

# Agenda

## Member Services Committee

Ann Fisher, Chair  
 Gina Johnnie, Vice Chair  
 Audrey Matsumonji  
 Ken Mitchell-Phillips  
 Barbara DiIaconi  
 Derek Johnson  
 Ethan Knight

<b>July 16, 2010 – 11:00 a.m. – 12:30 p.m.</b> <b>Oregon State Bar Center</b>	<b>Exhibits</b>
<b>Approval of minutes</b> from the June, 2010 Member Services Committee meeting.	Exhibit
<b>Diversity /AAP Update</b> The report from the Diversity Program is by exhibit only. Staff contact: Frank Garcia, Jr., ext. 337.	Exhibit
<b>Senior Lawyers Task Force Recommendations</b> Discussion of Task Force recommendations and implementation. Staff contact: Sylvia Stevens, ext. 359.	Exhibit
<b>OSB Program Review</b> 1. Determine the order of program areas to be reviewed. 2. Establish criteria. Staff contact: Margaret Robinson, ext. 409.	Refer to Notebook and online exhibits
<b>New Business</b>	

BOG Member Services Committee  
June 18, 2010  
Geiser Grand Hotel, Baker City

Present:

Ann Fisher, Chair  
Gina Johnnie, Vice Chair  
Kathy Evans  
Audrey Matsumonji  
Ken Mitchell-Phillips  
Barbara DiIaconi  
Derek Johnson  
Ethan Knight

Staff:

Teresa Schmid  
Margaret Robinson  
Kay Pulju  
Frank Garcia  
Susan Grabe  
Rod Wegener  
Sylvia Stevens  
Dani Edwards

Guest:

Christine Meadows

**Approval of Minutes**

Minutes from the April meeting were approved as submitted.

**Diversity/AAP Update**

The Affirmative Action Administrator provided an update on his activities over the last several months. In addition to the update on past events the Administrator provided the committee with donation request materials and asked for support in fundraising for OLIO. August 5-8 is the weekend for OLIO which will be held in Hood River.

**Member Survey**

The committee discussed waiting to send out the membership survey this year because the Rural/Urban Split Task Force recently distributed a survey that likely would overlap with the membership survey in several areas. There was discussion surrounding a traveling CLE program to provide information on bar services including Bar Books and how rules and regulations are created.

**Sustainable Future Section Award**

Members of the committee discussed the section's request to create a sustainable award at great length. There was concern regarding the proposed criteria due to the equal opportunity for all bar members to be recognized for this award. Members of the committee expressed support of sustainability. After much debate, the committee voted and approved a recommendation to the BOG for the creation of a sustainability award.

**OSB Program Review Project**

Before the next meeting members of the committee were asked to communicate by email and identify four or five areas they would like to discuss and review at their next meeting. The amount of money compared to the number of members the funding supports should be used as the evaluating criteria. Ann identified her areas as the ONLD, Leadership College, minority and local bar support, and sponsorships to CEJ and CLP.

**OSB DIVERSITY ADMINISTRATOR ACTIVITY**  
**JUNE 21–JULY 16, 2010**

**CURRENT ACTIVITIES**

<b>AFFIRMATIVE ACTION PROGRAMS</b>	<b>DIVERSITY OUTREACH</b>	<b>ACCESS TO JUSTICE</b>	<b>PIPELINE DEVELOPMENT</b>	<b>ADVISING THE BOG</b>	<b>ADVISING THE OSB STAFF &amp; PROGRAMS</b>	<b>ADVISING MEMBERS &amp; STUDENTS</b>
<ul style="list-style-type: none"> <li>▪ MPT Writing Workshops, 7/8/10 &amp; 7/15/10</li> </ul>	ABA Diversity Director, ABA Annual Meeting Presentation Planning Mtg., 6/23/10, 6/29/10 & 7/6/10		Planning Meeting w/Janice Kim & Issac Dixon, Diversity Speaker Series, Bar Center, 6/25/10		Proposed Rule Changes to A2J MCLE, Denise Cline & Sylvia Stevens, June, Multiple Occasions	Job hunting advice to students and members, June/July
<ul style="list-style-type: none"> <li>▪ OLIO Planning, June/July Meeting, 7/1</li> </ul>	Diversity Section Meeting, Portland, 7/14/10		Planning Meeting, Role Model Summit, Flossin Media, 7/13/10			Proposed Rule Changes to A2J MCLE, Dick Brownstein, June, Multiple Occasions
<ul style="list-style-type: none"> <li>▪ OLIO Fundraising, June/July</li> </ul>			Meeting w/Jon Benson, Bar Exam Results Study, 6/23/10			Meeting w/Kevin Diaz, ACLU Legal Director, Portland, 6/30/10
Judicial Mentorship Pilot Program Planning, June/July			Phone Meeting w/Lissa Kaufman, 6/28/10, PSU/OSB/MBA Student Programs			

