

**Oregon State Bar**  
**Special Open Session of the Board of Governors**  
**May 12, 2017**  
**Minutes**

President Michael Levelle called the meeting to order at 8:30 a.m. on May 12, 2017. The meeting adjourned at 8:41 a.m. Members present from the Board of Governors were John Bachofner, Jim Chaney, Chris Costantino, Eric Foster, Rob Gratchner, Guy Greco, Ray Heysell, Vanessa Nordyke, Tom Peachey, Per Ramfjord, Kathleen Rastetter, Traci Rossi, Kerry Sharp, and Elisabeth Zinser. Not present were John Mansfield, Eddie Medina, Julia Rice, Liani Reeves, and Kate von Ter Stegge. Staff present were Helen Hierschbiel, Amber Hollister, Susan Grabe, Dawn Evans, Kateri Walsh, and Camille Greene.

**1. Call to Order**

**2. Request to Sponsor ABA Resolution**

Mr. Levelle presented the ABA Resolution opposing the restructuring of the United States Court of Appeals for the Ninth Circuit. Michael H. Reed, Chair of the Federal Courts Subcommittee of the Standing Committee on the American Judicial System of the ABA sent a letter to Mr. Levelle asking the Oregon State Bar to either co-sponsor or support the resolution. **[Exhibit A]**

**Motion:** Ms. Rastetter moved, Ms. Nordyke seconded, and the board voted unanimously to take no position on the ABA resolution and give no direction to Oregon's ABA HOD delegates with respect to their vote. Mr. Levelle will send a letter of explanation before the May 31, 2017 deadline.

**3. Generative Discussion**

Board members discussed the OSB core function as advocates for diversity, equity, and inclusion, and specifically how the function supports the OSB mission and how board members can demonstrate leadership in support of the function.



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April 18, 2017

*Via Email: mlevelle@sussmanshank.com*

Michael D. Levelle  
President  
Oregon State Bar

Re: Opposition to Proposals to Split the United States Court of Appeals for the Ninth Circuit

Dear Michael:

I am writing to you in your capacity as President of the Oregon State Bar. As you know, Oregon is one of the states located within the federal Ninth Circuit. I have the privilege of chairing the Federal Courts Subcommittee of the Standing Committee on the American Judicial System (“Standing Committee”) of the American Bar Association (“ABA”). I also serve as the Pennsylvania State Delegate in the ABA’s House of Delegates and I previously served as President of the Pennsylvania Bar Association.

As you may know, various legislative proposals have been made recently to split the Ninth Circuit. The Standing Committee intends to request that the House of Delegates of the ABA reaffirm its existing policy opposing restructuring the Ninth Circuit because there is no compelling empirical evidence of adjudicative or administrative dysfunction in the existing structure. Enclosed herewith is a draft of the resolution that the Standing Committee will seek to have the House of Delegates adopt at the ABA’s Annual Meeting in New York, New York in August. Also attached is a copy of the draft report supporting the resolution.

The Standing Committee believes that it is important that the organized bar within the affected states be heard on this issue. We would welcome the support of your state as either a co-sponsor or a supporter of the resolution. As a co-sponsor, the name of your state would appear as such in the written materials submitted to the House.

Philadelphia	Boston	Washington, D.C.	Los Angeles	New York	Pittsburgh	
Detroit	Berwyn	Harrisburg	Orange County	Princeton	Silicon Valley	Wilmington

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The deadline for submitting the resolution and report is May 9, 2017 and the deadline for adding co-sponsors to the resolution is May 31, 2017. I would greatly appreciate it if you would let me know at your earliest convenience whether your bar association is willing to join the Standing Committee as a co-sponsor or supporter of the resolution in the House of Delegates.

Sincerely,



Michael H. Reed  
Chair  
Federal Courts Subcommittee  
ABA Standing Committee  
on the American Judicial System

/mce

Enclosure

cc: Helen Hirschbiel, Executive Director  
Adrienne Nelson, ABA State Delegate  
William T. (Bill) Robinson III, Chair  
ABA Standing Committee on the American Judicial System

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bc: Nicole Vanderdoes