

Oregon State Bar
Meeting of the Board of Governors
November 20 - 21, 2004
Open Session Agenda

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 1:00 p.m. on November 20, 2004, and continue to the morning of November 21, 2004, if necessary to complete business; however, the following agenda is not a definitive indication of the exact order in which items will appear before the board. Any item on the agenda may be presented to the board at any given time during the board meeting.

1:00 p.m. – 1:45 p.m.

1. Work Session – Linda L. Kruschke, CLE Publications Manager

- *Linda Kruschke, the new manager of the CLE Publications Department, will discuss the work of her department.*

1:45 p.m.

2. Report of Officers

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|----|--|--------|---------|
| A. | Election of New OSB President-elect | Action | |
| B. | Report of the President [Mr. Carter] | | |
| 1. | Oath of Office for New BOG Members | Action | |
| 2. | Meeting with Chief Justice Carson on November 10, 2004 | Inform | Handout |
| 3. | HOD Meeting Feedback | Inform | |
| 4. | Grants Pass Campaign Activities with Ms. Garst | Inform | |
| 5. | PLF Meetings | | |
| a. | Learning the Ropes Seminar | Inform | |
| b. | Meeting at Steamboat Inn | Inform | |
| 6. | National Program to Increase Citizen Participation in Jury Service | Inform | 1-8 |

2:00 p.m.

C. Report of the President-elect [Ms. Cook]

1. Update on Current Activities Inform

2:05 p.m.

D. Report of the Executive Director [Ms. Garst]

1. Miscellaneous Inform

3. Professional Liability Fund [Mr. Cannon, Mr. Palmer, Mr. Bloom]

2:10 p.m.

A. General Report

1. CEO Evaluation Process Inform
2. London Re-insurer Meetings Inform
3. Projects for 2005
 - a. Analysis of Assessment Factors and Alternatives Inform
 - b. Study of Part-time Attorney Assessment Inform
4. 2005 Meeting Schedule Inform

B. Financial Report Inform

C. Personal and Practice Management Assistance Program Inform

- *An update on the activities of the PPMA for the first three quarters.*

D. Approval of 2005 Excess Plan Action 9-40

- *In order to maintain consistency between the PLF Excess Plan, which provides coverage for those who wish to purchase it for claims that exceed the PLF primary limit, changes have been made to the 2005 Excess Plan. These changes incorporate the changes made in the Primary Plan and change the treatment of claims that are the "same or related" and made against separate firms each with excess coverage.*

- E. Approval of Changes to PLF Policy Manual Action 41-140

➤ *The PLF has made a number of changes to the PLF policy manual that are both stylistic and substantive. Approval of the 2005 Policy Manual is requested.*

4. Closed Session Agenda

2:30 p.m.

- A. Reinstatements (Judicial proceeding pursuant to ORS 192.690(1) – separate packet) Discuss/Action green agenda

- B. Litigation and Advice of Counsel (Executive Session pursuant to ORS 192.660(1)(f) and (h) - separate packet) Discuss/Action green agenda

2:45 p.m.

5. Open Session Agenda

- A. *Paulson v. Oregon State Bar* Action 141-142

➤ *The board needs to take formal action on indemnification and defense of staff and officers in the Lauren Paulson lawsuit and concerning Mr. Riemer's DR 5-101(A) disclosure. Nena Cook will present these issues to the board.*

6. OSB Committees, Sections, Councils, Divisions and Task Forces

3:15 p.m.

- A. MCLE Committee [Mr. Hill]

1. MCLE Request for Review - Harry Jones Action 143-175

- B. Client Security Fund [Mr. Comstock] Action 177-221

1. *Wilson v. Cederwall* and *Wilson v. Torres*

➤ *Consider Ms. Wilson's requests that the decisions of the CSF on two claims filed by her clients be vacated.*

7. **BOG Committees, Special Committees, Task Forces and Study Groups**

3:25 p.m.

A. Access to Justice [Ms. LeSage]

1. Change to ORS 9.025 and the Bar Bylaws Action 223-224

➤ *The Access to Justice Committee is recommending the BOG modify ORS 9.025 and the Bar Bylaws for the purpose of adding a BOG appointed at-large seat to the BOG for under-represented groups.*

3:30 p.m.

B. Budget and Finance Committee [Mr. Hilton]

1. 2005 OSB Budget Action 225-246

➤ *The committee recommends approval of the 2005 budget report.*

2. Annexation of Bar Center to City of Lake Oswego Action 247

➤ *The committee recommends the bar decline the invitation to annex to the City of Lake Oswego.*

3:40 p.m.

C. Executive Director Evaluation [Ms. Cook]

Executive Session

1. Executive Session Pursuant to ORS 192.660(1)(i)- Executive Director Performance Review

Open Session

2. Executive Director Contract and Salary Review Action

4:10 p.m.

D. Policy and Governance Committee [Ms. Cook]

1. Revised CLE Committee Charge Action 249-251

➤ *The Policy and Governance Committee will make a recommendation on a final charge for the CLE Committee. The draft charge is in the exhibits. No other committee charges were revised for 2005.*

E. Public Affairs Committee [Mr. Gaydos]

4:20 p.m.

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| 1. | General Political Update | Inform | 253-258 |
| | <i>➤ Update on General Election results.</i> | | |

4:30 p.m.

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| 2. | Joint Recommendation from Public Affairs Committee and Special Committee on Board Relations | Action | 259-260 |
| | <i>➤ Joint recommendation to submit language change regarding board recall provisions to 2005 legislature as amendment to existing board governance proposal.</i> | | |

4:45 p.m.

F.	Special Committee on Board Relations [Mr. Rawlinson]	Inform	Handout
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- The committee will be meeting on November 19-20, 2004, and will have a further report for the board following its meeting.*

G.	Committee on the Judiciary [Mr. Bryant]	Inform	Handout
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- The committee will be meeting on November 19-20, 2004, and may have a further report for the board following its meeting on judicial evaluations.*

H.	BBX/BOG Study Group on Reciprocity Admission [Mr. Hilton]	Action	261-272
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- The group is recommending that Utah be added to Admission Rule 15.05.*

8.	Consent Agenda	Action	pink
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9.	Default Agenda	Inform	blue
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10.	Good of the Order (Non-action comments, information and notice of need for possible future board action)		
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