No.	Task Force Recommendation	Status	Next Action	Key Players
1	Establish a Senior Lawyers Division (SLD)	<p>Staff: the new Member &amp; Public Services Dept. will provide staff support; Accounting has included a line item draft of the 2011 budget; IDT is including development of basic communication tools for the SLD (e.g. listserv, website) in its current technology plan.</p> <p>B &amp; F Committee: reviewed the proposed line at its 6/17 meeting.</p>	<p>Explore other models (division, section, etc.) [from BOG's 2009 strategic plan]</p> <p>Select entity; appoint an organizational Executive Committee and officers (e.g. Chair, Chair-elect, Secretary, Treasurer) to prepare and submit bylaws to BOG for approval.</p>	B & F Committee; Member Services Committee; Public Affairs Committee. [Designated in BOG's 2009 strategic plan.]
2	Encourage the Development of CLEs, Pro Bono Opportunities, Social Events and other programs specific to the interests and needs of aging lawyers.	Pending	Develop programmatic goals, assess member needs, set priorities, create budget.	SLD
3	Create Mentoring and "Reverse Mentoring" Programs	Mandatory Mentoring Task Force has been appointed; target date for report and recommendations to BOG: October 2010.	Develop "Reverse Mentoring" Program.	Mandatory Mentoring Task Force; SLD

4	Prepare and distribute a Resource Packet to Lawyers 55 and older.	PLF approved a contribution to BarBooks™ in June 2010; agreement provides for inclusion of PLF publications in BarBooks™	Compile and make available existing PLF career transition planning guides.  Develop material on member status options.	SLD, PLF
5	Educate members about age-related cognitive impairment.	Pending	Develop online and print resource library.	SLD
6	Provide assistance to lawyers suffering from age-related cognitive impairment that maintains their sense of dignity while protecting their clients.	Pending	Identify state-wide resources; promote existing OSB resources (OAAP, SLACC); coordinate regulatory and assistance arms of OSB.  Amend BR 3.2 (involuntary transfer to inactive status) to improve effectiveness and facilitate the process.	Public Affairs Committee; SLD
7	Create a category of membership for retired senior lawyers.	Pending	Reinstate “Active Emeritus” status.	P & G Committee
8	Develop and implement a voluntary transfer system involving designated assisting attorneys.	Pending	Create a registry of designated assisting attorneys and an appropriate registration fee; establish a training program for assisting attorneys.	SLD

<p><b>9</b></p>	<p>Modify the ORS Chapter 9 custodianship process to make it more efficient, to address Lawyer Trust Accounts, and to provide immunity for custodians.</p>	<p>Pending</p>	<p>Review ORS 9.705 to 9.755 and draft appropriate amendments.</p>	<p>Public Affairs Committee</p>
<p><b>10</b></p>	<p>Develop a funding mechanism to cover the bar's costs in the event of an involuntary transfer, including the cost of compensating a custodian if necessary.</p>	<p>Pending</p>	<p>Review potential sources ( e.g. special dues assessment, proceeds from SLD activities) and make recommendations to BOG</p>	<p>SLD</p>

## OSB PROGRAMS REVIEW

### ACCOUNTING:

**Program Description:** Accounting department is responsible for recording, managing and reporting of all bar assets, liabilities and financial transactions. We help departments develop processes and procedures to ensure these comply with Generally Accepted Accounting Standards. Accounting is also responsible for maintaining a strong system of internal controls to minimize errors, prevent fraud and ensure accurate financial reporting. **Primary activities:** Membership dues billing and payment processing, sales order invoicing and payment processing, accounts payable disbursements, inventory management, sales order management, payroll processing, expense reimbursement processing, financial reporting for all 26 departments and 41 sections, financial analysis, cash management, all section budgeting and accounting, ad hoc reporting of financial data and statistics.

Revenue: Virtually all OSB revenue, approximately \$18 million, comes through and is recorded by the accounting department for the benefit of the OSB and its programs.

Direct Program Expenses: A total of \$113,500 is budgeted for 2010 direct program expense. This includes the cost of biennial independent audit, membership fee statement printing and mailing costs, bank and credit card fee expense and payroll processing expense

General & Administrative Expenses: \$19,278 is budgeted for 2010 made up primarily of postage for the Membership Fee statement mailing and other small amounts for office supplies, photocopies and staff training and travel.

