

Oregon State Bar
Meeting of the Board of Governors
June 13-14, 2003
Open Meeting Minutes
Revised

For ease of future research efforts for the minutes, the minutes are written to reflect information as it appears on the agenda. Items in the minutes were not necessarily considered by the Board in the order in which they appear below.

The joint meeting of the Oregon State Bar Board of Governors and the Professional Liability Fund was called to order Friday, June 13, 2003, at 12:30 p.m. by OSB President Charles Williamson and adjourned at 1:00 p.m. Oregon State Bar Board of Governors members present were Ronald Bryant, Jon Hill, Gerry Gaydos, John Enbom, Mary McCauley Burrows, Lauren Paulson, William Carter, Frank Hilton, Mark Comstock, James Brown, Charles Williamson, Nena Cook and David Hytowitz. Professional Liability Fund members present were Tim Martinez, Steve Bloom, Ronald Palmer, Bob Nunn, Bob Thuemmel and Lisa Miller. Oregon State Bar staff present was Karen Garst, George Riemer, Bob Oleson, Susan Grabe and Teresa Wenzel. PLF staff present was Ira Zarov, Tom Cave and Jeff Crawford.

The Board meeting was called to order Saturday, June 14, 2003, at 9:15 a.m. by President Charles Williamson and adjourned at 1:25 p.m. Members present were Jon Hill, Nena Cook, Jack Enbom, Mary McCauley Burrows (9:15 a.m. – 10:00 a.m.), Lauren Paulson, Frank Hilton, Ronald Bryant, David Hytowitz, Mark Comstock, William Carter, James Brown, Charles Williamson, Bette Worcester, Dennis Rawlinson and Gerry Gaydos. Staff present was Karen Garst, George Riemer, Judith Baker (11:10 a.m. – 11:45 a.m.), Susan Grabe, Sylvia Stevens (intermittent attendance from 10:30 a.m. – 12:30 p.m.) and Teresa Wenzel. Others present was Michael Keeney (11:10 a.m. – 11:45 a.m.), David Thornberg (11:10 a.m. – 11:45 a.m.), David Carlson (10:00 a.m. – 11:20 a.m.) and Nancy Cooper (10:00 a.m. – 11:20 a.m.).

Work Session

1. Staff Introductions

All bar staff present on Friday, June 13 introduced themselves to the BOG by department and spoke briefly about their individual roles at the Bar. The BOG then joined staff for an informal reception.

2. Strategic Priorities for 2003-2004 – 3:00 p.m. – 4:45 p.m.

Mr. Stephen Hacker facilitated a work session on strategic planning following up on the key priorities set by the Board last November. He first presented a slide program outlining trends regarding board governance, the primary challenges facing boards today, board member service requirements, and the special role of directors for non-profit organizations.

He then discussed the three areas identified by the Board for special focus in 2003 and 2004: Law for All, The Bar Works, and the Value of Membership. He divided the Board into three groups. Each group identified the “point of arrival” for their issue.

The Value of Membership group discussed its goals of making sure the discipline process was fair to members and the public, advertising what the Bar is currently doing, and making law practice better and easier for bar members with the objective of better serving the public. The group wants to inventory services provided and be sure that they provide value to bar members. Quantitative results will be the number of bar members who participate in bar activities and feedback that is more subjective will be obtained from surveys.

The Bar Works group identified a goal of having the membership satisfied with the Bar. Currently, the attitude is “I don’t care.” Another point of arrival will be when the membership identifies with the Bar versus identification with sections or specialty bars. Goals include break-through change and redesign, synergism, more commitment to professionalism and job satisfaction throughout the practice. This will be measured by increased participation at the annual meeting, in bar programs and volunteerism in general. A survey will measure the results.

The Law for All group stated that its vision was to provide legal services for everyone and to have the courts open. It felt that it had slid back from the November meeting because the courts have been closed on Fridays. However, it looks good that the courts will reopen on Fridays starting on July 1, 2003, and have adequate staff to process cases. Funds appear to be available to process indigent defense cases as well. Short-term goals are to have the filing fee increase for legal services pass the Legislature although it will not fill the holes in legal aid service budgets for 2003 and 2004. Work continues on an increase in federal funding for the Legal Services Corporation as well. Long-term goals are to increase funding from \$10 million per year to \$20 million. Other objectives include reopening offices in Klamath Falls, McMinville, The Dalles, and St. Helens. The group is focusing on the results of the Walters II Task Force Report and increased pro bono efforts. Measures will include an increase in pro bono by 10% including more commitment from the large firms.

