed some of the most pressing court needs, such as funding for a new Oregon Court of Appeals panel, an increase in judicial compensation, and continued funding for the Oregon eCourt roll-out.

On October 27, 2014, the Citizen's Campaign, along with Chief Justice Tom Ballmer, hosted a breakfast to discuss the funding needs and budget priorities of the Oregon Judicial Department (OJD) for the 2015 – 2017 biennium. Almost 50 business leaders, legislators, and members of the Bar attended the event, at which the Chief Justice shared the OJD budget priorities. These priorities included:

- 1) Maintaining the Current Service Level (CSL) budget (\$430.1 million General Fund),
- 2) Finishing the implementation of Oregon eCourt (\$6.0 million General Fund and \$18.9 million Other Funds),
- 3) Providing appropriate judicial compensation (\$4.5 million General Fund), and
- 4) Providing safe and suitable court facilities (\$3.8 million General Fund and \$61.95 million Other Funds).

In addition, OJD's other budget priorities will be funding for court services (\$5.75 million General Fund), access to justice for families (\$1.65 million General Fund), and treatment courts (\$2.8 million General Fund and \$3.3 million Other Funds).

The Governor released the 2015 – 2017 proposed [balance budget](#), including the Judicial Department budget on December 1, 2014.

PUBLIC AFFAIRS DEPARTMENT

Susan Grabe,
Public Affairs Director
Amy Zubko,
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House of Delegates Holds Annual Meeting

On November 10, 2014, the Oregon State Bar's House of Delegates (HOD) held its [annual meeting](#) at the Oregon State Bar Center in Tigard. One hundred forty-five delegates made the trip to Tigard to discuss and vote on nine proposals. The HOD voted to amend three sections of the Oregon Rules of Professional Conduct (ORCP 1.2, ORCP 5.5, and ORCP 8.4); and to support adequate funding for legal services for low-income Oregonians and fair compensation for indigent defense providers.

The amendment to ORCP 1.2 allows lawyers to counsel and assist clients

regarding Oregon's marijuana-related laws and requires lawyers to provide advice regarding federal law if there is a conflict.

The amendment to ORCP 5.5 allows lawyers licensed to practice law outside of the United States to provide legal services on a temporary basis in Oregon to the same extent as lawyers who are licensed in other U.S. jurisdictions are currently allowed to do.

The amendment to ORCP 8.4 prohibits a lawyer, in the course of representing a client, from knowingly manifesting bias or prejudice on a variety of bases.

This concept was first approved during the 2013 HOD meeting, however the Oregon Supreme Court deferred approval of the proposed language because of concerns that the proposed language would impermissibly restrict the speech of Bar members. The language was reviewed and modified by a task force and the modified concept was approved during the 2014 HOD meeting.

Funding for legal aid services and fair compensation for indigent defense providers will be part of the Oregon State Bar's 2015 legislative priorities.

2014 Election Results in Democratic Majorities in Both Oregon House and Senate

While the 2014 national election resulted in increased Republican representation through most states and at the federal level, Oregon bucked the [national trend](#). Oregon increased its Democratic majorities in both the House and the Senate.

In the Oregon House of Representatives, the Democrats picked up one seat, to increase their majority to 35:25. Representative Vicki Berger (R - Salem) opted not to run for reelection and Paul Evans, the Democratic candidate, ran a successful campaign against Kathy Goss for the District 20 seat.

In the Oregon Senate, the Democrats picked up two seats to increase their majority to 18:12. In District 8, Representative (and now Senator-elect) Sara Gelsler ran a successful campaign against current Senator Betsy Close. District 15, where Senator Bruce Starr served since 2002, was too close to call for several days. The seat was finally called for former Representative Chuck Riley on November 10 with a margin of 221 votes.

Oregon Senate

Thank you to Senator Betsy Close (District 8), Senator Larry George (District 13), and Senator Bruce Starr (District 15) for your service in the Oregon Senate.

Oregon House of Representatives

The Oregon State Bar extends its thanks to the following Representatives for their service in the Oregon House of Representatives.

- Representative Tim Freeman (District 2),
- Representative Wally Hicks (District 3),
- Representative Dennis Richardson (District 4),
- Representative Bruce Hanna (District 7),
- Representative Kevin Cameron (District 19),
- Representative Vicki Berger (District 20),
- Representative Jim Thompson (District 23),
- Representative Ben Unger (District 29),
- Representative Harker (District 34),
- Representative Carolyn Tomei (District 41),
- Representative Greg Matthews (District 50),
- Representative Jason Conger (District 54), and
- Representative Bob Jenson (District 58).

In addition, the bar would like to thank and congratulate Representatives Sara Gelsler and Kim Thatcher for their election to the Oregon Senate.

Recreational Marijuana, Driver's Licenses, and an Equal Rights Amendment among Ballot Measures on 2014 Ballot

This fall Oregonians voted on seven statewide ballot measures. At this time, three have passed, three did not pass, and one has triggered a statewide recount.

Oregon Opportunity Initiative – [Measure 86](#) would have amended the state constitution and used state debt bonding authority to finance Oregon student loans. The measure was defeated 58 to 42 percent.

Judicial Employment – [Measure 87](#) was referred by the legislature and will allow state judges to work for the National Guard and teach at state colleges and universities. Measure 87 passed 57 to 43 percent.

Driver's Licenses – [Measure 88](#) was a veto referendum sponsored in response to Senate Bill (SB) 833 (2013), which allowed people without proof of a legal presence in the United States to get a four-year driver's license. Measure 88 was successful and SB 833 was defeated 66 to 34 percent.

Equal Rights Amendment – [Measure 89](#) was an initiative to change Oregon's state constitution and passed 64 to 36 percent. Under Measure 89, the Oregon Constitution now guarantees that equality of rights may not be abridged because of a person's sex.

Top-Two Primary System – [Measure 90](#) was an initiative that would have created a top-two primary system for Oregon's primary races. The measure failed 68 to 32 percent.

Recreational Marijuana – [Measure 91](#) was an initiative sponsored by New Approaches Oregon. The measure legalized recreational marijuana for people 21 years or older and requires the Oregon Liquor Control Commission to regulate sales. Measure 91 passed with almost a 56 to 44 percent split.

GMO Labeling – [Measure 92](#), an initiative, would require labeling certain foods that were produced with or contain genetically modified organisms. As of Monday, November 24, it appears that the measure is headed to a statewide recount.