ICA: The costs of the Accounting department are distributed as part of the ICA (Indirect Cost Allocations, aka overhead) to all OSB departments and programs by various "usage" factors

Salaries and Benefits: A total of \$235,740 is budgeted for 2010 for 3.33 FTE made up of 5 staff. (Two accounting staff are shared with other departments.)

FTE: 3.33 budgeted

Impact (Number of members impacted by program): The Accounting department serves for the benefit of and use by all 97 staff members, 19 bar departments/ programs and 41 sections, and as a result indirectly impacts all 18,000 members of the Oregon State Bar as well as non-members who purchase products from the bar.

### ADMISSIONS:

**Program Description:** Conduct thorough background check and screening of all applicants seeking license to practice law in Oregon. Administer and grade two bar examinations per year. Process all non-exam applications including: reciprocity, house counsel, law teacher, foreign law consultant, pro bono, etc. Coordinate all Board meetings and prepare agendas for 14-member Board appointed by Supreme Court. Communicate with applicants regarding all aspects of admission to practice. Foster and maintain relationships with Oregon law Deans, bar preparation courses, and other constituent groups. Manage and safeguard highly confidential applicant information for Board members including mental health/medical treatment records, substance abuse records and other investigatory information. Conduct "character & fitness" interviews between panels of Board members and applicants. Prepare for and conduct evidentiary hearings in

contested admissions cases. Perform logistical planning for bar exams, grading sessions and swearing-in ceremonies. Draft and propose rule changes for Supreme Court. Regularly interact with Supreme Court staff concerning admissions matters.

Revenue: \$731,595

Direct Program Expenses: \$237,280

General & Administrative Expenses: \$41,395

ICA: \$159,115

Salaries and Benefits: \$286,800

FTE: 4.1

Impact (Number of members impacted by program): Approximately 1,000 applicants per year. Some rule changes, such as the liberalization of reciprocity (admissions on motion) potentially impact all OSB members.

**AFFIRMATIVE ACTION:**

**Program Description:** The goal of the Affirmative Action Program (AAP) is to increase the diversity of the Oregon bench and bar to reflect the diversity of the people of Oregon, to educate attorneys about the cultural richness and diversity of the clients they serve, and to remove barriers to justice.

In 1975, the Oregon State Bar approved the recommendation of the Civil Rights Committee to establish an affirmative action program with the goal of "achieving representation of minority persons in the bar in the same proportion as they are represented in the population of Oregon, while at the same time not lowering the standards for admittance...." At that time, there were 27 ethnic minority attorneys in Oregon, 0.5% of the total active bar members. Statistical reports for July 2010 indicate that 894 of 14,116 active bar members (6.3%) self-identify as ethnic minorities. Revenue: \$448,400 (Includes \$55,000 in private funds to offset costs related to OLIO)

Direct Program Expenses: \$193,061

General & Administrative Expenses: \$19,610

ICA: \$62,777

Salaries and Benefits: \$238,600

FTE: 3.0

Impact: 1200, 2009 Statistics

**BULLETIN:**

**Program Description:** The OSB Bulletin is designed to benefit members in their practices, educate them about legal trends and ethics matters, promote collegiality and increase awareness of leadership issues and program activities. It is published 10 times per year.

Revenue: \$550,000 (inc. \$180,000 in dedicated membership fees)

Direct Program Expenses: \$315,000

General & Administrative Expenses: \$4,700

ICA: \$47,400

Salaries and Benefits: \$165,100

FTE: 2.1

Impact (Number of members impacted by program): All active and inactive bar members receive the Bulletin.

**CLE SEMINARS:**

**Program Description:**

Revenue: \$1,372,895

Direct Program Expenses: \$621,850

General & Administrative Expenses: \$23,975

ICA: \$401,560

Salaries and Benefits: \$454,600

FTE: 6.77

Impact\* (Number of members impacted by program):

**2009**

Live Seminars – 61 seminars and video compilations, 5,572 registrants

Video Replays – 1,023 registrants

Video Rentals – 409 rentals

Registration services for Section events – 31 seminars, 2,066 registrants

Online Seminar (video and audio streaming) & CE to Go (MP3) – 2,113 purchases

Webcasts – 434 registrants

Teleseminars – 413 registrants

**12,030 Served in 2009**

**2010 (As of June 30, 2010)**

Live Seminars – 20 seminars, 1,648 registrants  
Video Replays – 292 registrants  
Video Rentals – 194 rentals  
Registration services for Section events – 13 seminars, 610 registrants  
Online Seminar (video and audio streaming) & CE to Go (MP3) – 460 purchases  
Webcasts – 224 registrants  
Teleseminars – 128 registrants