Each group met again and then reported what would have to happen by November in order to move forward on each of these objectives. The Value of Membership group indicated an inventory of what the Bar was now doing, using surveys as a baseline and exploring future service options, were two objectives. The main goal for November is knowing what members want. By November, The Bar Works group will settle on one issue to make the Bar work better. It will bring its idea to the August BOG meeting. The Law for All group reiterated its goals and added a change in public perception so that the public thinks access to justice is important.

3. Report of Officers

A. Report of the President

1. April 23, 2003 - Meeting with Chief Justice Carson

President Charles Williamson discussed recent meetings with the Chief Justice that centered on the \$30 million shortfall in the Oregon Judicial Department budget.

2. May 21, 2003 - Meeting with Supreme Court Regarding Discipline System Changes

BOG/HOD recommendations on changes to the discipline system were presented to the Supreme Court on May 23, 2003, and June 3, 2003. The Court adopted the Board's recommendation to have appeals from the Client Assistance Office end at the General Counsel's Office. Some members of the Court wanted to have this appeal provision sunset in two years. While that did not pass, Mr. Williamson offered to bring a resolution to the Board stating that the Board would report to the Supreme Court on the outcomes of the program and the appeals process every six months and would propose an alternative should those results be unfavorable regarding the appeal process or other aspects of the program.

Action: Mr. Comstock moved and Ms. Cook seconded to adopt the proposed resolution stating that the Board would report to the Supreme Court on the outcomes of the program and the appeals process every six months and would propose an alternative should those results be unfavorable regarding the appeal process or other aspects of the program. The motion passed (yes, 14; absent, 2 [Hytowitz, LeSage]).

3. Meetings with Southern Oregon Bar Associations, Newspapers and Campbell Inn of Court (Bend)

Mr. Williamson updated the Board on the Southern Oregon trip. The best turnout was in Medford and he thanked Mr. Carter for his efforts in getting the message out. Though Klamath County is still concerned with legal aid issues, it appears the situation is improving albeit slowly.

4. ABA Lobby Day in Washington, D.C.

Mr. Williamson discussed representation of the OSB at ABA Lobby Day in Washington, D.C. Former State Senator Neil Bryant accompanied the group to secure the support of Congressman Greg Walden for legal aid funding. The rest of the Oregon delegation has signed a letter to support increased federal funding for legal aid. Mr. Williamson also reported on a request by the ABA to endorse increased pay for the federal judiciary.

Action: Mr. Carter moved and Ms. Burrows seconded to support the ABA in its efforts to increase pay for the federal judiciary. The motion passed unanimously.

5. Discussion of the Role of the Futures Committee

Mr. Williamson reported on a recent meeting of the President's Advisory Committee on Future Issues. The chair of the committee, John Bridges, will present a report to the Board at its November retreat. The time allocated to this report will be one hour.

B. Report of the President-Elect

1. PLF Liaison Report

Reported under Professional Liability Fund at 8.C. page 14.

2. CLE Publications Online

Mr. Carter reported about a meeting held with several bar members and staff to explore an idea to place CLE Publications online with links to forms and Casemaker®. He encouraged the Board to support a study group to explore this idea, but to proceed cautiously, mindful that many bar members appreciate the current printed copies of the publications. Ms. Garst stated that some form of printed books would be a part of the effort, even if the publications were provided online. Mark Comstock, David Hytowitz, Gerry Gaydos and Bill Carter will participate in this study.

C. Report of the Executive Director

1. Discussion of cost of *Marbury v. Madison* - Newspaper Insert

The Board supported Ms. Garst's proposal to have the Communications Manager develop a yearlong timeline for key events relating to the law rather than produce a newspaper insert like the one produced by the Utah State Bar regarding *Marbury v. Madison*.

2. Comparison of OSB Dues to Other States

In response to the information on dues in other similar states, Ms. Garst was asked to be particularly cognizant of the impact of the CLE Publications online proposal on bar dues.

3. Follow-up Items from April 4-5, 2003, Board Meeting

a. Sabbatical

Ms. Garst thanked Board members for her sabbatical, which she will take from June 20 - September 15, 2003.

b. Oregon Minority Lawyers Association

Ms. Garst informed the Board that the Oregon Minority Lawyers Association will solicit funds to support the OLIO program of the Affirmative Action Program and then provide a grant to the Bar to support that program. No one voiced any problems with this arrangement.

