

OREGON STATE BAR
MEETING OF THE BOARD OF GOVERNORS
Schedule of Events
April 4, 2008
3/25/2008 8:24 AM

Meeting Place Oregon State Bar **Phone:** 503-620-0222
16037 SW Upper Boones Ferry Road
Tigard, OR 97224

Friday, April 4, 2008



- 8:00 a.m. – 9:00 a.m. **Public Affairs Committee** (Fisher, Gaydos, Johnson, Piucci, Skerjanec, Vieira)
Santiam Room
Call in Number: 888-891-0496
Conference ID: 254704
- 9:00 a.m. – 10:00 a.m. **Policy and Governance Committee** (Gerking, Worcester, Evans, Greene, Lehner, Matsumonji, Vieira) **
McKenzie Room
Call in Number: 888-737-5834
Conference ID: 934254
- 9:00 a.m. – 10:00 a.m. **Member Services Committee** (Gaydos, Wright, Johnson, Fisher, Johnnie, Kent) **
Santiam Room
Call in Number: 888-891-0496
Conference ID: 254704
- 10:00 a.m. – 11:00 a.m. **Executive Director Search Special Committee** (Skerjanec, Fisher, Gaydos, Johnnie)
McKenzie Room
Call in Number: 888-737-5834
Conference ID: 934254

11:00 a.m. – 11:30 a.m.	Budget and Finance Committee (Green, Skerjanec, Gaydos, Kent, Lehner, Worcester) * McKenzie Room Call in Number: 888-891-0496 Conference ID: 254704
11:45 a.m. – 1:30 p.m.	50-Year Members' Lunch Tualatin Country Club 9145 SW Tualatin Road Tualatin, OR 97062
2:00 p.m. – 3:00 p.m.	Access to Justice Committee (Wright, Vieira, Gerking, Kent, Lehner, Matsumonji) Santiam Room Call in Number: 888-737-5834 Conference ID: 934254
3:00 p.m. – 4:00 p.m.	Special Board Meeting McKenzie Room Call in Number: 888-891-0496 Conference ID: 254704
4:00 p.m. – 4:30 p.m.	Public Member Selection Committee (Worcester, Lehner, Greene, Johnnie, Vieira) Santiam Room Call in Number: 888-891-0496 Conference ID: 254704

* and ** indicate committees which have no overlap and can meet at the same time.

NO MEETING	Appellate Screening Committee (Evans, Gerking, Johnson, Greene, Matsumonji)
NO MEETING	Appointments Committee (Evans, Gerking, Fisher, Johnnie, Piucci, Vieira, Wright) *

Oregon State Bar
Meeting of the Board of Governors
April 4, 2008
Special Open Session Agenda

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 3:00 p.m. on April 4, 2008; 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.

April 4, 2008

1. **Special Appearance**

A. Chief Justice Paul J. De Muniz Inform

2. **Executive Director Search Special Committee [Ms. Skerjanec]**

A. Approval of Executive Director Job Description Action 1-4

The job description will be delivered to board members prior to the board meeting and separate from this document.

3. **Good of the Order (Non-action comments, information and notice of need for possible future board action)**

Position Description

Title of Position: Executive Director		Exempt: Yes	
Department: Executive Services		Range: NA	
Supervisor's Title: Board of Governors		FTE: 1.0	

Overall Position Objective:

Serves as the chief executive officer for the Oregon State Bar (OSB). Responsible for the day to day administration of the OSB.

Essential Duties:

- Works with the board in articulating an overall vision for the OSB, its future development, and annual strategic planning and policy development.
- Creates a strong integrated team environment which results in excellent staff morale.
- Models behavior and provides leadership that recognizes diversity and uses inclusive and culturally competent practices.
- Models behavior and provides leadership that promotes professionalism.
- Responsible for development of the board agenda working closely with board officers, committee chairs, and key bar staff. Responsible for accurate board minutes.
- Supervises the election of bar officers, BOG members, and other elected bar representatives.
- Formulates and implements internal operating policies and procedures for the bar.

