

**Oregon State Bar
Meeting of the Board of Governors
February 22-23, 2008
Open Session Agenda**

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 12:00 p.m. on February 22, 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.

February 22, 2008

12:00 p.m.

1. Work Session - Regulatory Services

12:30 p.m.

2. Finalization of the Board Agenda

➤ Requests for additional agenda items may be brought at this time.

3. Oath of Office

A. Swearing in of Kellie Johnson Action 001

4. Report of Officers

12:45 p.m.

A. Report of the President [Mr. Yugler]

1. President's Report Inform 002-011

2. Meeting with Chief Justice Paul J. De Muniz Inform 012-014
January 31, 2008

3. World Justice Project Inform 015

12:55 p.m.

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

1. Miscellaneous Inform

1:00 p.m.

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

1. Retirement Letter Inform 016-017

1:10 p.m.

D. Oregon New Lawyers Division [Mr. Chi will appear Inform
by phone]

5. Board Members' Reports Inform

1:20 p.m.

- Board members introduce themselves to the new BOG member, Kellie Johns, and will report briefly on news from their region or contacts with sections, committees, or/and other bar entities.

6. Professional Liability Fund [Mr. Zarov]

2:20 p.m.

A. PLF Update Inform

B. Financial Report Inform 018-041

1. Report on Adopted Claim Liabilities, Average
Claim Costs and Retained Earnings

2. Report on Annual Evaluations by Covered Parties

C. Report on OAAP/Practice Management 2007 Contacts Inform 042-049

D. Goals for 2008 Inform Ira

E. Revision of PLF Bylaw 6.200-300 Action 050-051

- Makes consistent confidentiality requirements in elements of mandatory reporting.

7. Special Appearances

2:50 p.m.

A. ABA Mid-Year Meeting [Ms. Harbur] Inform

8. **Rules and Ethics Opinions** [Mr. Piucci]

3:05 p.m.

- A. Proposed Formal Ethics Opinion Action 052-057

➤ *The Legal Ethics Committee is recommending the board issue a formal ethics opinion concerning the extent to which an out-of-state lawyer can engage in arbitration and mediation in Oregon and under what circumstances an Oregon attorney's participation constitutes assisting in the unlawful practice of law.*

- B. Proposed Amendments to the Bar Rules of Procedure Action 058-060
[Mr. Sapiro]

➤ *The changes are minor housekeeping items.*

9. **OSB Committees, Sections, Councils, Divisions and Task Forces**

3:20 p.m.

- A. Client Security Fund [Ms. Evans]

1. CSF Claim No. 07-19 Kaa v. Dunn Action 061-089

➤ *Consider the claimant's request for review of the CSF Committee's denial of her claim. The CSF Committee reviewed Kaa's claim again on January 26, 2008, and renewed its decision to deny the claim on the grounds that there is no evidence of dishonesty by Dunn.*

10. **BOG Committees, Special Committees, Task Forces and Study Groups**

3:35 p.m.

- A. Budget and Finance Committee [Greene]

1. New Bar Center Action 090-098

➤ *Ratify the execution of the loan documents for the \$13,000,000 alternative financing loan with the loan proceeds deposited into the Wells Fargo Government Money Market Fund, with Thrivent Financial holding a security interest on the account.*

- B. Executive Director Evaluation Committee [Ms. Skerjanec]

1. Update of Process Inform 099-103

C. Member Services Committee [Gaydos]

1. Update Inform

4:05 p.m.

D. Policy and Governance Committee [Gerking]

1. Redistricting of BOG Regions Action 104-108

➤ *The committee is recommending that the statute be amended to expand the size of the board to 18 members to accommodate a new redistricting plan.*

4:25 p.m.

2. Access to Justice of Bias MCLE Rule Action 109-117

➤ *The committee recommends a revision to the rules to require three hours of credit only in alternate reporting periods.*

4:45 p.m.

E. Public Affairs Committee [Fisher]

1. Update on Special Session Inform

➤ *Update on February special session, legislative reception, and ballot measure strategy.*

11. Consent Agenda **Action Pink**

12. Default Agenda **Inform Blue**

13. Closed Session Agenda

Saturday, February 23, 2008

9:00 a.m.

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

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

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