4. Miscellaneous

a. CLE Credits at the Annual meeting

In an effort to clarify reimbursement policies for the Board of Governors, Ms. Garst asked for a motion to clarify the payment of CLE costs for board members during the Oregon State Bar Annual Meeting.

Action: Ms. Worcester moved and Mr. Enbom seconded to pay all CLE costs for board members during the Oregon State Bar Annual Meeting and that board members may use the CLE credits from the OSB Annual Meeting toward their yearly MCLE requirements. The motion passed unanimously.

D. Oregon New Lawyers Division

1. ONLD Report

Dave Carlson, past chair of the Oregon New Lawyers Division, reported on the high school mentoring project that matches high school students with lawyers. After the meeting, the mentoring is carried out online. The program is expected to expand past Southridge High School. The high school essay contest is wrapping up. The essay topic involved the issue of a ban on tattoos and body piercing. First place went to Yamhill Carlton students. In addition to other programs, the ONLD held six sessions for its legislative mentoring program designed to interest new lawyers in serving in the Legislature at a future date.

4. OSB Committees, Sections, Councils, Divisions and Task Forces

A. Client Security Fund

1. CSF Claims Recommended for Payment

Mr. Comstock introduced the Client Security Fund Committee's recommendation to pay the claim of *Torres/Juarez v. Wilson* - No. 03-02 for \$1,500.

Action: Mr. Comstock moved and Mr. Bryant seconded to pay \$1,500 as recommended by the committee and to waive the judgment requirement. \$1,000 is to be paid to Ms. Torres and Mr. Juarez, Jr. and \$500 to Mr. Juarez, Sr. The motion passed (13, yes; 2, absent; 1, no [Paulson])

B. Ethics Report Review

Nancy Cooper, chair of the Special Legal Ethics Committee, and Sylvia Stevens, Assistant General Counsel, presented the recommendations of the committee following its review of the Code of Professional Responsibility. They discussed the process used to review the recent revisions to the ABA's Model Rules of Professional Conduct, including a series of regional meetings with bar members throughout the state. For the most part, the proposed changes to a modified ABA Model Rules format were well received. Concerns were raised by some prosecutors regarding MR 3.8. The Committee met again and made some alterations to the draft rules based upon comments received in writing and at the regional meetings. The Attorney General's Office expressed some concerns about MR 5.3. It is likely that both of these groups will bring alternative proposals to the HOD meeting. Some sole and small firm practitioners expressed concerns about certain rules as well. The ABA is considering yet a further change to MR 1.13. The draft rules contain two versions of this rule and the Committee is proposing adopting the one that will be adopted by the ABA House of Delegates at its August meeting. The Committee did not recommend adopting the Commentary to the Model Rules at this time. Ms. Cooper and another member of the Committee volunteered to explore the adoption of the Commentary at a later date.

The Board thanked Ms. Cooper, her Committee, and Ms. Stevens for the tremendous amount of effort that went into the final draft recommendations. The Board recommended that the HOD Regional meetings in mid to late August include a member of the Special Legal Ethics Committee or Ms. Stevens to be sure that these issues are adequately dealt with prior to the HOD meeting. The Board directed staff to send the committee's final report, the proposed new rules and the committee's commentary to the entire membership as part of the HOD agenda. It will also be placed on the Bar's web site. Most of the Committee intends on attending the HOD meeting. Staff will work with the Committee to organize the presentation and

possible consent portions of the report, singling out those proposals likely to generate the most discussion. The Board requested that a meeting with the Supreme Court be set up prior to the HOD meeting to discuss the recommendations. Mr. Gaydos, Mr. Rawlinson, Mr. Bryant and Mr. Comstock volunteered to work with Ms. Stevens and other staff to meet with the Supreme Court and to prepare for the presentation of the new rules to the House of Delegates.

Action: Mr. Gaydos moved and Mr. Enbom seconded to approve the formulation of these new rules for presentation to the House of Delegates and Supreme Court and to include both versions of MR 1.13. The motion passed unanimously.

5. Rules and Ethics Opinions

A. Formal Ethics Opinions

1. Proposed Formal Opinion Interpreting DR 1-102(D)

Mr. Gaydos introduced the new proposed opinion interpreting DR 1-102(D) for the BOG's consideration. At the Board's suggestion, when first presented, the proposed opinion was circulated to a variety of individuals and groups that had been involved in the drafting and approval of the new disciplinary rule. Significant negative comment was received, so the Legal Ethics Committee revised the opinion draft to address some of the concerns expressed by prosecutors and others. The revised draft was sent out to the same individuals and groups in April 2003, with a request for comment before the revised draft was presented to the BOG in June. Ms. Stevens informed the Board that to date, the only comment has been from the Oregon Law Center and it is in favor of the revised opinion.

