

OREGON STATE BAR

Policy and Governance Agenda

Meeting Date: September 27, 2024
From: Ankur Doshi, General Counsel
Re: Rule of Licensure Amendments

Action Recommended

Submit the proposed changes amending the Bar Rules of Licensure (RL) as noted in Exhibit 1 for public comment.

Background

The Supreme Court adopted the Bar Rules of Licensure earlier this year, which are set to be enacted in January 1, 2025. The following changes are changes to add items that were not included in the initial draft of the RLs.

Options

1. Recommend the proposed changes to the RLs be posted for public comment.
2. Decline to recommend the changes be posted for public comment, and submit back to staff for review.

Discussion

Two minor items are requested as amendments to the Rules of Licensure. The first item add authority for the Client Security Fund Assessment to be assessed per statute, and to be suspended per statute if necessary as well. Staff from the Court noted that there had been a prior suspension due to this issue, and thought it would be helpful to include it.

The second item specifically adds the definition of “Oregon practice and procedure” course for new attorneys, as no definition was available for such a course.

Staff seeks to submit these changes for public comment prior to adoption.

4.1 Annual Membership Fees and Assessments

(1) Members will be assessed an annual fee and other assessments as set by the Board of Governors and approved by the House of Delegates pursuant to ORS 9.191.

(2) Members will be assessed an annual assessment for the Client Security Fund as set by the Board of Governors pursuant to ORS 9.645.

~~(2)~~(3) The payment due date for annual membership fees and assessments is January 31, at 11:59 p.m. PT.

~~(3)~~(4) Proration of Fees. The Board may establish a uniform procedure for proration of membership fees based on the date of admission to practice during the course of the year. New members have ninety (90) days from the date of admission to pay their membership fees. If a new member fails to pay the fees within the time allowed, the new member's license is administratively suspended.

8.2 Additional MCLE Requirements for Recently Reinstated Members and New Attorney Admittees

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(2) New Attorney Admittees.

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(c) One of the ethics credit hours must be devoted to Oregon ethics and professionalism, and four of the nine credits hours in practical skills must be devoted to Oregon practice and procedure.

(d) An Oregon practice and procedure course must educate attorneys on practices and procedures for representing clients in Oregon and shall include discussions of at least one of the following: the Oregon Revised Statutes (ORS), the Oregon Rules of Civil Procedure (ORCP), the Oregon Administrative Rules (OAR), the Uniform Court Trial Rules (UTCR), or the Oregon Rules of Appellate Procedure (ORAP).