

Oregon State Bar
Special Open Session of the Board of Governors
January 9, 2015
Minutes

President Richard Spier called the meeting to order at 8:30 a.m. on January 9, 2015. The meeting adjourned at 9:45 a.m. Members present from the Board of Governors were Jim Chaney, Guy Greco, Ray Heysell, Theresa Kohlhoff, John Mansfield, Audrey Matsumonji, Vanessa Nordyke, Ramón A. Pagán, Travis Prestwich, Per Ramfjord, Kathleen Rastetter, Josh Ross, Kerry Sharp, Simon Whang, Tim Williams and Elisabeth Zinser. Not present was Charles Wilhoite. Staff present were Sylvia Stevens, Helen Hirschbiel, Dawn Evans, Susan Grabe, Judith Baker, Mariann Hyland, Kateri Walsh, Dani Edwards and Camille Greene.

1. Call to Order

Mr. Spier swore in new board members Guy Greco, Vanessa Nordyke, Ramón A. Pagán, Per Ramfjord, Kathleen Rastetter and Kerry Sharp.

Mr. Spier presented a request from the OMLA for board to support the nomination of Minoru Yasui to receive a posthumous 2015 Presidential Medal of Freedom.

Motion: Mr. Greco moved, Mr. Whang seconded, and the board voted unanimously to support the nomination. Mr. Spier will draft a letter as president of the bar, acknowledging the OSB's support and to accompany the OMLA letter. **[Exhibit A]**

Mr. Prestwich led discussion of whether the board should reaffirm priorities **[Exhibit B]** adopted in November 2014, specifically, its support of legislation that incorporates the *cy pres* doctrine into Oregon law. Options:

- a. Reaffirm support for low-income legal services and *cy pres* legislation that would help fund low-income legal services.
- b. Oppose legislation that would incorporate the *cy pres* doctrine into Oregon law.
- c. Remain neutral on proposed legislation that would incorporate the *cy pres* doctrine into Oregon law.

Ms. Grabe suggested that the board support the adoption of the concept of *cy pres* as a means of funding low-income legal services without getting into the substance of how the bill might affect class action cases. There followed a discussion of whether and how to prioritize the rationales for the BOG's support, and whether to continue the positions taken in the past.

Motion: Mr. Ramfjord moved, and Ms. Zinser seconded, and the board voted unanimously to adopt Option a: Reaffirm support for low-income legal services and *cy pres* legislation that would help fund low-income legal services.

The BOG went into a judicial session, at the end of which the BOG meeting was concluded.

**Oregon State Bar
Board of Governors Meeting
January 9, 2015
Executive Session Minutes**

Discussion of items on this agenda is in executive session pursuant to ORS 192.660(2)(f) and (h) to consider exempt records and to consult with counsel. This portion of the meeting is open only to board members, staff, other persons the board may wish to include, and to the media except as provided in ORS 192.660(5) and subject to instruction as to what can be disclosed. Final actions are taken in open session and reflected in the minutes, which are a public record. The minutes will not contain any information that is not required to be included or which would defeat the purpose of the executive session.

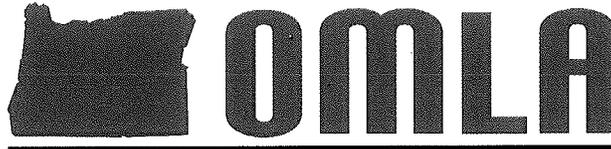
A. Reinstatement Request

Ms. Evans asked the board to decide whether to approve the reinstatement application from Ms. Sally Leisure and make the recommendation for reinstatement, pursuant to BR 8.1(e), to the Oregon Supreme Court.

Motion: Mr. Heysell moved, Ms. Matsumonji seconded, and the board voted unanimously to approve the recommendation of Ms. Leisure's reinstatement to the Oregon Supreme Court.

Executive Board

Christopher Ling, Co-Chair
Chase Morinaka, Co-Chair
Adam Gamboa, Treasurer
Daniel Simon, Secretary



Oregon Minority Lawyers Association

818 SW 3rd Ave., #438, Portland, OR 97204-2405

Board Members at Large

Samantha Copeland
Louise Hansen
Toni Kelich
Sujata Patel
Suzanne Trujillo

Honorary Board Members

Ernest Estes
Anastasia Yu Meisner
Hon. Adrienne Nelson

January 20, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

RE: Nomination of Minoru “Min” Yasui for 2015 Presidential Medal of Freedom

Dear Mr. President:

The Oregon Minority Lawyers Association (“OMLA”) and Oregon Asian Pacific American Bar Association (“OAPABA”) are proud to endorse the nomination of Minoru “Min” Yasui for a 2015 Presidential Medal of Freedom. In 1991, OMLA was founded as one of the first Oregon specialty bar organizations to promote the fair and just treatment of all people under law regardless of race or color. Similarly, OAPABA was founded in 2009 to support legal services impacting Asian Pacific American communities and to advocate their interests in the community. We believe Mr. Yasui’s trailblazing in civil rights, access to justice, and diversity and inclusion—which is emblematic of the pioneer spirit of the Pacific Northwest where he was born and raised—makes him an excellent candidate to receive one of our nation’s highest honors.