- Oversees implementation of all OSB programs and services, including planning, budgeting, financing, and implementing board directives.
- Evaluates OSB operations, service delivery, and programs on the basis of measurable outcomes and reports the results of the measurement to the board.
- Oversees communication with the bar membership and the public.
- Assists the BOG with the development and implementation of long-term policy and planning.
- Prepares budget for BOG approval and, within parameters approved by the board, supervises fiscal and budgetary matters of the bar including, but not limited to, negotiating and executing contracts; collecting debts owed to the bar and assigning debts for collection; and acquiring, managing, and disposing of personal property related to the bar's operation.
- Develops and maintains effective communication with a broad constituency, including without limitation, members of the bar, the Board of Governors, officers, bar associations, specialty bars, law schools, the Professional Liability Fund, and other law-related membership entities.
- Creates, organizes, and participates in public speaking and public relations events on a frequent basis.
- Represents the bar and the Board of Governors before bar-related entities, the judicial system, the legislature, the membership, and the community.
- Responsible for the direct supervision of the managers and supervisor of the bar, excluding those staff working for the Professional Liability Fund.
- Directs and supervises management of all bar staff, including without limitation, hiring, training, scheduling, reviewing work, and evaluating performance of professional and non-professional staff.
- Monitors development and implementation of human resources policies assuring compliance with all appropriate laws and regulations.
- Performs other duties as imposed by the Bar Act, the Bar Bylaws, or as otherwise directed by the board.

Other Duties:

- Maintains contact with a variety of national and state bar associations and professional groups.
- Serves as bar liaison to committees, sections, task forces and other groups.
- Other duties as assigned by the board.

Qualifications:

- Graduation from a four-year college or university with a degree in management, business, public administration, or a related field. Post graduate degree or Juris Doctor preferred.
- Five years administration management experience including program planning, administration, evaluation, and budgeting as well as personnel selection, supervision, and evaluation.
- Combination of experience and training that demonstrates knowledge, understanding, and utilization of diversity and its related concepts and practices and cultural competency issues.
- Five years experience working with a Board of Directors in a public, private, or non-profit organization.
- Knowledge and understanding of public sector administrative and regulatory law, and of the legislative process.
- Experience representing or working with professionals and outreach to people from a variety of backgrounds.
- Successful experience working with a variety of internal and external groups including obtaining consensus and support for program initiatives and solutions.
- Demonstrated ability to work collaboratively and effectively with difficult issues at various levels of an organization.
- Evidence of successful use of project management and time management skills.
- Ability to work in a team environment and provide professional customer service.

- Ability to exercise sound judgment in keeping with the objectives and policies of the bar.
- Evidence of excellent interpersonal communication, public speaking, public relations, and conflict management skills, including ability to communicate with a broad constituency..
- Any satisfactory equivalent combination of experience and training which ensures the ability to perform the work may be considered for the above.

Job-Related Physical Characteristics:

- Communication in person, in writing, and by phone.
- Ability to operate a computer.
- Ability to manipulate data for program and budgetary purposes and word processing.
- Ability to use standard office equipment.
- Ability to perform as a public speaker.
- Ability to travel within and outside Oregon.

eCourt Program *Overview*

OJD is building a statewide electronic courthouse providing a common experience for all citizens of the state regardless of location. Over the next 5 years OJD will:

- Improve statewide technology infrastructure.
- Develop an online system allowing citizens, businesses, and government to access the courts from anywhere at any time.
- Implement standard, efficient business practices statewide.
- Implement a new case and financial management system.
- Develop common interfaces that provide stakeholders with ability to exchange information.
 - State agencies such as Corrections, Criminal Justice Commission, Human Services, Department of Motor Vehicles, and State Police (LEDS).
 - Local government agencies such as Sheriffs, District Attorneys, and local human service agencies.
 - Other partners such as attorneys and local treatment providers.

