Oregon State Bar
Meeting of the Board of Governors
November 15, 2008
Open Session Agenda

The Open Session Meeting of the Oregon State Bar Board of Governors will begin at 12:00 p.m. on Saturday, November 15, 2008, and continue to the morning of November 16, 2008, 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 15, 2008

1. Call to Order/Finalization of the Agenda
   Action
   1:00 p.m.

2. Work Session - Finance and Operations
   Inform
   1:20 p.m.

3. Report of Officers
   A. Nominating Committee
      1. Nomination of Kathy Evans as President-elect
         Action
   B. Swearing in of New Board Members
      Action 1-4
   C. Report of the President [Mr. Yugler]
      1. Meeting with Chief Justice Paul J. De Muniz
         Inform Handout
         October 30, 2008
   D. Report of the President-elect [Mr. Gaydos]
      1. Miscellaneous
         Inform
   E. Report of the Executive Director [Ms. Garst]
      1. Miscellaneous
         Inform
   1:40 p.m.

F. Oregon New Lawyers Division [Mr. Chi]
1. Report of Chair

Inform 5-6
4. **Board Members’ Reports**

1:50 p.m.

- Board members will report briefly on news from their region or contacts with sections, committees, or/and other bar entities.

   A. Christopher Kent

      1. **Resolution Regarding Military Service**

         - Mr. Kent is introducing a resolution to extend gratitude to all those who have served and are serving in the military including condolences for all who have lost loved ones to their service to the country.

5. **Professional Liability Fund [Mr. Zarov]**

1:10 p.m.

   A. Approval of Revisions to PLF Claims Made Plan

      - The Board of Directors of the PLF requests that the BOG approve the proposed 2009 PLF Claims Made Plan.

   B. Approval of Revisions to PLF Excess Plan

      - The Board of Directors of the PLF requests that the BOG approve the proposed 2009 PLF Excess Plan.

   C. Approval of Revisions to PLF Pro Bono Plan

      - The Board of Directors of the PLF requests that the BOG approve the proposed 2009 PLF Pro Bono Plan.

6. **Special Appearances**

2:20 p.m.

   A. Admissions Task Force Report

      - The Admissions Task Force has completed its study of how we test and admit applicants to practice law in Oregon. The task force recommends certain changes to the bar examination. This matter was discussed in September and tabled to the November meeting.
7. **OSB Committees, Task Forces, and Study Groups**
   
   A. **Ethic Opinion**
      
      1. Propose Formal Ethics Opinion  Action  143-147

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

2:50 p.m.

   A. **Access to Justice Committee [Wright]**
      
      1. Update  Inform  No Exhibit

   B. **Budget and Finance Committee [Greene]**
      
      1. 2009 OSB Budget  Action  149-164
         
         ➢ *The Budget and Finance Committee will make recommendations on the 2009 Budget to the Board of Governors.*

      2. 2009 Membership Fee Due Date  Inform  165
         
         ➢ *The committee is asking the board to establish the 2009 Oregon State Bar membership fees due date as January 31, 2009, at 5:00 p.m., with a $50 late fee until February 28, 2009, and an additional $50 late fee after February 28, 2009.*

   C. **Policy and Governance Committee [Gerking]**

3:05 p.m.

   1. **CLE Policies**  Action  167-170
      
      ➢ *The committee is recommending changes to the Bar Bylaws and the MCLE Rules regarding multiple users of the CLE materials, length of use, and aspirational standards. Any new bylaw is subject to the one meeting notice rule (Article 26 of the Bar Bylaws), unless two-thirds of the entire board waive the notice requirement.*

   2. **Change to Bylaws 6.100 and 6.101**  Action  171-179
      
      ➢ *The Policy and Governance Committee is recommending a proposal from the Pro Bono Committee to simplify the existing categories of active pro bono and active emeritus. Any new bylaw is subject to the one meeting notice rule (Article 26 of the Bar Bylaws), unless two-thirds of the entire board waive the notice requirement.*

   3. **SLAC/OAAP**  Action  181-188
      
      ➢ *The committee is recommending changes to the Bar Bylaws to implement recommendations of the Joint SLAC/OAAP Task Force. Any new bylaw is subject to*
the one meeting notice rule (Article 26 of the Bar Bylaws), unless two-thirds of the entire board waive the notice requirement.

4. Committee Charges                  Action 189-191
   ➢ The committee is recommending approval of changes requested by the Judicial Administration and Uniform Criminal Jury Instructions Committee.

D. Public Affairs Committee [Fisher]

3:35 p.m.

1. Election Results                    Inform Handout
   ➢ Review results of 2008 legislative races and ballot measures.

3:50 p.m.

2. Activity Update                     Inform No Exhibit
   ➢ Status update on Public Affairs activities, including Court Facilities and Oregon eCourt.

4:00 p.m.

