

Oregon State Bar
Meeting of the Board of Governors
May 5-6, 2006
Open Session Agenda

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 12:00 p.m. on May 5, 2006, and continue to the morning of May 6, 2006, 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.

Call in Number: 888-272-7337
Conference ID: 1717200

Date and Time

1:00 p.m.

1. **Work Session - Public Affairs**
2. **Report of Officers**

A. Report of the President [Mr. Rawlinson]

1:30 p.m.

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| 1. | Meeting with Chief Justice Paul R. De Muniz
April 27, 2006 | Inform Handout |
| 2. | Board Leadership | Inform |
| 3. | Pro Bono Fair and Challenge | Inform |
| 4. | July 7, 2006 Supper and Wine Tasting | Inform |
| 5. | Gaelic Procedures | Inform |

1:40 p.m.

B. Report of the President-elect [Mr. Menashe]

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| 1. | NCBP in Chicago February 9-11 | Inform |
| 2. | Leadership College | Inform |
| 3. | WSBC in San Diego March 21-25 | Inform |

4. Willamette University Third Year Law Students April 5 Inform
5. 50-year Member Luncheon April 7 Inform
6. November Retreat Inform
7. Various Other Visits Inform
8. Miscellaneous Inform

1:50 p.m.

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

1. Record Retention Policy Inform 1-5
 - *We are in the process of reviewing our record retention policy. An example of a draft policy for one department is included as an exhibit.*
2. Program Measures Inform Separate

2:10 p.m.

D. Oregon New Lawyers Division [John Marandas, will attend by phone]

1. Update Inform

3. Professional Liability Fund [Mr. Cannon]

2:15 p.m.

- A. Update Inform

4. Special Appearances

2:25 p.m.

A. ABA Update [Adrienne Nelson will attend by phone]

1. Support of ABA Resolutions Inform 7-33
 - *The ABA is soliciting support for the recommendation and report, which urges state and other bar associations to strengthen participation of minorities in the legal profession.*

5. Rules and Ethics Opinions

2:35 p.m.

A. Legal Ethics Committee [Mr. Minson]

1. Proposed Amendments to Oregon Rules of Professional Conduct Action 35-55

➤ *Consider the recommendations of the Legal Ethics Committee for amendments to several of the Oregon Rules of Professional Conduct.*

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

3:05 p.m.

A. Client Security Fund [Mr. Comstock]

1. *Bornowski v. Marsh* Claim Action 57-58

➤ *Review the claim and advise the Committee if the BOG believes some action should be taken.*

2. Request for review: Claim 05-26 - *Cirina v. Judy* Action 59-63
(\$22,000)

➤ *Review the CSF Committee's denial of this claim.*

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

3:10 p.m.

A. Budget and Finance Committee [Mr. Menashe]

1. Audit Report Action 65

➤ *The board should acknowledge receipt of the audit report for the two years ended December 31, 2005 issued by Pauly Rogers CPAs. The audit report is enclosed separately.*

2. New Bar Center Action 67-70

➤ *The Budget & Finance Committee and BOG representative will update the board on the latest events surrounding the new building and offer recommendations for various expenditures. The Letter of Intent is enclosed.*

3. Creating Separate Fund Balance for LRAP Action 71
- *The committee recommends that money in excess of expenses from the \$5.00 LRAP assessment earn interest on a monthly basis and a separate fund balance be created for the excess funds.*

3:40 p.m.

B. Committee on the Judiciary [Mr. Hill]

1. Update Inform

3:45 p.m.

C. Member Services Committee [Mr. Yugler]

1. Reception with the Leadership College at the Federal Courthouse Inform
2. CLE Publications Task Force Report Action 71-84

- *The committee is asking the board to adopt product concept and pricing structure for Online CLE Publications that was created by the Online CLE Task Force.*

3:55 p.m.

D. Policy and Governance Committee [Mr. Comstock]

1. Bar Bylaws – Annual Meeting Action 85-95

- *The committee is recommending that the references to the discontinued annual meeting be removed. Any new bylaw is subject to the one meeting notice rule (Article 26 of the Bar Bylaws), unless two-thirds of the entire board waive the notice requirement.*

4:00 p.m.

2. Membership Vote Regarding MCLE Elimination of Bias Requirement Action 97-106

Judge Baldwin may call in.

- *The committee will consider making a recommendation regarding board action at its May meeting. The options the committee considered at its April meeting are included with the agenda.*

4:30 p.m.

3. BOG Oversight of Non-Disciplinary Litigation Inform 107-109
 - *The BOG raised the issue of whether it is adequately monitoring the bar's non-disciplinary legal matters and doing enough to avoid litigation. The options were discussed and the committee recommends the BOG continue its current practice of assigning a board member to work with General Counsel's Office on an as-needed basis.*

E. Public Affairs Committee [Mr. Gaydos]

4:40 p.m.

1. Free CLEs for Judges Action 111
 - *The committee recommends the board offer free CLEs and section membership to judges and lawyer staff.*
2. Law Improvement Proposals Inform 113-153
 - *The committee recommends the board adopt the Law Improvement Package of legislation for the 2007 legislative session.*
 - a. Administrative Law Section Inform
 - *A spokesman from the Administrative Law Section will address the BOG.*
3. Juvenile Law Task Force Report Inform 155-208
 - *The committee recommends the board adopt the Juvenile Law Task Force Report on Principles and Standards for Counsel in Criminal, Delinquency, Dependency and Civil Commitment Cases.*

Saturday, May 6, 2006

8:00 a.m.

8. Closed Session Agenda

Jeff will call in.

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

- B. Litigation and Advice of Counsel
(Executive Session pursuant to ORS
192.660(1)(f) and (h) - separate packet) **Discuss/
Action** green
- 9. Consent Agenda **Action**pink
- 10. Default Agenda **Inform**blue
- 11. Good of the Order (Non-action comments, information and notice of need for possible future board action)