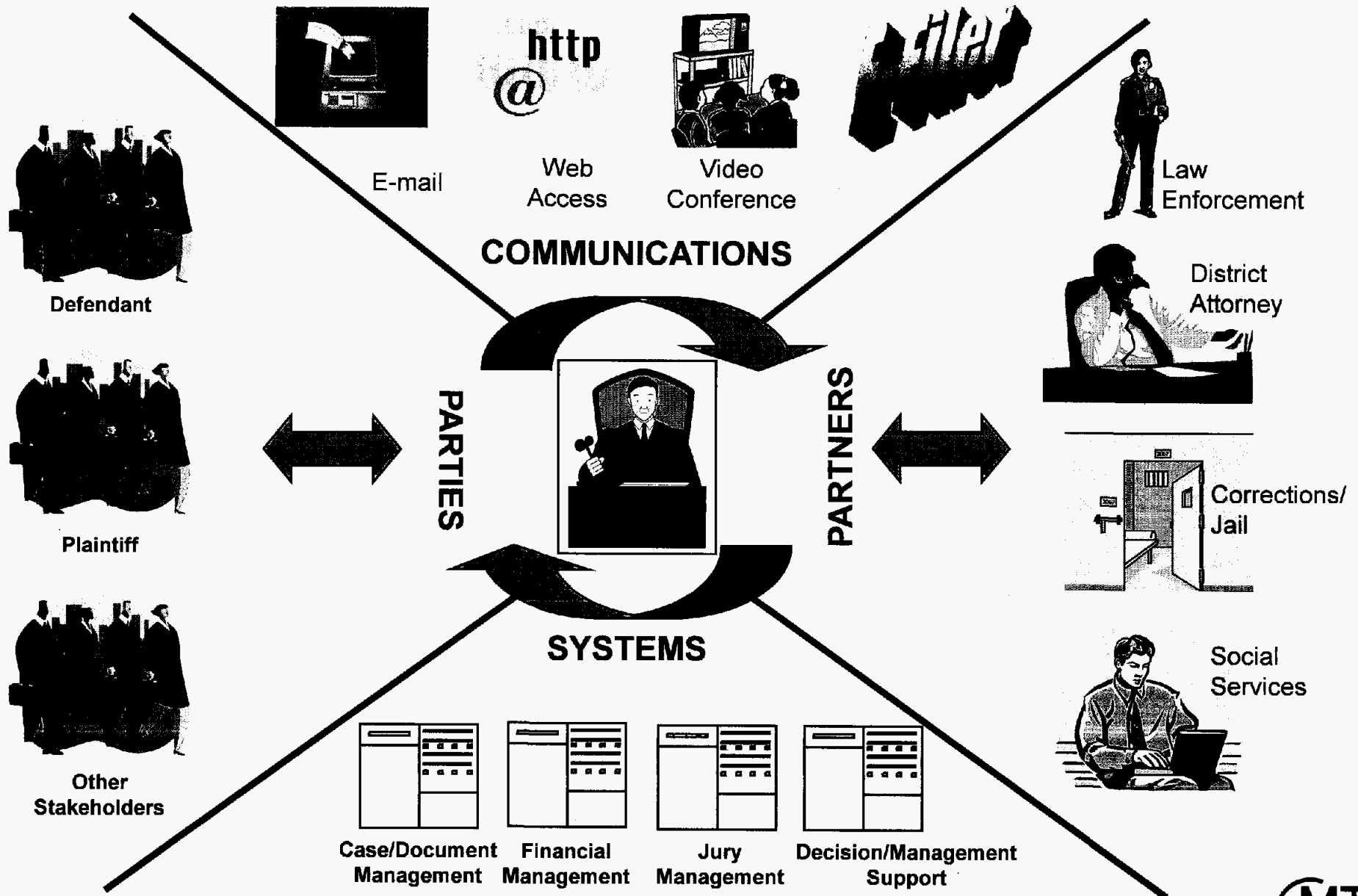
eCourt Program Overview

Key Decisions for the Future

- Centralized unified system statewide – All courts, all sizes.
- Case Management System - Replace OJIN with vendor product.
- Migration toward paperless environment - Use of E-filing, imaging, etc.
- Implementation of a Self Service Model - Pro Se cases, etc.
- Standardization of business processes - Uniform versus unique.