**3,556 Served to date in 2010 (As of June 30, 2010)**

*\*Includes non-members such as legal assistants, paralegals, lawyers from other jurisdictions, CPAs, etc.*

**CLIENT ASSISTANCE OFFICE:**

**Program Description:** The Client Assistance Office (CAO) is part of General Counsel's Office and is responsible for responding to all inquiries from the public concerning the conduct of attorneys. The CAO receives and reviews all complaints about the ethical conduct of attorneys and determines the manner and extent of review required for the appropriate disposition of any complaint. BR 2.5. The CAO will also attempt to informally resolve issues between clients and their lawyers including disputes over the return of fees, communication issues or in resolving other concerns that might arise. If, after investigation, the CAO determines that misconduct may have occurred, the matter is referred to Disciplinary Counsel's Office for further investigation. If the CAO determines there is not sufficient evidence of misconduct the matter will be dismissed and the complaining party may appeal that decision to General Counsel and her decision is final.

Revenue: \$0

Direct Program Expenses: \$0

General & Administrative Expenses: \$19,748

ICA: \$117,648

Salaries and Benefits: \$460,756

FTE: 5

**Impact (Number of members impacted by program):** In 2009 the CAO office handled approximately 2,400 inquiries and referred 273 matters to Disciplinary Counsel's Office for more review. These numbers do not include calls CAO lawyers receive from Oregon lawyers asking for ethics advice which average 5 to 20 daily. These numbers do not include quick calls asking for program information or information on how to file a complaint. In addition, numerous CLE presentations are made to members during the course of a year.

**COMMUNICATIONS:**

**Program Description:** The Communications Department works to ensure consistent and effective delivery of OSB priority messages to members and the public. For member communications, the primary goals are to provide information that benefits member practices and to increase member

awareness of and involvement in bar priorities and activities. For public communications, the primary goals are to promote public confidence in the justice system, respect for the rule of law, and an understanding of the importance of Oregon lawyers to an efficient, accessible justice system.

Revenue: \$18,950

Direct Program Expenses: \$49,875

General & Administrative Expenses: \$9,397

ICA: \$118,663

Salaries and Benefits: \$443,600

FTE: 5.3

Impact (Number of members impacted by program): Public Education/Media Relations: Approx. 150 members annually as public outreach volunteers (Tel-Law script editing, Legal Links TV appearances, etc.) and 50-75 as media spokespeople and media training participants. All members indirectly benefit from public education and outreach programs. Member Communications: All bar members receive the electronic Bar News and BOG Update publications, along with other special communications. Approximately 500 (annual average) participate in special events hosted by the department.

#### **DISTRIBUTION CENTER**

**Program Description:** Includes the operating costs associated with printing, copying, shipping, and distribution of services and products from the bar center; includes copier leases and printing services, all postage, mailhouse services, shipping and related costs

Revenue: \$ none

Direct Program Expenses: \$ 501,900

General & Administrative Expenses: \$ 6,000

ICA: The costs of the Distribution Center are distributed as part of the ICA (Indirect Cost Allocations, aka overhead) to all OSB departments and programs by various "usage" factors.

Salaries and Benefits: \$ 54,500

FTE: 1.05

Impact (Number of members impacted by program): The Distribution Center serves for the benefit of and use by all 19 bar departments/ programs and 41 sections, and as a result indirectly impacts all 18,000 members of the Oregon State Bar as well as non-members who purchase products from the bar.

#### **FINANCE & OPERATIONS (General)**

**Program Description:** Includes all the operating revenue and costs not associated with a specific overhead function, but is necessary for and impacts all bar operations; includes the personnel costs of the receptionists and the CFO; also the non-cash costs of depreciation for furniture, fixtures, and capitalized software, and the allowance for bad debts; liability and other insurance; members library; supplies and costs related to recycling, offsite storage; kitchen supplies and other miscellaneous costs

Revenue: \$ 6,318,000 of Member Fee revenue; investment and miscellaneous income

Direct Program Expenses: \$ 380,976

General & Administrative Expenses: \$ 54,800

ICA: The costs of Finance & Operations (General) are distributed as part of the ICA (Indirect Cost Allocations, aka overhead) to all OSB departments and programs by various "usage" factors.

Salaries and Benefits: \$ 250,400

FTE: 3.3

Impact (Number of members impacted by program): Finance & Operations (General) serves for the benefit of and use by all 19 bar departments/ programs and 41 sections, and as a result indirectly impacts all 18,000 members of the Oregon State Bar.