3. Civil Rights Section
   a. Resolution Against Torture        Action 193-196
      ➢ Consider whether the BOG should adopt a policy position, as recommended by the Civil Rights Section, to oppose torture.

E. Out-of-State Lawyer Study Group

1. Ratification of Project             Action Handout

9. Consent Agenda                     Action pink

10. Default Agenda                     Inform blue
11. Closed Sessions

4:20 p.m.

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

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

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

A. Executive Director
   1. Operations Report
   2. Status of Actions from Past Board Meetings

B. Access to Justice Committee
   1. Minutes – October 17, 2008

C. Budget and Finance Committee
   1. Minutes – October 17, 2008

D. Joint Meeting Member Services/Policy and Governance Committees
   1. Minutes – August 15, 2008

E. Member Services Committee
   1. Minutes – September 11, 2008

F. Policy and Governance Committee
   1. Minutes – October 17, 2008

G. Public Affairs Committee
   1. Minutes – August 15, 2008

H. CSF Claims Report
9. Consent Agenda
   A. Approve Minutes
      1. Minutes of Open Session
         a. September 11, 2008  Action  197-206
         b. September 24, 2008  Action  207
      2. Minutes of Closed Session
         a. September 11, 2008  Action  209-211
      3. Minutes of Judicial Proceedings
         a. September 11, 2008  Action  213
   B. Letter of Resignation from Robert Lehner  Action  215
      ➢ Accept the resignation of Robert Lehner.
   C. Appointments Committee
      1. Various Appointments  Action  Handout
   D. Client Security Funds Committee
      1. Various Claims  Action  Handout
OREGON STATE BAR
MEETING OF THE BOARD OF GOVERNORS
Schedule of Events
November 13-16, 2008
11/12/2008 4:19 PM

Meeting Place
Surfsand Resort
148 West Gower St.
P.O. Box 219
Cannon Beach, OR 97110
Phone: 800-797-4666

Thursday, November 13, 2008

2:30 p.m. – 5:00 p.m.

New BOG Orientation
Haystack Garden Retreat Center
Across Highway 101 from Surfsand Resort

6:00 p.m. – 8:00 p.m.

BOG Dinner
Lumberyard Rotisserie and Grill 503-436-0285
264 3rd Street
Cannon Beach, OR 97110

Friday, November 14, 2008

7:00 a.m. – 9:30 a.m.

Breakfast
Fireside Room

8:30 a.m. – 4:30 p.m.

Strategic Planning
Surfsand Ballroom

12:00 p.m. – 1:00 p.m.

Lunch
Fireside Room

5:30 p.m. – 7:00 p.m.

BOG and Local Bar Reception/Dinner
Surfsand Ballroom
Saturday, November 15, 2008

8:30 a.m. – 9:00 a.m.  **Access to Justice Committee** (Wright, Vieira, Gerking, Kent, Matsumonji)
Haystack Garden Retreat Center
Across Highway 101 from Surfsand Resort
Call in Number: 888-737-5834
Conference ID: 934254

9:00 a.m. – 9:30 a.m.  **Public Affairs Committee** (Fisher, Gaydos, Johnson, Piucci, Skerjanec, Vieira)
Surfsand Ballroom

9:30 a.m. – 10:00 a.m.  **Policy and Governance Committee** (Gerking, Worcester, Evans, Greene, Matsumonji, Vieira)**
Surfsand Ballroom

9:30 a.m. – 10:00 a.m.  **Member Services Committee** (Gaydos, Wright, Johnson, Fisher, Johnnie, Kent)**

10:00 a.m. – 11:00 a.m.  **Budget and Finance Committee** (Green, Skerjanec, Gaydos, Kent, Worcester)**
Haystack Garden Retreat Center
Across Highway 101 from Surfsand Resort

10:00 a.m. – 12:00 p.m.  **Appointments Committee** (Evans, Gerking, Fisher, Johnnie, Piucci, Vieira, Wright)**
Surfsand Ballroom

12:00 p.m. – 1:00 p.m.  Lunch
Fireside Room

1:00 p.m. – 5:00 p.m.  **Board Meeting**
Surfsand Ballroom

6:45 p.m. – 8:00 p.m.  **Cocktails and Hors d’oeuvres**
Surfsand Ballroom
Welcome/Goodbye Dinner
Stephanie Inn 800-633-3466
2740 South Pacific
Cannon Beach, Oregon 97110

Sunday, November 16, 2008

Breakfast
You are on your own. Sleep in, enjoy a day at the beach, and take your time getting home. You worked hard. 😊

* and ** indicate committees which have no overlap and can meet at the same time.

NO MEETING Executive Director Evaluation Special Committee (Skerjanec, Fisher, Gaydos, Johnnie)

NO MEETING Appellate Screening Committee (Evans, Gerking, Johnson, Greene, Matsumonji)

NO MEETING Public Member Selection Committee (Worcester, Greene, Johnnie, Vieira)

Business Attire

Casual Attire

Let's Dress Up