eCourt Program Overview

A Visual Reference



eCourt Program Overview

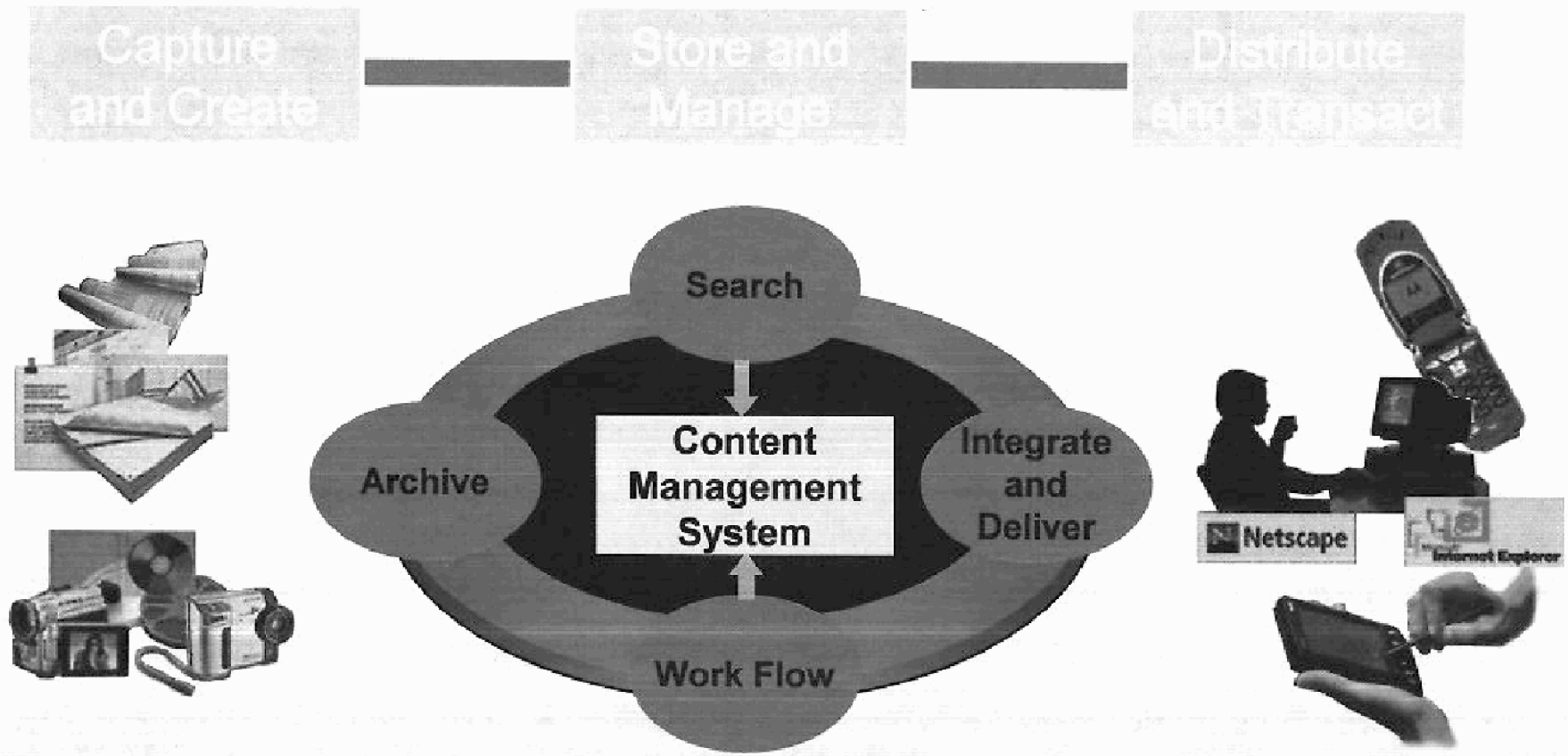
Attributes

- Document Management/Paperless
- Assisted Self Service.
- Public Access.
- Electronic Commerce.
- Electronic Funds Transfer.
- Pro Se filing.
- Stakeholder Integration.
 - » Criminal Justice
 - » DMV
 - » Social Services
- Video Conferencing.
- Streaming Video.
- Return of court rulings.
- Multiple language.
- Self help services
- Subscription/notification.
- Jury management.
- Calendaring.
- Traffic School registration.
- Online Computer/Video Based Training.
- Audio/Video of in court proceedings.
- Online evidence submission.
- Attorney registration.

ECM Requirements Review

Operating Concepts

Electronic Content Management is the strategy and technologies employed to manage the capture, storage, security, control, retrieval, distribution, preservation and destruction of documents and digital content related to organizational processes.



ECM Requirements Review

Operating Concepts

- Electronic Content Management (ECM) helps manage all ***unstructured information***. This includes:
 - » Electronic forms.
 - » Documents.
 - » Images.
 - » Video.
 - » Audio.
 - » Computer-generated data (e-mail, reports, etc).
- Enables search and retrieval by creating ***schemas*** and information ***indexes*** (think Google).
- Manages ***relationships*** between pieces of content.
- Controls how content is shared and displayed.

E-Filing Requirements Review

Operating Concepts

- Receive all possible documents electronically, in digital form, preferably via the web.
- Ability to verify that the documents submitted are received and their integrity is maintained by the system.
- Accept web-based payment when a fee is required for the electronic filing of documents or payment of other court imposed financial obligations.
- Ability to transmit and serve parties with submitted documents at the same time as submitted.
- Implement 24x7x365 access to court records and the ability to submit documents to the court in a manner that does not require a physical presence in the courthouse.

