House of Delegates Orientation

Friday, July 28, 2023
12:30 p.m.
Zoom Videoconference
Roadmap

- Inform about the House of Delegates
- Provide resources
- Answer preliminary questions
About the Bar

Public corporation and instrumentality of the Judicial Branch of the State of Oregon.
Statutory Purpose

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.”
Fees may be used only for activities that are germane to the purposes for which the bar exists.
OSB Bylaw 12.1
Legislation and Public Policy Guidelines

• The regulation of lawyers and the legal profession;
• The education, ethics, competence and integrity of lawyers;
• Improving the functioning of the courts;
• Making legal services available to society, and;
• Providing law improvement assistance to elected and appointed government officials.
About the BOG

Govern the bar, determines the general policies of the bar and approves its budget each year.

15 lawyers elected from 8 regions, 4 public members appointed by the board.

May "adopt, alter, amend and repeal bylaws and to adopt new bylaws containing provisions for the regulation and management of the affairs of the state bar not inconsistent with law."

Who is the HOD

A representative assembly of the membership

- Members of the Board of Governors
- Elected delegates from eight geographic regions
- Public members from each region appointed by the Board of Governors
- Chairs of each of the sections
- Elected president of each county bar association
HOD Authority

- Approve increases to annual license fees
- Approve changes to the Rules of Professional Conduct
- Modify or rescind action of the Board of Governors
- Direct the Board of Governors as to future action
Limits on HOD Authority

HOD may not:

- Direct the BOG to take action that is illegal contrary to statute unconstitutional
- Invalidate payments previously made
- Direct, modify or rescind PLF assessments
- Direct, modify or rescind any action that is subject to control, approval or review of the Supreme Court
RESOLUTION (TITLE)

Whereas (explain basis for resolution);
now therefore be it

RESOLVED, THAT

(insert action you want the BOG to take)

Submitted by:
Print Name
Bar Number
Background Statement
Financial Impact
BOG Resolutions

- HOD Rules of Procedure Amendments
  - Adjust to modern hybrid environment
Amendment to RPC 1.2(d)

Oregon RPC 1.2(d)
(d) Notwithstanding paragraph (c), a lawyer may counsel and assist a client regarding Oregon marijuana-related laws in a proposed course of conduct that the lawyer reasonably believes is permitted under Oregon law. In the event Oregon law conflicts with federal law or tribal law the law of another jurisdiction, the lawyer shall may also advise the client regarding related federal and tribal law and policy such conflict and the potential legal consequences.
Amendment to RPC 1.8(e)

Oregon RPC 1.8(e)
(e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:

** **

(3) A lawyer representing an indigent client pro bono, a lawyer representing an indigent client through a nonprofit legal services or public interest organization and a lawyer representing an indigent client through a court appointment, or through a law school clinical or pro bono program, may provide modest gifts to the client for food, rent, transportation, medicine, and other basic living expenses. The lawyer:

(i) may not promise, assure or imply the availability of such gifts prior to retention or as an inducement to continue the client-lawyer relationship after retention;
(ii) may not seek or accept reimbursement from the client, a relative of the client or anyone affiliated with the client; and
(iii) may not publicize or advertise a willingness to provide such gifts to prospective clients.

Financial assistance under this Rule may be provided even if the representation is eligible for fees under a fee-shifting statute.
Save the Date

HOD Annual Meeting

October 27, 2023
9 a.m.
Hybrid
(in person and virtual)

All voting will be done electronically on the on-line platform used last year. Please bring a phone, computer, or iPad for voting. No votes will be counted in person.

Instructions for the Zoom and Voting platform are located at https://hod.osbar.org/Instructions/
Quorum Requirements

• Approximately 240 HOD members
• 50% +1 needed for a quorum
• Without a quorum, no official business can be conducted.
• So please, mark your calendars now and show up on October 27!
Other Dates of Interest

Deadline for Resolutions
September 12, 2023

Publication of HOD Agenda
October 6, 2023

Regional Meetings
Week of October 16
Resources

House of Delegates Home Page
www.osbar.org/leadership/hod

HOD Roster
www.osbar.org/_docs/leadership/hod/hodroster.pdf

General information
www.osbar.org/leadership/hod/hod_resources.html
OSB House of Delegates Resources

Useful Documentation

- OSB Bylaws
- State Bar Act, ORS Chapter 9
- OSB Legislative Policy Guidelines
- The Keller Rule — Limitations on the Use of Mandatory Dues
- OSB Mission Statement
- OSB Staff Directory
- Housing and Delegate Resolution Format Info
- Listserv Info
# OSB House of Delegates Staff Contacts

<table>
<thead>
<tr>
<th>Information</th>
<th>Staff Contacts</th>
<th>Phone: 620-0222 or 800-452-8260</th>
</tr>
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<tbody>
<tr>
<td>HOD resolution forms and HOD agenda. Meeting and housing arrangements.</td>
<td>Cassandra Dyke</td>
<td>ext. 386; <a href="mailto:cdyke@osbar.org">cdyke@osbar.org</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>fax: 503-624-8326</td>
</tr>
<tr>
<td>Statutes, bar rules, policies and procedures. Technical assistance to</td>
<td>Helen Hierschbiel</td>
<td>ext. 361; <a href="mailto:hhierschbiel@osbar.org">hhierschbiel@osbar.org</a></td>
</tr>
<tr>
<td>prepare resolutions.</td>
<td></td>
<td>fax: 503-624-8326</td>
</tr>
<tr>
<td>HOD election and appointment information, roster updates, list serves</td>
<td>Danielle Edwards</td>
<td>ext. 426; <a href="mailto:dedwards@osbar.org">dedwards@osbar.org</a></td>
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<td></td>
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<td>fax: 503-598-6994</td>
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Questions?