

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
October 30, 2008** Inform Handout
 - 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

Inform

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 Action 7

- 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 Action 9-50

- 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 Action 51-80

- 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 Action 81-118

- 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 Action 117-142

- 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) | Discuss/
Action | lavender
agenda |
| | 1. Reinstatement Protocol | Inform | 247 |
| B. | General Counsel/UPL Report
(Executive Session pursuant to ORS 192.660(1)(f) and (h) - separate packet) | Discuss/
Action | green
agenda |

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

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

- | | |
|---|-------------------|
| 10. Default Agenda | Informblue |
| A. Executive Director | |
| 1. Operations Report | Inform 217-223 |
| 2. Status of Actions from Past Board Meetings | Inform 225-226 |
| B. Access to Justice Committee | |
| 1. Minutes – October 17, 2008 | Inform 227 |
| C. Budget and Finance Committee | |
| 1. Minutes – October 17, 2008 | Inform 229-230 |
| D. Joint Meeting Member Services/Policy and Governance Committees | |
| 1. Minutes – August 15, 2008 | Inform 231-232 |
| 2. Minutes – October 17, 2008 | Inform 233-234 |
| E. Member Services Committee | |
| 1. Minutes – September 11, 2008 | Inform 235 |
| F. Policy and Governance Committee | |
| 1. Minutes – October 17, 2008 | Inform 237-238 |
| G. Public Affairs Committee | |
| 1. Minutes – August 15, 2008 | Inform 239 |
| 2. Minutes – September 11, 2008 | Inform 240 |
| 3. Minutes – October 17, 2008 | Inform 241-242 |
| H. CSF Claims Report | Inform 243-247 |

Oregon State Bar
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November 15, 2008
Consent Agenda

- | 9. Consent Agenda | Action | pink |
|---|--------|---------|
| 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 |
| ➤ <i>Accept the resignation of Robert Lehner.</i> | | |
| 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 **Phone:** 800-797-4666
148 West Gower St.
P.O. Box 219
Cannon Beach, OR 97110

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

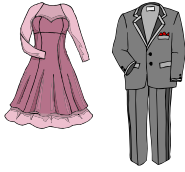


5:30 p.m. – 7:00 p.m. **BOG and Local Bar Reception/Dinner**
Surfsand Ballroom

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



8:30 p.m. – 10:30 p.m.

Welcome/Goodbye Dinner

Stephanie Inn
2740 South Pacific
Cannon Beach, Oregon 97110

800-633-3466

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