Portal Requirements Review

Operating Concepts

The OJD Web Portal will promote access by the public to conduct business that can currently only be performed while on site at the courthouse. Internet access is planned to provide the ability to file cases, pay fees, view documents and provide court how-to information that is relevant for pro se filers and others.

- Requirements:
 - » Ease of navigation.
 - » Consistent look and feel across all courts.
 - » Web payment processes and tools.
 - » Electronic forms.
 - » Multiple languages.
 - » 24x7x365 access.
 - » Security.

Portal Requirements Review

The MLB.com Model

Navigation icons: back, forward, home, search, etc.

ALERT: In Kansas City: End of the 4th -- Cleveland 4, Kansas City 1

REGISTER - LOG IN | **MLB.com** | POWERED BY Sun Microsystems

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SEATTLEMARINERS.COM

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PREGAME | [Preview](#) | [Press Pass](#) | [Gameday](#)

Mariners aim for series win vs. first-place Yanks

INNING	1	2	3	4	5	6	7	8	9	R	H	E
NY										0	0	0
SEA										0	0	0

Jarrod Washburn attempts to earn his seventh win tonight at Safeco Field.
[MLB.TV](#) | [Audio](#) | [Gameday](#) >

MLB.TV Watch every MARINERS game LIVE online

BLACKOUT RESTRICTIONS APPLY. CLICK FOR TERMS AND CONDITIONS.

Next Game: Thu., August 24 @ 7:05 p.m. PT
 TV: KSTW | Radio: KOMO, KTFH (Sp.)



Johnson
14-9, 4.98



Washburn
6-12, 4.43

Probable Pitchers

[Buy Tickets](#) | [Game Preview](#) | [Full Schedule](#)

21	22	23	24	25	26	27
MON	TUE	WED	THU	FRI	SAT	SUN
	vs. NY	vs. NY	vs. NY	vs. BOS	vs. BOS	vs. BOS
W 6-5	L 2-9	7:05p	7:05p	7:05p	7:05p	1:05p

VIDEO

- Yuniesky Betancourt had an RBI single in Wednesday's loss.
- Adrian Beltre blasts two homers, including the walk-off winner.

TICKET CENTER

SINGLE TICKETS | PRINT TIX AT HOME

vs. **Boston**

Fri	Aug 25	7:05pm
Sat	Aug 26	7:05pm
Sun	Aug 27	7:05pm

[Single Ticket Info](#) | [Seating & Pricing](#)

MARINERS UPDATE

- Hernandez undone early by Yanks
- Mariners notes: Snelling enjoys play time
- Beltre's second HR drops Yanks, ends skid
- Mariners notes: Jones sent down
- M's mailbag: Can Beltre get back to form?
- Mariners suffer late fall against Angels
- Mariners notes: Ichiro in center
- Corey Brock's MLBlog
- More Headlines | Post a Mariners blog
- RSS News Feeds [XML](#)

SIGHTS AND SOUNDS

mariners shop

Men's Outerwear

New 2007 Season Ticket Deposits Being Taken Now!

Singles Night
Friday, Sept. 8

Turn Back The Clock

Game Worn Jersey Auction
オークションはこちら!

201. \$100.00

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PRESENTS

Edwards-Ronson AWARD

EST. APRIL 8, 1999

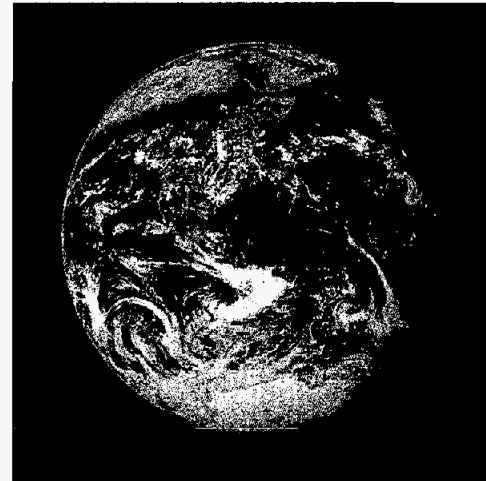
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How soon?