**GENERAL COUNSEL:**

**Program Description:**

General Counsel's Office (GCO) provides legal advice on internal OSB operational matters such as personnel, contracts, public meeting and public records compliance and non-disciplinary litigation. GCO also advises and assists the ED and the BOG in the development of bar policy on a variety of issues. GCO is a resource to the public, the courts, and other branches of government regarding the role of lawyers and the legal profession, the regulation of lawyers and other law-related issues.

The General Counsel works closely with the ED on OSB operational issues and serves as Acting ED as needed. Additionally, the General Counsel supervises and oversees the operation of the Client Assistance Office and the MCLE Department.

GCO administers the Client Security Fund and the Fee Arbitration Program, and supports the UPL Committee. Additionally, GCO assists the State Lawyers Assistance Committee and the Legal Ethics Committee. GCO is the principal responder to members' ethics inquiries, handling approximately 2600 telephone calls and 750 request for written responses per year. GCO serves as the Disciplinary Board Clerk's Office, a central repository for all pleadings and official documents relating to formal disciplinary proceedings. GCO publishes the DB Reporter, organizes and presents an annual DB Conference, and advises DB members on procedural matters as needed.

Revenue: \$2,770

Direct Program Expenses: \$70,700

General & Administrative Expenses: \$19,874

ICA: \$59,651

Salaries and Benefits: \$327,800

FTE: 2.65

Impact (Number of members impacted by program):

Ethics Advice Service: All OSB Members

Unlawful Practice of Law: All OSB members and the public about 45 cases a year

Legal Ethics Committee: All OSB members

Client Security Fund: serves the public (approximately 40 cases each year)

State Lawyers Assistance Committee: approximately 30 members/year

Fee Arbitration: Public and all OSB members (approximately 130 cases/year)

Disciplinary Board: approximately 100-150 cases processed each year

General Counsel Non-Disciplinary Litigation: OSB BOG & Staff (various numbers)

General Counsel House Counsel (internal advice): OSB management and staff

BOG Policy Development: BOG members (18)

#### **GOVERNANCE:**

**Program Description:** This program consists of the office of the Executive Director, which has two major functions:

- Operations: The Executive Director is the chief executive officer of the bar who is responsible for the day to day administration of the OSB, directs and supervises management of all bar staff, and oversees implementation of all OSB programs and services (including planning, budgeting, and financing), and implements board directives.
- Board of Governors: The office supports all activities of the BOG, including planning and all meetings of the BOG, its committees, and the House of Delegates; preparing documents and information required by the BOG and the HOD to conduct business; prepares and maintains the official records of all BOG and HOD activities; and arranging itineraries for bar-related travel, including meetings with other bars and organizations, both within and outside the state.

Revenue: \$ 0

Direct Program Expenses: \$ 196,700

General & Administrative Expenses: \$ 41,700

ICA: \$ 80,506

Salaries and Benefits: \$ 313,200

FTE: 2.25

Impact (Number of members impacted by program): All

## HUMAN RESOURCES:

### Program Description:

Revenue: \$0.00

Direct Program Expenses: \$35,000.00

General & Administrative Expenses: \$26,988.00

ICA: \$0.00 – The costs of the Human Resources Department are distributed as part of the ICA (Indirect Cost Allocations, aka overhead) to all OSB departments and programs by various “usage” factors.

Salaries and Benefits: \$162,300.00

FTE: 1.75

Impact (Number of members impacted by program): The Human Resources Department has no direct impact on the members. The department has indirect impact on the members by managing the bar’s interests as it relates to any all issues as a result of the bar employing people who directly service the members.

The department does have direct contact with the members in two ways.

1. The department manager is a section liaison.
2. The department answers general questions about health and personal lines of insurance and provides guidance about resources available for obtaining insurance.

## INFORMATION DESIGN AND TECHNOLOGY:

**Program Description:** The Information Design and Technology Department provides services through the Design Center and Information Systems: The *Design Center* provides a wide range of print and web design functions for bar departments, as well as bar sections, local bars and bar groups. Bar-wide publications include the annual membership directory and the *Bulletin* magazine. The Design Center administers the bar’s website, e-commerce and data integrations. *Information Systems* manages the bar’s local systems and networks, including intranet and internet access. The department manages the hardware and software at each employee workstation, including the proprietary software used by a majority of the departments to manage their programs.

Revenue: \$0

Direct Program Expenses: \$228,105

General & Administrative Expenses: \$6,123

ICA: The costs of the Information Design and Technology Department are distributed as part of the ICA (Indirect Cost Allocations, aka overhead) to all OSB departments and programs by various “usage” factors.