Mr. Yasui is credited for several important “firsts” in our national history. He became the first Japanese-American graduate of the University of Oregon Law School and the first Japanese-American member admitted to the Oregon State Bar in 1939. He is further developed the law of this nation in his courageous role as plaintiff in *Yasui v. United States*, the first of several United States Supreme Court cases challenging discriminatory wartime restrictions targeting Japanese-Americans and Japanese nationals during World War II. On March 28, 1942, Mr. Yasui openly and deliberately violated a military curfew that applied only to those of Japanese descent, resulting in his conviction and incarceration (including nine months of solitary confinement) as he appealed his case to the U.S. Supreme Court. His refusal to adhere to the curfew was a principled exercise of civil disobedience, borne out of his unwavering belief in the equal rights enshrined in our Constitution and laws. Although Mr. Yasui was ultimately unsuccessful in his appeal, his faith in our legal system was unshaken, and he continued to fight for the civil rights of all individuals, regardless of race, nationality, or ethnicity.

In Colorado in 1944, he successfully challenged the denial of his admission into the Colorado State Bar due to his wartime civil disobedience. There, he contributed to several U.S. Supreme Court amicus briefs filed by the Japanese American Citizens League (“JACL”) in support of those who had been discriminatorily targeted because of their race, nationality, and ethnicity, including defending the rights of Chinese schools and individuals to teach the Chinese language in the then-Territory of Hawai‘i (*Stainback v. Mo Hock Ke Lok Po*), and the right of an African-American Ph. D student at the

University of Oklahoma to have equal accommodations on campus (*McLaurin v. Oklahoma State Regents for Higher Education et al.*, a precursor to the landmark case of *Brown v. Board of Education*).

Mr. Yasui brought his pioneering spirit in support of a wide range of diverse organizations outside of the legal profession as well. In addition to being an active member of JACL, he was a founding member of the Urban League of Denver (1946), the Latin American Research and Service Agency (1964), and Denver Native Americans United (1977). He was a member and later served as the executive director of Denver's Human Rights Commission, then referred to as the Community Relations Commission. In all regards, Mr. Yasui's tireless spirit and his contributions to civil rights, equal treatment, and individual freedoms embodies the promises of equality inherent in our United States Constitution.

Today, the continued existence of organizations such as OMLA and OAPABA is testament to the enduring legacy of Minoru Yasui and the fundamental values he championed: equality, fairness, and justice. To share his story with a new generation of Asian Pacific American lawyers and judges, OAPABA recently organized continuing legal education ("CLE") courses on Mr. Yasui's impact on civil rights as part of its program for the 2011 and 2014 National Asian Pacific American Bar Association's ("NAPABA") Western Regional Conference. With this honor, we hope to inspire countless more generations of Americans with Mr. Yasui's courage and commitment to the law in the face of adversity. For those reasons, OMLA and OAPABA endorse Minoru Yasui's nomination for a 2015 Presidential Medal of Freedom, without reservation.

On Behalf of the OMLA Board of Directors,



Christopher Ling
Co-Chair, Oregon Minority Lawyers Association

And

On Behalf of the OAPABA Board of Directors,

Toan Nguyen
President, Oregon Asian Pacific American Bar Association

Legislative Priorities for 2015

1. **Support Court Funding.** Support for adequate funding for Oregon's court.
 - **Citizens Campaign for Court Funding.** Continue with efforts to institutionalize the coalition of citizens and business groups that was formed in 2012 to support court funding.
 - **eCourt Implementation.** Support the Oregon Judicial Department's effort to fully implement eCourt.
 - **Court Facilities.** Continue to work with the legislature and the courts to make critical improvements to Oregon's courthouses.

2. **Support legal services for low income Oregonians.**
 - **Civil Legal Services.**
 - Increase the current level of funding for low income legal services.
 - **Indigent Defense.**
 - **Public Defense Services.** Constitutionally and statutorily required representation of financial qualified individuals in Oregon's criminal and juvenile justice systems:
 - Ensure funding sufficient to maintain the current service level.
 - Support fair compensation for publicly funded attorneys in the criminal and juvenile justice systems.
 - Support reduced caseloads for attorneys representing parents and children.

3. **Support OSB 2015 Law Improvement Package.**
 - The bar's 2015 package of law improvement proposals has 17 proposals from 12 bar groups.