

Interpreting Oregon Law

2009 Edition

A magnifying glass is positioned over an open dictionary. The lens is centered on the definition of the word 'law'. The text within the lens reads: 'law n 1 a rule or legislature or other enforced by such'. Above this, partially visible through the lens, is the text 'to give or to or in great quant.'. The background of the dictionary pages is blurred.

to give or to
or in great quant.

law n 1 a rule or
legislature or other
enforced by such

Oregon
State
Bar

Legal
Publications

- 1 Statutory Interpretation: Overview of General Principles

- 2 Step-One Analysis: Text and Context

- 3 Step-Two Analysis: Legislative History

- 4 Step-Three Analysis: General Maxims of Statutory Construction

- 5 ORS Chapter 174 Statutory Rules of Construction

- 6 Agency Interpretation of Statutes and Regulations

- 7 Interpreting the Oregon Constitution

- 8 Interpreting Initiatives and Referendums

Editor in Chief

HON. JACK L. LANDAU, B.A. (*magna cum laude*), Lewis and Clark College (1975); J.D., Lewis & Clark Law School (1980); LL.M., University of Virginia School of Law (2001); member of the Oregon State Bar since 1982; Judge, Oregon Court of Appeals, Salem; Adjunct Professor of Law (Legislation), Willamette University College of Law, Salem.

Chapter Editors

ANNE E. VILLELLA, B.A. (*cum laude*), Washington State University (1982); J.D. (*cum laude*), Lewis & Clark Law School (1998); member of the Oregon State Bar since 1998; professor, Lewis & Clark Law School, Portland.

STEVEN J. JOHANSEN, B.S., Portland State University (1981); J.D., Lewis & Clark Law School (1987); professor, Lewis & Clark Law School, Portland.

It is increasingly important for practicing lawyers to be familiar with the rules that are applied in the interpretation of statutes and regulations.

Oregon law is dominated by legislation and administrative rules. At last count, the Oregon Revised Statutes comprised over 12,500 pages regulating nearly every imaginable corner of public and private life, from abandoned boats to zoning and zoos. An estimated 65% to 75% of all cases in the Oregon Supreme Court and Oregon Court of Appeals involve the interpretation of a statute, rule, or constitutional provision. This means that the practice of law today consists largely of interpreting and applying those statutes and administrative rules.

The question of interpretation does not start at the appellate level. It first becomes an issue in the trial court or administrative hearing. Edited by Judge Jack Landau, an expert in statutory interpretation, this publication will guide you through the *PGE* statutory construction analysis, as recently modified by *Gaines*, so that you will be prepared to effectively argue your case at trial and on appeal.

Are you prepared to argue for the proper interpretation of a statute, administrative rule, or constitutional provision on behalf of your client? This new publication will ensure that you are.

A special thanks . . .

Only through the efforts of dedicated authors like these are we able to produce legal publications: Andrew D. Freeman, Anne E. Villella, Jeannette Anderson Vaccaro, Jessica McKie, Katie A. Carson, Mark Sherman, Megan A. Murray, Paul Spencer, Sarah Harlos, Sarah M. Petersen, Shelby L. Rihala, Stephen A. Rahe, Steven Boyd Seal, Steven J. Johansen, and Thomas M. Karnes.

THANK YOU

Other Books for Your Library

Fee Agreement Compendium

Learn how to use fee agreements to protect yourself from malpractice claims, set up trust accounts to hold your clients' payment appropriately, communicate the agreement clearly and effectively, avoid the common traps that lead to fee disputes, and more. All 44 forms are written in "plain language" to make them understandable to your client.

_____ 2007 1 vol. softbound with forms on CD [488.KB] \$95 \$ _____

Oregon Civil Pleading and Practice

The ultimate resource on pleading and practice includes topics on: production and subpoena of health records since passage of HIPAA, Oregon's sufficiency-of-service rules for serving a summons, ORCP 21 motions used to attack pleadings, analysis of code pleading versus notice pleading, instances when a tribal court has jurisdiction, and applicability of the 2005 Class Action Fairness Act.

_____ 2006 2 vols. without binders (with forms on CD)
[435.KB] \$235 \$ _____

_____ 2006 2 vols. with binders and forms on CD
[435.KT] \$255 \$ _____

Subtotal: \$ _____

License Agreement for Forms on CD:

Some of these products include forms on CD licensed to one attorney user. Additional licenses are \$20. If you would like to review the license agreement before purchasing additional licenses, please contact the Legal Publications department at 503-431-6345 or visit our Web site at www.osbar.org/_docs/legalpubs/LicenseAgreement.pdf. BarBooks subscribers do not need to purchase additional licenses.

Return Policy:

Returns with receipt (packing list) are accepted within 45 days from the shipping date. Defective products will be replaced. Full refund for books with no visible marks, creases, etc., and in salable condition. Full refund for unopened CDs and audio and video products. Please send to OSB, **Attention: Returns**, 16037 SW Upper Boones Ferry Road, P.O. Box 231935, Tigard, Oregon 97281-1935. Questions? Call 503-431-6413; toll-free in Oregon 1-800-452-8260, ext. 413.

Order Form

Interpreting Oregon Law

Name Bar #

Firm Name Phone

Shipping Address (No P.O. Box)

City State Zip Code

2009 1 vol. softbound [496.09B] \$125 \$

Early-bird price (by December 6, 2009) \$112.50 \$

Subtotal from other side: \$

Subtotal: \$

Subtract 40% if you're a BarBooks™ subscriber: \$

Shipping & handling fee: \$ 7.00

TOTAL ORDER: \$

WB

Payment Options:

Check enclosed: payable to Oregon State Bar

Please bill: Customer No.

Credit card (VISA & MasterCard Only)

All the information below is required when paying by credit card.

Credit card number Expiration date

Name on Credit Card (Please Print)

Credit Card Billing Address

City State Zip Code

Authorized Signature

Four Ways to Order:

- 1. Online: Order online with a credit card at our secure bookstore at www.osbar.org. Note: BarBooks™ discount not available online.
2. Mail: Mail order with payment to: Oregon State Bar Service Desk, 16037 SW Upper Boones Ferry Road, P.O. Box 231935, Tigard, Oregon 97281-1935.
3. Fax: Fax this page, including credit card information, to the Service Desk at 503-968-4456. To avoid duplicate orders, do NOT mail a copy.
4. Phone: Call the Service Desk at 503-431-6413, or toll-free in Oregon at 1-800-452-8260, ext. 413.

Please allow two weeks for normal delivery for all order methods.