Action: Mr. Gaydos moved and Mr. Rawlinson second to approve the Proposed Ethics Opinion interpreting DR 1-102(D). The motion passed unanimously.

6. BOG Committees, Special Committees, Task Forces and Study Groups

A. Policy & Governance Committee

1. Defense/Bar Counsel Questionnaire

Mr. Brown, chair of the committee, presented a handout that recommended that the surveys to defense counsel and bar counsel be sent out under the name of the Executive Director with a report to be compiled and presented to the Board. In addition, two questions will be added to the surveys dealing with the SPRB.

- 1) Do you feel that the SPRB is authorizing prosecution to develop new law where the meaning of a disciplinary rule is unclear? If so, please give specifics including case name(s).
- 2) Have you noticed that the SPRB has become any more or less prosecutorial in its approach to disciplinary matters in recent years? If yes, what are the changes you perceive? Please give specific examples.

2. Role of LPRCs in Discipline System

Mr. Brown submitted the committee's recommendation regarding a draft rule of procedure change altering the way in which investigations will be sent to and conducted by Local Professional Responsibility Committees. Instead of a case being sent to an entire committee, an individual will be selected and required to submit a completed investigation to the Bar in sixty days or ask for a one-time 30-day extension from the SPRB. The committee investigator will be able to discuss the investigation with other committee members and the chair will call a meeting to discuss the matter, if warranted. The Board asked staff to discuss this process with the SPRB prior to implementation.

Action: The motion of the committee, proposing the approval of the rule of procedure change, passed unanimously.

3. Term of Committee Service - Amendment to Board Policy 6.302

The Committee recommended the adoption of the recommendation of the Recruitment Committee to allow bar committee members to serve more than one term. Board members discussed the pros and cons of this proposal: limits were designed to bring in new bar members; special expertise is sometimes lost when key people finish their terms; the Appointments Committee should make a finding that there is a special circumstance justifying the reappointment; there should be maximum flexibility; and the Board should be aware of when these extensions occur and it should be noted on the Appointments Committee's hand-out.

Action: Mr. Bryant moved and Mr. Hytowitz seconded to waive the one meeting notice on policy changes and to add the language, "if the Board makes a finding of extraordinary circumstances that warrant a reappointment," to the proposed rule and to approve the policy change as amended. The motion passed unanimously. The new policy is as follows:

Members of standing committees typically serve on a three-year rotating basis. The Board may reappoint members to a committee, if the Board makes a finding of extraordinary circumstances that warrant a reappointment. Each year the Board appoints new members constituting

one third of each committee. Terms begin on January 1. The Board will solicit member preference for serving on committees throughout the year. The Board appoints members to fill vacancies that occur throughout the year. These vacancies occur because members resign or are unable to fully participate in the committee. Each committee may appoint such advisory members or associates as it deems necessary subject to annual approval and confirmation by the Board.

4. BOG Policy 3.507 - Distribution of HOD Agenda

Action: The Policy and Governance Committee's recommendation, to change BOG Policy 3.507 to require the House of Delegates agendas to be "distributed ... at least 20 days in advance of a HOD meeting" rather than the current language that requires the agenda to reach members 20 days in advance, was unanimously approved. The motion included the waiver of the one meeting notice requirement. The new language will read as follows:

The Board shall develop the agenda for the House of Delegates meeting, consisting of resolutions submitted pursuant to Policy 3.502 and other matters determined by the Board to be appropriate for consideration by the House, including selected recommendations of committees and sections. The agenda shall be distributed to all members at least 20 days in advance of a House of Delegates meetings. Any recommendation of a committee or section that is not included on the agenda shall be considered by the Board of Governors for other possible action.

