

**Oregon State Bar**  
**Special Meeting of the Board of Governors**

January 13, 2023

12:00 p.m.

Oregon State Bar Center

16037 SW Upper Boones Ferry Road

Tigard, Oregon

**Open Session Minutes**

President Kamron Graham called the open session meeting to order at 12:11 a.m. on January 13, 2023. The meeting adjourned at 12:30 p.m. Members present in-person and by videoconference or teleconference from the Board of Governors were Chris Cauble, Gabe Chase, Lee Ann Donaldson, Stephanie Engelsman, Kellie Furr, Kamron Graham, Tomas Hernandez, Ryan Hunt, Matthew McKean, Rob Milesnick, Apolinar Montero-Sanchez, Curtis Peterson, Joe Piucci, and David Rosen. Not present was Tasha Winkler. Staff present in-person or by videoconference or teleconference were Cassandra Dyke, Ankur Doshi, Danielle Edwards, Susan Grabe, Helen Hirschbiel, and Mike Williams.

**1. Call to Order**

Lee Ann called the meeting to order at 12.11 pm

**2. Swearing-in of New BOG Members [Lee Ann Donaldson] Action**

Lee Ann Donaldson swore in the BOG new members. Tomas Hernandez, Kellie Furr, John Marandas, and Elizabeth Inayoshi

**3. Adopt BOG Areas of Focus for 2023 Action Exhibit**

Lee Ann Donaldson presented the 2023 Area of Focus

David Rosen talked about the Portal Project and who is working together to get it up and running.

**Motion: to approve and adopt the BOG Areas of Focus for 2023. Curtis Peterson moved and Apolinar Montero-Sánchez seconded.** All those in favor were Chris Cauble, Gabe Chase, Candace Clarke, Stephanie Engelsman, Kellie Furr, Ryan Hunt, Tomás Hernandez, Elizabeth Inayoshi, Myah Kehoe, John Marandas, Matthew McKean, Rob Milesnick, Apolinar Montero-Sánchez, Curtis Peterson, Joe Piucci, and David Rosen. None opposed none abstained. Motion passed.

# OSB BOARD OF GOVERNORS

## STATUTORY CHARGE

The Oregon State Bar (OSB) is a public corporation and an instrumentality of the Judicial Department of the State of Oregon.<sup>1</sup> The OSB Board of Governors (BOG) governs the state bar and must “at all times direct its power to serve the public interest by:

- (a) Regulating the legal profession and improving the quality of legal services;
- (b) Supporting the judiciary and improving the administration of justice; and
- (c) Advancing a fair, inclusive and accessible justice system.”<sup>2</sup>

As a unified bar, the OSB may use mandatory member fees only for activities that are germane to the purposes for which the bar was established.<sup>3</sup>

## MISSION

The mission of the OSB is to serve justice and the public interest by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice.

## FUNCTIONS AND GOALS

The BOG has adopted the following goals for its three statutory functions:

### **FUNCTION #1 – REGULATE THE LEGAL PROFESSION AND IMPROVE THE QUALITY OF LEGAL SERVICES**

**GOAL:** Cultivate competence, integrity, diversity, equity, inclusion, and well-being in the legal profession.

### **FUNCTION #2 – SUPPORT THE JUDICIARY AND IMPROVE THE ADMINISTRATION OF JUSTICE**

**GOAL:** Protect and advance the quality, integrity, diversity, and impartiality of the judicial system.

### **FUNCTION #3 – ADVANCE A FAIR, INCLUSIVE, AND ACCESSIBLE JUSTICE SYSTEM**

**GOAL:** Foster trust in, respect for, understanding of, and access to the justice system.

## FIDUCIARY ROLE

In order to advance the mission and achieve its goals, the BOG must ensure that the OSB is effectively governed and managed, and that it has adequate resources to maintain the desired level of programs and activities.

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<sup>1</sup> ORS 9.010.

<sup>2</sup> ORS 9.080.

<sup>3</sup> In *Keller v. State Bar of California*, 499 US 1,111 SCt 2228 (1990), the US Supreme Court held that an integrated bar's use of compulsory dues to finance political and ideological activities violates the 1st Amendment rights of dissenting members when such expenditures are not "necessarily or reasonably incurred" for the purpose of regulating the legal profession or improving the quality of legal services.

## **BOG AREAS OF FOCUS FOR 2023**

- 1. Access to Justice.**
  - a. Develop plan for supporting and encouraging lawyer practice in rural Oregon.
  - b. Determine how to implement 2022 HOD Delegate Resolution #2 (re: Advancing a Fair, Inclusive, and Accessible Justice System).
  - c. Continue conversations around flattening of bar membership in Oregon.
  - d. Continue support for Portal Project.
- 2. Diversity Action Plan.** Provide oversight and support for OSB Diversity Action Plan development and implementation.
- 3. Lawyer Well-Being.** Develop plan for support of lawyer well-being.
- 4. Program Review and Oversight.**
  - a. Revise Program Review Policy.
  - b. Provide support for development of metrics to implement Program Review and Evidence-Based Decision-Making Policies.
  - c. Consider whether to create specialty certification program.
- 5. Governance.**
  - a. Determine whether to review current structure/make-up of Board of Governors; if so, develop and begin implementation of plan for review.
  - b. Consider whether future HOD meetings should be in-person, virtual, or hybrid.
- 6. Regulation of Legal Profession.**
  - a. Consider report from Oregon RPC 5.4(a)(5) Committee.
  - b. Propose to HOD amendment to Oregon RPC 8.4(a)(7).
  - c. Propose to HOD revised amendment to Oregon RPC 1.8(e).
  - d. Continue support for implementation of paralegal licensing program.
  - e. Continue participation in alternative pathways to lawyer licensure.
- 7. Board Development.** Identify and implement board leadership development needs.
- 8. Finance/Budget.** Provide OSB finance/budget oversight.
- 9. Legislative Priorities.**
  - a. Implement legislative priorities adopted for 2023.
  - b. Identify and adopt legislative priorities for 2024.
- 10. Communication/Outreach.** Identify and implement areas for improved board outreach to members and the public.