Timeline

- 2005 - now: ACMS
- May 07 - now: e-Briefs (Supreme Court)
- Now: Public Access ACMS & e-Briefs
- 90 days: web portal, e-filing & e-payment (first steps)
- 1 Year: expanded e-court
- 2 Years: full implementation

Public Access Now

- E-Briefs
- ACMS – Appellate Case Management System

E-Briefs: ORAP 9.17

- Merits Briefs in Oregon Supreme Court
- Send PDF as well as file paper copies
- Parties, intervenors, amicus (not pro se)
- briefs@ojd.state.or.us
- Accessible through web

Supreme Court - Calendar - Windows Internet Explorer

http://www.ojd.state.or.us/oidat

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Supreme Court Calendar - Enter Forms

Supreme Court Calendar - Briefs on the Merits

Time	Case Title\Case No.	Comments	Attorneys
▼ 05/13/2008	- Enterprise High School, Enterprise Oregon		
09:00 AM	<u>State v. Robbins - S055396</u> (A130659)		Kristin A Carveth for petitioner on review, Jennifer Lynn Robbins Susan G Howe for respondent on review, State of Oregon
10:30 AM	<u>Fort Vannoy Irrigation District v. Oregon Water Resources Commission - S055356/S055361</u> (A130508)		Denise G Fjordbeck for Oregon Water Resources Commission Emil R Berg and Ronald Yockim for Fort Vannoy Irrigation District
▼ 05/14/2008	- La Grande High School		
09:00 AM	<u>State v. Castilleja - S055472</u> (A127255)		Rolf Moan on behalf of State of Oregon Leland R. Berger on behalf of Michael Santos Castilleja Peter Gartian on behalf of Amber Serenity Castilleja
10:30 AM	<u>Dave Waldner v. Stephen Stephens - S055351</u> (A127595)		Robert K. Udziela on behalf of Petitioners on Review, Dave Waldner, Michelle Kasper & Jacob Lahmann Alan Gladstone & Thomas W. Brown on behalf of Respondents on Review, Stephen

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Supreme Court Calendar - Briefs - Windows Internet Explorer

http://www.ojd.state.or.us/courts/supremecalendarbriefs.htm

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Supreme Court Calendar - Briefs

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Supreme Court Calendar - Briefs on the Merits
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Time	Case Title \ Case No.	Comments	Attorneys
05/13/2008 - Enterprise High School, Enterprise Oregon			
09:00 AM	State v. Robbins - S055396 (A130659)		Kristin A Carveth for petitioner on review, Jennifer Lynn Robbins Susan G Howe for respondent on review, State of Oregon
	Brief of Petitioner on the Merits		
10:30 AM	Fort Vannoy Irrigation District v. Oregon Water Resources Commission - S055356/S055361 (A130508)		Denise G Fjordbeck for Oregon Water Resources Commission Emil R Berg and Ronald Yockim for Fort Vannoy Irrigation District
	Brief of Petitioner (Ken-Wal) on the Merits		
	Brief of Petitioner (Oregon Water) on the Merits		
05/14/2008 - La Grande High School			
09:00 AM	State v. Castilleja - S055472 (A127355)		Rolf Moan on behalf of State of Oregon Leland P. Barron on behalf of Michael

http://www.ojd.state.or.us/courts/supremecalendarbriefs.htm?A29004400dffe28825e91005246b028000249024f138825739200540259?OpenDocument

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IN THE SUPREME COURT OF THE STATE OF OREGON

<p>STATE OF OREGON,</p> <p style="padding-left: 40px;">Plaintiff-Respondent,</p> <p style="padding-left: 40px;">Respondent on Review,</p> <p style="padding-left: 40px;">vs.</p> <p>JENNIFER LYNN ROBBINS,</p> <p style="padding-left: 40px;">Defendant-Appellant,</p> <p style="padding-left: 40px;">Petitioner on Review.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Trial Court No. 050545301</p> <p>Appellate Court No. A130659</p> <p>Supreme Court No. S055396</p>
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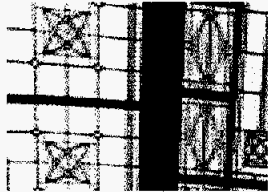
PETITIONER'S BRIEF ON THE MERITS

**Review of the decision of the Court of Appeals
on an appeal from a judgment of the Circuit Court for Multnomah County
Honorable MARSHALL L. AMITON, Judge**

1 of 52

Done Unknown Zone

State of Oregon Law Library



The State of Oregon Law Library is the primary legal information resource for state government and offers access to the law for all Oregonians.

The State of Oregon Law Library traces its history to the Territorial Act of 1848, which established the Oregon Territorial Government and provided for a library "to be kept at the seat of government for the use of the governor, legislative assembly, judges of the Supreme Court, secretary, marshal, and attorneys of said territory, and such other persons...as shall be prescribed by law."