Salaries and Benefits: \$461,800

FTE: 5.75

Impact (Number of members impacted by program): The Information Design and Technology Department serves for the benefit of and use by all 19 bar departments/ programs and 41 sections, and as a result indirectly impacts all 18,000 members of the Oregon State Bar as well as non-members who purchase products from the bar. The systems and networks managed by this department impact all members of the bar and public who access the bar center and the bar's website for services and information.

#### **LEGAL PUBLICATIONS:**

**Program Description:** The Legal Publications Department supports the members of the Oregon State Bar in the practice of law through the publication of quality books and other research tools.

The Legal Publications library contains 48 titles, ranging from 100-page booklets to five volume treatises, from A (Administering Oregon Estates) to W (Workers' Compensation). The books are distinguished from those of national publishers because they are Oregon-specific, and written by Oregon practitioners. The focus is on Oregon statutes, cases, administrative rules, forms, and legal traditions. The books also provide practice tips, caveats, queries, and notes. All materials published by the Legal Publications Department are peer reviewed by a volunteer editorial review board made up of experts in the field and thoroughly cite checked and edited by OSB staff attorney editors.

Many titles include practice forms on CD. Beginning in January 2007, the entire library was made available online as BarBooks™ online library. Members consistently indicate that these legal publications are very important to their practice.

Revenue: \$940,358

(Note: This is based on 2010 budget and will be significantly lower for 2011)

Direct Program Expenses: \$225,995

(Note: This is based on 2010 budget and will be significantly lower for 2011)

General & Administrative Expenses: \$34,857

ICA: \$332,794

Salaries and Benefits: \$569,000

FTE: 7.93

Impact (Number of members impacted by program):

The biggest impact of the Legal Publications Department is on members who have purchased print books or BarBooks™. From 2004 through 2009, we had the following number of customers:

- Sole practitioner members: 4,672
- Firms or Office Share Groups: 573
- Nonmembers, including law libraries and firm librarians: 777

In the nonmember category are 15 county law libraries that have placed a standing order for all Legal Publications print products and that provide access to members and nonmembers who may not be able to afford to purchase their own publications.

In addition, the Legal Publications Department impacts an average of 300 members who serve as authors and editorial review board members each year.

#### **LEGAL SERVICES:**

##### **Program Description:**

Revenue: \$5,695,000

Direct Program Expenses: \$5,627,500

General & Administrative Expenses: \$5,323

ICA: \$25,467

Salaries and Benefits: \$81,600

FTE: 1.02

Impact (Number of members impacted by program):

##### **LSP Program**

The number of members impacted by the LSP is negligible since the LSP is responsible for administering the filing fee funds to legal aid and for providing oversight and accountability. In addition to the filing fee funds the LSP also administers general fund appropriations awarded by the legislature and the unclaimed client funds forwarded to the OSB and appropriated to legal services.

##### **Pro Bono Program**

The number of members impacted by the Pro Bono Program is potentially all. The charge is to increase the amount of pro bono services by Oregon lawyers by assisting members in understanding their responsibility to provide pro bono legal services and working with organizations to create opportunities. Any member interested in performing pro bono now or in the future can benefit from contacting the bar's Pro Bono Program.

##### **LOAN REPAYMENT ASSISTANCE PROGRAM:**

**Program Description:** The LRAP provides forgivable loans to attorneys working in public service, whether as district attorneys, public defenders or for a legal services organization. The loans are available on a competitive basis to attorneys who have at least \$50,000 of student debt and make no more than \$50,000 per year. The average debt of those who were chosen as participants in 2010 was \$90,657; their average salary was \$43,730.

This program was created because of the commitment of the Board of Governors and the House of Delegates to remove financial barriers which prevent lawyers from pursuing or continuing careers in public service law, thereby making public service employment more feasible.

Revenue: \$71,200

Direct Program Expenses: \$95,000

General & Administrative Expenses: \$0

ICA: \$0

Salaries and Benefits: \$0

FTE: .10

Impact (Number of members impacted by program): Twenty-seven attorneys so far have received loans through this program. If funding remains at the current level, at least six attorneys will be added each year. Countless attorneys are impacted by this program, however, as the availability of the program encourages attorneys to consider a career in public service. In addition, knowing that a small portion of attorneys' dues goes to support the important work done by lawyers in public service helps maintain a positive image of the profession, both internally and externally.

