

**Oregon State Bar
Meeting of the Board of Governors**

July 7-8, 2006

**Open Session Agenda
6/16/2006 2:35 PM**

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 12:00 p.m. on Friday, July 7, 2006, and continue to the morning of July 8, 2006, 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.

Friday, July 7, 2006

12:00 p.m.

1. Work Session - Member Services Department

3:00 p.m.

2. Report of Officers

A. Report of the President [Mr. Rawlinson]

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|----|--|----------------|
| 1. | Meeting with Chief Justice Paul R. De Muniz
June 27, 2006 | Inform Handout |
| 2. | Clackamas County Bar Luncheon | Inform |
| 3. | Future of the Tent Show | Inform |
| 4. | Complimentary CLEs for Judges | Inform |
| 5. | Expansion of Elimination of Bias Study Group | Inform |
| 6. | July 7 - Dinner, Parking, Shuttle | Inform |
| 7. | Gaelic Procedures | Inform |

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

3:15 p.m.

- | | | |
|----|-----------------------|--------|
| 1. | Eastern Oregon Trip | Inform |
| 2. | LCAB Meeting in Salem | Inform |

3. Miscellaneous Inform

3:25 p.m.

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

1. 2005 Admittee Longitudinal Study Inform 1-16

➤ *We have completed the first year of our five-year longitudinal study of the OSB admittees of 2005.*

3:30 p.m.

2. BOG Meeting Requirements Survey Action 17-23

➤ *Staff is recommending a change in policy based on board responses to a recent survey regarding meeting site selection.*

3:35 p.m.

D. Oregon New Lawyers Division

1. Update Inform

3. Professional Liability Fund [Mr. Cannon, Mr. Zarov]

3:45 p.m.

- A. Update Inform

Saturday, July 8, 2006

4. Special Appearances

9:00 a.m.

A. Oregon Bench/Bar Commission on Professionalism

1. Statement of Professionalism Action 24-30

➤ *The Commission has revised the Statement of Professionalism first adopted by the OSB membership and approved by the Oregon Supreme Court in 1991. The Commission requests that the BOG recommend approval of the revised statement by the OSB House of Delegates at its 2006 meeting.*

5. Rules and Ethics Opinions

9:10 a.m.

- A. Proposed Amendment to Oregon RPC 3.5(b) Action 31
 - *Consider the proposed amendment to ORPC 3.5(b) for presentation to the House of Delegates in September 2006.*
- B. Proposed Formal Ethics Opinion – No. 2006-176 Action 32-38
 - *Addresses the ethical issues that surround a lawyer attempting to fulfill three roles in a real estate transaction.*
- C. Proposed Formal Ethics Opinion – No. 2006-177 Action 39-51
 - *Discusses the ethics of trial publicity under ORPC 3.6, using examples in both the civil and criminal context.*

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

9:30 a.m.

- A. Access to Justice [Ms. Eyerman]
 - 1. Affirmative Action Program Action 52-62
 - *Contingent upon approval at its July 7 meeting, the Access to Justice Committee will ask the BOG to approve the HOD Resolution from the Affirmative Action Committee supporting the Affirmative Action Program Assessment of \$30.00 per member per year to be continued for the period of January 1, 2007 through December 31, 2021.*
- B. Budget and Finance Committee [Mr. Menashe]

9:50 a.m.

- 1. New Bar Center Inform 63-64
 - *The board will be updated on the latest issues on the new bar center including the lease/purchase agreement with Opus.*
- 2. Update on Section Financial Matters Inform 65-66
 - *The committee recommends the administrative charge to sections for support from the bar be increased from the present \$4.00.*

10:20 a.m.

C. Committee on the Judiciary [Mr. Hill]

1. Oregon Supreme Court Vacancy Inform No Exhibit

➤ *Update on the committee process and timeline to fill the vacancy on the Oregon Supreme Court. Consider whether to authorize committee to relay appellate court candidate information to the Governor's office.*

10:25 a.m.

D. Executive Director Evaluation Committee [Ms. Skerjanec]

1. Update Inform

E. Public Affairs Committee [Mr. Gaydos]

10:30 a.m.

1. Political Update Inform No Exhibit

➤ *Update on public affairs activities.*

10:35 a.m.

F. Policy and Governance Committee [Mr. Comstock]

1. Report from Workgroup Regarding MCLE Action Handout
Elimination of Bias Requirement

➤ *The committee will consider making a recommendation regarding board action at its July 7 meeting. The report from the workgroup will be provided for your review at or prior to the meeting. The group met June 12 and is meeting again on June 28.*

11:05 a.m.

2. Record Retention Policy Action 67-75

➤ *The committee reviewed the staff's draft for record retention for MCLE and the disciplinary process from CAO to DCO and is recommending adoption of the attached policy by the board with final review and approval by the Supreme Court.*

11:15 a.m.

3. OSB Participation in Oregon Savings Growth Plan Action 76-78

➤ *The committee is recommending participating in this program based upon a letter received stating our eligibility. OSGP is the state's 457 deferred compensation program.*

11:20 a.m.

4. Section Membership for 50-year Members, Judges, and Their Lawyer Staff Action 79

➤ *The committee discussed the action taken at the last board meeting and is recommending that the bar president write to sections to encourage them to offer free section membership and CLEs for 50-year members, judges, and their lawyer staff.*

7. **Consent Agenda** Actionpink

8. **Default Agenda** Informblue

9. **Judicial Proceedings** Discuss/ lavender
11:30 a.m. Action agenda

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

B. Disciplinary Counsel's Report Inform

10. **Executive Session** Discuss/ green
Action agenda

A. UPL Report Action

B. Litigation and Advice of Counsel Inform
(Executive Session pursuant to ORS 192.660(1)(f) and (h) - separate packet)

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