The library collection includes primary legal material, historical and current, from all U.S. jurisdictions. Statutes and case law from all 50 states and the federal government are available. The collection is especially rich in historical Oregon resources. The Law Library maintains current secondary material in virtually all areas of law and houses a large collection of legal periodicals.

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CLE Program Materials
Other Oregon Resources
Oregon Law Before Statehood

1163 State Street
Supreme Court Building
Salem, Oregon 97301
503-996-6640
Hours: 8:00 AM - 5:00 PM
Monday - Friday

Historical Documents

Territorial Act of 1848
Rev. Stat. Territory of Oregon

State of Oregon

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OR Supreme Court and
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OREGON JUDICIAL DEPARTMENT

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HOW TO LOCATE A BRIEF or OPINION

Highlight the desired index. To highlight more than one index, hold down the control key [Ctrl]. If a citation is known, type it in the search box with NO spaces – ADD an ASTERISK at the end. If a file number is known, type it in the search box with an * before and after the number. The asterisk is important because it will produce a list of all briefs or opinions containing that citation or file number.

Examples:

Highlight the "Oregon Court of Appeals Briefs" index and enter 212orapp488* in the "Search for" box.

Highlight the "Oregon Supreme Court Briefs: index and enter *54199* in the "Search for" box.

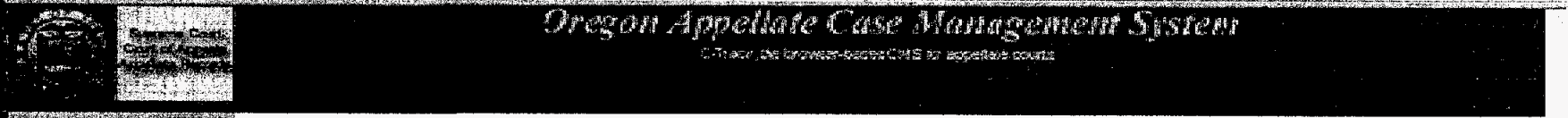
For full text searching, select the type of search desired, such as "boolean" or "exact phrase" and enter terms. Click on the "Help" button for assistance with boolean connectors and a more thorough discussion of search techniques.

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ACMS

- OJIN replacement
- Web Access
- Approved Users



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Password:



Oregon Appellate Case Management System

C-Track, the online-based OMS for appellate courts

CASE MANAGEMENT

PENDING

FILED CASES

APPEALS

Case Search
Participant Search

Case Management

Search

Case No.:	<input type="text"/>	Full Title:	<input type="text"/>	Class:	<input type="text"/>
Appellate Court:	<input type="text"/>	Status:	<input type="text"/>	Type:	<input type="text"/>
Filed Date From:	<input type="text"/>	Filed Date To:	<input type="text"/>	Subtype:	<input type="text"/>
Exclude Closed:	<input type="checkbox"/>	OSB Number:	<input type="text"/>		

Oregon Appellate Case Management System

C-Track, the browser-based CMS for appellate courts

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- REPORTING
- CALENDAR
- ADMINISTRATIVE

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- Case Participants
- Case Information
- Case History
- Master Docket List
- Clipboard
- Actions
- Transcripts PDF
- Print Case Descending
- Print Case Threaded

Case Information			
Case No:	4137838	Filed Date:	02/15/2005
Classification:	Appeal - Criminal - General	Case Status:	In Supreme Court
Short Title:	State of Oregon v. Joshua Douglas Peters	Submission Form:	

Previous Next

Brief Docket Entry	
Appellate Court:	Court of Appeals
Docket Entry Type:	Brief
Docket Entry Subtype:	Answering
Docket Entry Code:	ERRS
Thread to:	
Comments:	
Filed Date:	<input type="text" value="05/24/2007"/>
Entry Date:	05/24/2007 04:34 PM
Docket Entry Status:	<input type="text" value="Submitted"/>
Status Change Date:	<input type="text" value=""/>
Amended:	
Created	05/24/2007 (Katie Martin)
Last Modified	05/24/2007 (Katie Martin)

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New Requirement to Email Supreme Court Briefs on the Merits

Justices of the Supreme Court of Oregon



Standing left to right: [Justice Rives Kistler](#), [Justice Martha Lee Walters](#), [Justice Virginia L. Linder](#).
Seated left to right: [Justice W. Michael Gillette](#), [Chief Justice Paul J. De Muniz](#),
[Justice Robert D. Durham](#), and [Justice Thomas A. Balmer](#).