B. Public Affairs Committee

1. Emerging Issues - Status Update on Legislative Activities in the Following Areas:

Mr. Carter, chair, reported on the current state of the Bar's issues before the Legislature.

a. Lawsuit Regarding Indigent Defense Services Dismissed

The Board declined to file an amicus brief in the consolidated federal court lawsuit regarding state court funding of indigent defense services. U.S. District Court Judge Michael Hogan dismissed the lawsuit on May 16, 2003.

b. Judicial Selection Bills:

HJR 42, regarding Senate confirmation of judges, has passed the House and had a public hearing in the Senate Rules Committee on April 29, 2003. SJR 29, regarding selection of Supreme Court judges by Judicial Districts, is currently in the Senate Rules Committee and had a public hearing on April 3, 2003.

c. Continued Existence of Council on Court Procedures

The Public Affairs Committee discussed the status of the Council on Court Procedures. The Legislature has cut its funding for the 2003-2005 biennium. The Committee is making a recommendation to the full Board that the Board of Governors temporarily reallocate the \$4,000 (\$8,000 per biennium) in the Bar's budget for the Council on Court Procedures to the University of Oregon Law School to fund staff support for the council as necessary. The Budget and Finance Committee reviewed this recommendation and recommended adoption of this change. There was some discussion that the Legislature has not made a final decision on this budget.

Action: Mr. Gaydos moved and Mr. Rawlinson seconded to table the committee motion to approve this change at this time. The motion passed unanimously.

d. Status of Legislative Package

With the exception of the Consumer Law Section bills, most of the Bar's package of legislative proposals has passed both houses and has been signed into law or are waiting to be signed by the Governor. There are four notable exceptions: SB 40 regarding clarification of the definition of independent contractor, which is sitting in the House Business, Labor and Consumer Affairs Committee waiting to be scheduled for a work session; SB 63 regarding consolidation of multiple employer hearings before one hearings officer, which is in the Ways and Means Committee and has been connected to the DCBS budget hearings; HB 2279 regarding updating the Uniform Arbitration Act, which is in the Senate Judiciary Committee and may not come out due to concerns by the chair; and, the proposed statute regarding an increase in filing fees for legal services and the three-year temporary surcharge on filing fees dedicated to the courts. The Committee is hopeful that all of these will move in the latter part of the session.

2. Judicial Department Budget

The Senate and House leadership recently announced a tentative plan to add \$90 million to the Public Safety Subcommittee's allocation of which a part will be added to the Judicial Department's budget.

C. Access to Justice Committee

1. Legal Services Task Force

Ms. Cook, substituting for Ms. LeSage, committee chair, introduced Judith Baker who served as staff liaison to the Walters II Legal Services Task Force. Ms. Baker stated that the Board formed the task force because of pressure from the Legal Services Corporation (LSC) to consolidate Oregon's LSC funded legal service providers. The task force's goal was to determine what was the best configuration of legal services to allow relatively equal access to clients throughout Oregon. It was emphasized that the recommendation of the task force is based upon what will be best for the clients served. The task force found that while there are no glaring weaknesses in the current configuration, programs are not weak, there is good state planning and no administrative fat, a merger would institutionalize statewide planning allowing for increased resource sharing and client service assessment. Another important factor is the cost of merger coming at such hard economic times. The costs of a merger include equalizing salary and benefits, which alone would cost \$1 million. The task force concluded that it would be in the best interest of clients to recommend the adoption of the "Program Directors' Model" that calls for one statewide LSC funded program with three to four non-LSC programs statewide. The recommendation requires proceeding with deliberate speed and conducting a further feasibility study, in particular to explore the magnitude of the costs of merger and the impact on client services. The task force further recommended that it be charged with the oversight of the due diligence process required in the proposed study.

Action: The Board unanimously approved the Access to Justice Committee's recommendations outlined in the Legal Services Task Force Report.

D. Awards Committee

1. Approve Committee Recommendations for 2003 President's Awards and OSB Award of Merit Recipient

Mr. Hytowitz stated that the Committee received fewer nominations this year but worked hard to assure that the final recipients had been thoroughly vetted. There may be awards given to key legislators. That will be done as part of the Legislation CLE at the Bar's Annual Meeting. In addition, these legislators should be featured in an article in the *Bulletin*.

Action: The committee recommended the awards go to the following individuals in the following categories. The recommendations were approved unanimously by the Board.

Oregon State Bar Award of Merit	Joseph D. Robertson
President's Member Services Award	David C. Culpepper
	Tom Kranovich
	Mark Morrell
	David P.A. Seulean
President's Public Services Award	Roderick Aaron Boutin

E. Recruitment Committee

1. Update on BOG Candidates

Mr. Rawlinson reported on the candidates that have filed for the open BOG seats. The Committee is pleased with the caliber of candidates recruited. Four candidates filed in Region 5 for two seats: Kelly Michael Doyle, Linda K. Eyerman, Albert A. Menashe, and Theresa L. Wright and two for one seat in Region 6: Marva Fabien and Sharon Stevens. The election will be held in October with new BOG members taking office on January 1, 2004.

