

Oregon State Bar
Meeting of the Board of Governors

November 3, 2007

Open Session Agenda

Revised October 29, 2007

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 12:00 p.m. on November 3, 2007, and continue to the morning of November 4, 2007, 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.

Saturday, November 3, 2007

1:00 p.m.

1. Report of Officers

- A. Report of the President [Mr. Menashe]
 - 1. Meeting with Chief Justice Paul J. De Muniz Inform a-b
October 22, 2007
 - 2. President's Report Inform 1
- B. Swearing in of New Officers Action 1.A – 1.D
- C. Nominating Committee
 - 1. Nomination of Gerry Gaydos as President-elect Action
- D. Report of the President-elect [Mr. Yugler]
 - 1. Miscellaneous Inform

1:15 p.m.

- E. Report of the Executive Director [Ms. Garst]
 - 1. Miscellaneous Inform
- F. Oregon New Lawyers Division [Mr. Williamson] Inform

1:20 p.m.

G. Board Member Reports Inform

- *This section of the BOG agenda is designed for board members to report briefly on news from their regions or contacts with sections, committees, and other bar entities.*

2. Professional Liability Fund [Mr. Zarov]

2:00 p.m.

A. General Update Inform

B. Financial Report

1. Approve PLF Primary, Excess, and Pro Bono Coverage Plans For 2008 Action 3-107

- *The BOG is required to approve the PLF coverage plans for the coming year. All changes to the Plans have previously been approved at prior 2007 BOG meetings.*

3. Rules and Ethics Opinions

2:20 p.m.

A. Proposed New Formal Ethics Opinion – Internet Advertising: Payment of Referral Fees Action 109-114

- *Consider the recommendation of the Legal Ethics Committee that the opinion concerning internet advertising be issued as a formal ethics opinion of the Oregon State Bar.*

B. Proposed Amendments to Workers' Compensation Administrative Rules Action 115-162

- *Consider the Workers' Compensation Board proposals to amend its administrative rules as they pertain to attorney fees.*

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

2:30 p.m.

A. UPL Committee [Ms. Wright]

1. UPL Website Inform 163-165

➤ *The UPL Committee has adopted a website to inform the public about what is the unlawful practice of law and what the bar is doing about it.*

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

2:40 p.m.

A. Access to Justice Committee [Ms. Eyerman]

1. Modification of the House Counsel Rule Action 167-181

➤ *Consider a recommendation to the Supreme Court that the Admission Rules be amended to allow attorneys admitted under the House Counsel Rule to provide pro bono services through a pro bono program certified by the Oregon State Bar.*

2:55 p.m.

B. Budget and Finance Committee [Mr. Greene]

- C. 2008 OSB Budget Action 183-203

➤ *The committee will recommend approval of the 2008 budget.*

3:30 p.m.

D. Executive Director Evaluation Committee [Ms. Skerjanec]

Executive Session

1. Executive Session Pursuant to ORS 192.660(1)(i)-
Executive Director Performance Review

Open Session

- 2. Executive Director Contract and Salary Decision Action

E. Policy and Governance Committee [Mr. Gerking]

4:00 p.m.

- 1. Recommendation to Repeal Bar Rule 9.5 Action 205-223

➤ *Recent action taken by the Supreme Court on a member's resignation request suggests a need to clarify the membership status of lawyers who have remained suspended for more than five years. Policy & Governance recommends that this clarification be achieved by repealing BR 9.5.*

4:10 p.m.

- 2. Redistricting of BOG Regions Action 225-230.A

➤ *The committee is recommending that the statute be amended to expand the size of the board to 20 members to accommodate a new redistricting plan.*

4:40 p.m.

- 3. Elimination of Bias MCLE Rule Action 231-241.E

➤ *The committee recommends a revision to this rule to create a one-time mandatory six hour EOB CLE seminar for all new lawyers to be taken by the end of their first full reporting period.*

6. Consent Agenda Action pink

7. Default Agenda Inform blue

8. Closed Session Agenda

15 minutes

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

- 1. Reinstatement Protocol Inform Teresa

- B. General Counsel/UPL Report Discuss/ green
(Executive Session pursuant to ORS 192.660(1)(f) and (h) - separate packet) Action agenda

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