**MCLE:**

**Program Description:** The MCLE Rules promulgated by the Supreme Court delegate oversight and administration of the MCLE program to the OSB Board of Governors. The BOG is charged with formulating new or amended MCLE Rules for the Court's approval; the BOG is also authorized to adopt regulations to implement the Rules. The MCLE Rules generally require all active members of the bar to complete 45 hours of continuing legal education every three years. Six of the hours must be in legal ethics or professionalism, including one hour of training in mandatory child abuse reporting. Members are also required to complete three hours of access to justice training in alternate reporting periods. New admittees are also generally required to include 10 hours of practical skills training.

An MCLE Committee appointed by the BOG serves as program advisor to the BOG by reviewing and recommending changes to the MCLE Rules and Regulations as appropriate to meet program goals. The MCLE Committee also reviews decisions of the MCLE Administrator regarding program and sponsor accreditation, eligible credits and waivers or exemptions, upon request by a member or sponsor. The MCLE Administrator supervises the day-to-day activities and flow of work, accredits programs, and makes decisions about compliance and waivers.

Revenue: \$300,900

Direct Program Expenses: \$900

General & Administrative Expenses: \$14,506

ICA: \$55,635

Salaries and Benefits: \$138,396

FTE: 1.75

Impact (Number of members impacted by program): 14,116 as of June 30, 2010 (All active members)

**MEMBER SERVICES:**

**Program Description:** Oregon State Bar member groups such as sections, committees, local bar associations and specialty bars are provided services such as meeting notices, rosters, electronic communications, liaison support and the bar leadership conference. The department administers the appointments process in conjunction with the BOG Appointments Committee, the BOG and HOD election processes and judicial preference polls.

Revenue: \$0

Direct Program Expenses: \$59,900

General & Administrative Expenses: \$41,409

ICA: \$116,897

Salaries and Benefits: \$280,500

FTE: 3.4

Impact (Number of members impacted by program): There are 20 OSB committees and 40 OSB sections. Communications are sent by Member Services to those section and committee members numbering approximately 18,000. Services to county bars affect approximately 3,000 members.

**The line item amounts in the Leadership College budget are included in the Member Services Department budget, but are listed separately below.**

**Leadership College:** The Leadership College is a one-year program consisting of five to six sessions covering leadership skills and related curriculum. Fellows are selected ensuring that the College reflects the diversity of the bar membership as to geography, gender, ethnicity, area of practice and leadership experience.

Revenue: \$0

Direct Program Expenses: \$38,400

General & Administrative Expenses: \$3,000

Salaries and Benefits: In Member Services budget

FTE: The Leadership College receives clerical and administrative support from two Member Services Department staff to equal approximately a .5 FTE.

Impact (Number of members impacted by program):

<u>Leadership College Board</u>		<u>Leadership College Fellows</u>	
Year	Board Members	Year	Fellows

2006	13	2006	22
2007	14	2007	32
2008	13	2008	35
2009	14	2009	35
2010	13	2010	16

**Oregon New Lawyers Division (ONLD):** Every lawyer who has practiced six years or less in Oregon, or is 36 years old or younger (whichever is later) is automatically a member of the ONLD. Constituting more than 25% of the OSB's active membership, the ONLD is the largest membership organization of the bar. The purposes of the ONLD are to encourage new lawyers to participate in bar activities, conduct programs of value to new lawyers and law students, promote public awareness and access to the legal system, and promote professionalism among new lawyers. The ONLD mission is carried out through the work of their 11-member Executive Committee and its five subcommittees.

Revenue: \$4,000

Direct Program Expenses: \$82,800

General & Administrative Expenses: \$10,780

Salaries and Benefits: 50,100

FTE: .8

Impact (Number of members impacted by program):

Membership:

3363 active in Oregon

4823 entire membership

**CLE Subcommittee:** Approximately 475 members attend one of the 14 brown bag lunch or full-day CLE programs offered throughout the year.

**Law Related Education Subcommittee:** Each year the subcommittee organizes roughly 15 classroom presentations on the U.S. Constitution, the number of students is roughly 450. Additionally, more than 80 students participate in the High School Essay Contest each year.

**Law School Outreach Subcommittee:** Roughly 200 students participate in the bi-annual panel presentations sponsored at each of the law schools and more than 450 attorneys volunteer on the New Lawyer Resource List (the number of attorneys and law students this list benefits is immeasurable).

**Member Services and Satisfaction Subcommittee:** The subcommittee sponsors a number of events and programs including the monthly after-work socials, mentor program, growing your practice dinner, rafting trip, and annual ONLD meeting. More than 700 ONLD members participate in these events and programs throughout the year in addition to the more than 400 new admittees and family members that attend the swearing-in ceremony receptions each year.