2. Miscellaneous

During discussion concerning expectations for the November, 2003, Board Retreat, Mr. Comstock requested to be included on the Recruitment Committee.

F. Budget & Finance Committee

1. Resolution to Open Bond Mutual Fund Account

Mr. Hytowitz stated that the Committee is recommending a corporate resolution to open an account to invest part of the Bar's fixed income portfolio in the Pimco Low Duration Fund. The Bar would be working with the PLF because a \$5 million minimum investment is required.

Action: The committee recommendation was approved unanimously.

2. Resolution to Finance Accounting Software with a Lease

Mr. Hytowitz discussed the need for a corporate resolution to lease the new accounting software. The Committee has determined that it may be more prudent to lease versus buy the new software.

Action: The Committee recommendation was approved unanimously with the inclusion of authorization for either the Executive Director or Chief Financial Officer to sign, based upon what the company requires.

3. The Board moved from Executive Session to Open Session to consider authorizing the Executive Director to fill the Assistant Disciplinary Counsel position left vacant by the transfer of the attorney to the new Client Assistance Office staff in order to address on-going problems with delay in the disciplinary process.

Action: Mr. Hytowitz moved and Mr. Carter seconded to keep the current FTE in the Discipline Department to deal with lengthy time delays in processing cases. The motion passed (yes, 13; absent, 2 [LeSage, Burrows]; no, 1 [Paulson]).

G. Bar Works

Mr. Hilton reported on the work by The Bar Works Committee on Friday, June 13, 2003. The Committee is working on presenting one “breakthrough” idea to the Board at its August meeting.

H. Judicial Selection Committee

Mr. Bryant informed the Board that OSB staff and representatives from the Judicial Selection Committee met on Friday with the Governor’s General Counsel MardiLynn Saathoff regarding the Governor’s views on the Bar’s process. The Committee will prepare a draft of the recommendations. The key changes requested by the Governor include submitting all candidates’ names to the Governor unless, after a due diligence review, a candidate is “not qualified.” Subsequently, the Bar would meet with the Governor to discuss their views on each candidate. The Committee will consider recommendations to the Board at the Committee’s July 11 meeting. The question arose whether the Committee’s conversations with the Governor and the notes of members of the Committee would be considered public records. These issues will be examined as the Committee proceeds. Concern was expressed that submitting a list designating someone, as “not qualified at this time,” would have more deleterious effect than merely establishing a highly qualified list as is the current process.

7. Professional Liability Fund

A. Financial Update

The PLF Board of Directors joined the Board of Governors for their annual joint meeting. Mr. Nunn, Mr. Zarov and Mr. Cave presented the May 31, 2003, Financial Report. The Primary Program, providing mandatory coverage, produced a net income

of \$1.6 million. This is due to better performance of investments and the drop in frequency of claims resulting in lower claims expense.

B. Audit

The PLF is required by statute to be audited biennially by the Audits Division of the Secretary of State. The PLF has elected to have an audit performed annually. The 2002 audit process is completed and each BOG member will receive a copy of the final audit mailed directly to his or her office. There were no issues raised in the report and no management letter.

C. Update

The annual Defense Counsel Panel training will be held in August. It is held every two years. The PLF publication *In Brief* and the MBA newsletter both featured an article about how the coverage plans work. In response to a BOG member's question, Mr. Zarov responded that there have been few difficulties with the addition of mandatory coverage for patent lawyers.

Mr. Carter, the BOG's liaison to the PLF, reported that he appreciated the opportunity to be a liaison to the PLF. He stated that the PLF Board is looking at possible improvements to the SUA program and how excess credits are awarded. The goal of the excess program is to be self-supporting and not draw from the regular program. A comment was made to be sure to include PLF when mentioning services the Bar provides to bar members.

8. Consent Agenda

Action: Mr. Hytowitz moved and Mr. Hill seconded to approve the consent agenda. The motion passed unanimously.

The consent agenda included approval of the Board minutes from April 4-5, 2003, and from May 28, 2003; Policy and Governance Committee recommendations to modify policies on transfer to inactive status and military waiver to give the Executive Director more flexibility; and Appointments Committee recommendations to fill vacancies on the Disciplinary Board, House of Delegates, Affirmative Action Committee, Quality of Life Committee, Judicial Administration Committee, Oregon Commission on Judicial Fitness and Disability, and the Oregon Law Commission.