

Oregon State Bar
Meeting of the Board of Governors
August 1, 2008
Open Session Minutes

The meeting was called to order by President Rick Yugler at 12:05 p.m. on Friday, August 1, 2008 and adjourned at 1:00 p.m. Members present from the Board of Governors were Kathleen Evans, Ann Fisher, Gerry Gaydos, Tim Gerking, Ward Greene, Kellie Johnson, Gina Johnnie, Christopher Kent, Robert Lehner, Audrey Matsumonji, Stephen Piucci, Carol Skerjanec, Bette Worcester, Terry Wright, and Rick Yugler. OSB staff present was Karen Garst, Sylvia Stevens, and Teresa Wenzel.

August 1, 2008

1. 1. **Proposed House of Delegates Agenda**

The board discussed House of Delegates Resolution No. 3 – Create Elected Consumer Insurance Advocate – in the light of the *Keller* doctrine. Ms. Stevens explained that the doctrine prohibits the use of mandatory dues to advance issues not germane to the bar's essential purposes of advancing the science of jurisprudence and improving the administration of justice. If the activity is undertaken, objecting members are entitled to a refund of the portion of their dues used for the activity.

Motion: Ms. Johnson moved, Ms. Wright seconded, and the board unanimously passed the motion to exclude House of Delegates Resolution No. 3 from the HOD agenda, but to include a copy of the resolution and an explanation of why it was removed and the potential impact it may have if returned to the agenda and passed by the House of Delegates.

After discussion, the board concluded House of Delegates Resolution No. 1 does not present an issue under *Keller*. The board also determined House of Delegates Resolutions No. 8 and 9, though similar, are different enough that they will both appear on the agenda; and Mr. Yugler will advise the House of Delegates of the Board of Governors' redistricting plan, which will go to the 2009 legislature.

Motion: Ms. Wright moved, Ms. Johnson seconded, and the board unanimously passed the motion to accept the 2008 House of Delegates Agenda with the exclusion of House of Delegates Resolution No. 3 and a copy and explanation of that resolution being provided to the HOD.

2. Executive Director Selection Process

The board discussed whether the information from the candidates interviewed by the selection committee, but not chosen as finalists, should be reviewed by the full board.

Motion: Mr. Kent moved, Ms. Fisher seconded, and the board passed the motion to provide each board member the application and the summary of the phone interview for all of the candidates that were interviewed by the selection committee but not chosen as finalists. In addition, the Executive Director job description should be provided to the full board with the packets. This material is in addition to the material regarding the four finalists. Opposed were Greene, Johnnie, and Pucci.