**Pro Bono Subcommittee:** Roughly 85 members attend the annual pro bono fair, award ceremony, and CLE programs.

The ONLD also represents the interest of new lawyers on a number of bar-related groups including:

**Ex-officio seats:**

- ABA District Representative to the Young Lawyers Division (two-year term alternates between ONLD, MBA Young Lawyers Section, and Washington State Bar Young Lawyers)
- Campaign for Equal Justice Board of Directors (one-year term alternates between ONLD and MBA YLS)
- OSB House of Delegates (Chair serves one-year term)
- OSB Loan Repayment Assistance Program Committee (Treasurer serves one-year term)
- OSB Leadership College Advisory Board (Chair-Elect serves one-year term)

**Liaison seat:**

- OSB Affirmative Action Committee

**PUBLIC AFFAIRS**

**Program Description:** To apply the public policy knowledge and experience of the legal profession and program staff to the public good. This work is achieved by advising government officials, responding to issues affecting the justice system, proposing legislation for law improvement, and advocating on those matters that affect the legal profession and the public it serves.

The board's Public Affairs Committee oversees Public Affairs Program and informs the board of legislative developments, makes public policy recommendations to the board and monitors legislative & initiative process activity. Public affairs advocates for the Legal Profession; is a Judicial System Partner that an accessible, independent, and adequately funded judicial system and its components. The Public Affairs Program provides assistance to the public by ensuring access to legal services and by proposing law improvement legislation that inures not only to the benefit of practitioners and the bar, but also to the citizens of the State of Oregon.

Revenue: \$0

Direct Program Expenses: \$6,900

General & Administrative Expenses: \$34,813

ICA: \$69,604

Salaries and Benefits: \$395,500

FTE: 4

Impact (Number of members impacted by program): Public Affairs public policy and legislative activities impact all 17,000 members of the bar (active and inactive) as well as the citizens of the State of Oregon. Program staff coordinates with all sections and committees of the bar to ensure they are informed about issues that will affect their area of practice while encouraging participation in the process to achieve the best results. On average, the bar has 10-12 sections who affirmatively initiate legislative proposals. The bar usually has 25 – 30 bills per session with approximately 200 volunteers from bar groups who monitor, review, provide feedback and testify on legislative issues. We also have members who participate in task forces, workgroups and other legislative groups on a myriad of topics, eg, Court Filing Fees Task Force, Oregon E-court Task Force, Indigent Defense, Post Conviction Relief Task Force, and a variety of Oregon Law Commission workgroups, etc. A statewide grass roots

network has been established to ensure all areas of the state are engaged on issues deemed critical to Oregon's system of justice and the practice of law.

**REFERRAL & INFORMATION SERVICES:**

**Program Description:**

Revenue: \$129,943

Direct Program Expenses: \$38,550

General & Administrative Expenses: \$17,666

ICA: \$96,550

Salaries and Benefits: \$292,500

FTE: 5.08

Impact (Number of members impacted by program):

[All numbers are approximate]

Lawyer Referral Service: 1,300 active members in private practice.  
65,000 calls triaged; 50,000 to 55,000 referrals annually.

Modest Means Program: 500 active members in private practice.  
2,800 referrals annually.

Military Assistance Panel: 130 members.  
150 referrals annually.

Problem Solvers Program: 120 members.  
80 referrals annually.

Lawyer to Lawyer, Take Me To Lunch, Lawyer to CPA Programs: 730 members.  
3,300 referrals, i.e., 1,100 members assisted.

**REGULATORY SERVICES:**

**Program Description:** (1) Disciplinary Counsel's Office (DCO) is responsible for the investigation and prosecution of ethics complaints against Oregon lawyers, thereby enforcing the rules of professional conduct applicable to all members of the bar. (2) Regulatory Services is responsible for processing all membership status changes (inactive transfers, resignations, reinstatements), *pro hac vice* admission applications and public records requests.

Revenue: \$93,000

Direct Program Expenses: \$118,600

General & Administrative Expenses: \$77,600

ICA: \$390,040

Salaries and Benefits: \$1,480,000 (not included temporary scanning staff scheduled to conclude 12/31/10)

FTE: 13.95 (not including paralegal position vacant since 3/09 or temporary staff)

Impact (Number of members/others impacted by program in 2009):

- 483 disciplinary files opened
- 442 *pro hac vice* applications processed
- 175 reinstatement applications investigated and processed
- 616 other status changes (inactive, emeritus, pro bono, resignation) processed
- 2,770 responses to public records requests