The Supreme Court is the highest court in the Oregon judicial branch. The court has seven elected justices. They choose one of their own to serve a six-year term as Chief Justice. The only court that may reverse or modify a decision of the Oregon Supreme Court is the United States Supreme Court.



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- > [Get Started with eFiling](#)
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About the Supreme eCourt

The Oregon Judicial Department is committed to providing access to justice, producing quality work product, and processing cases in an efficient and timely manner. To strengthen those commitments, the Oregon Judicial Department has developed the Supreme eCourt, which will address the growing needs of a geographically dispersed legal community, as well as increased costs associated with processing, tracking, and storing paper documents, case information, and court information.

About eFiling

Processing pleadings utilizing a paper-based system creates inefficiency and higher costs throughout the courts. The filing of paper pleadings with the court imposes significant burdens on court personnel and facilities. Legal firms and their clients also incur costs for the delivery and processing of these documents.

The Oregon Judicial Department has developed eFiling for the Supreme Court to address the growing needs of a geographically dispersed legal community, and the increased costs associated with processing, tracking, and storing paper documents.

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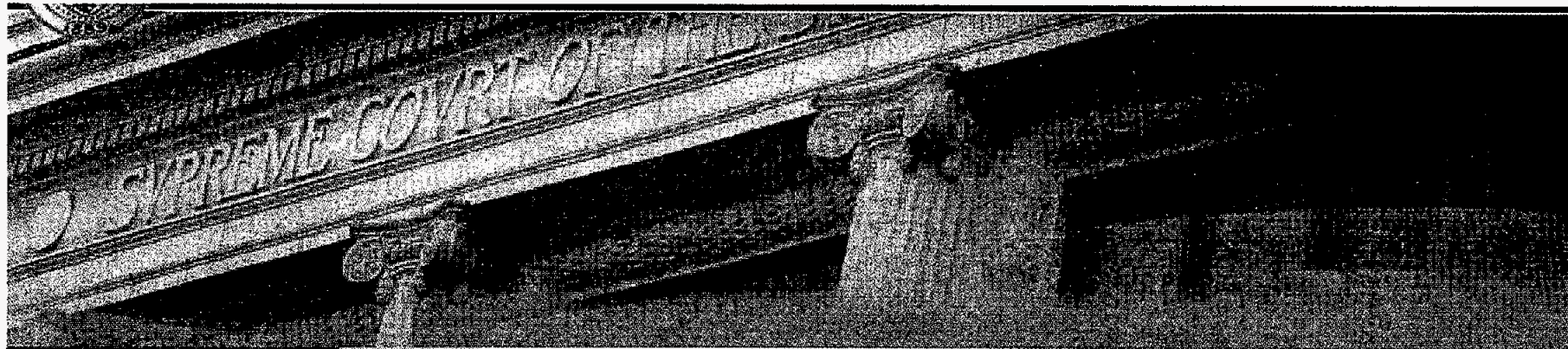
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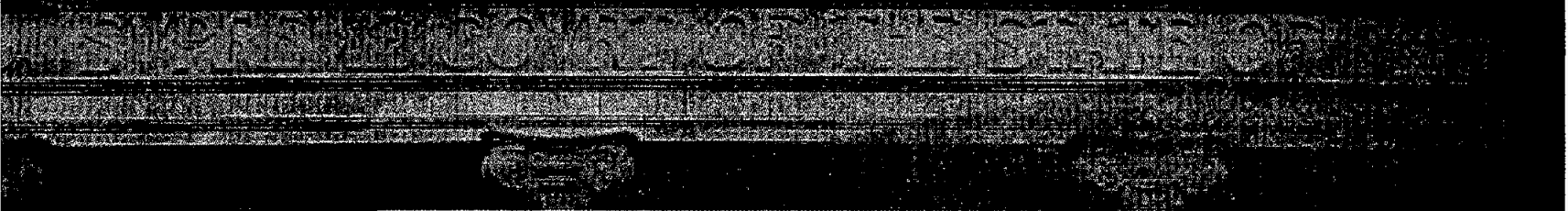
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- Notice of Appeal - Ballot Measure Constitutionality Review
- Notice of Appeal - State's Pretrial Appeal - Murder/Ag Murder
- Notice of Appeal - Tax
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