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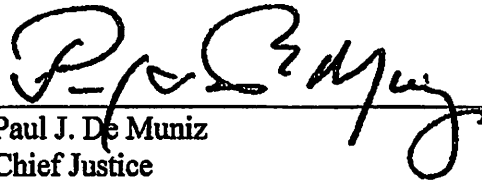
IN THE SUPREME COURT OF THE STATE OF OREGON

In the Matter of the)
SUPREME COURT RULE) ORDER NO. 09-008
FOR PROVISION OF LEGAL SERVICES)
FOLLOWING DETERMINATION OF)
MAJOR DISASTER) ORDER
)

At its public meeting on January 6, 2009, the court considered and approved the proposed Supreme Court Rule regarding the Provision of Legal Services Following Determination of Major Disaster. This rule was approved by the House of Delegates at its November 7, 2008 meeting.

IT IS HEREBY ORDERED that the attached Supreme Court Rule is approved and effective immediately.

Dated this 20th day of January, 2009.



Paul J. De Muniz
Chief Justice

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Provision of Legal Services Following Determination of Major Disaster

(a) *Declaration of Emergency.* Solely for purposes of this Rule, this Court may declare an emergency when a natural or other major disaster substantially disrupts the justice system in Oregon or in another jurisdiction (after the highest court of that jurisdiction has made such a determination), as a result of which:

- (1) Oregon residents or displaced persons from another jurisdiction residing in Oregon are in need of legal services that cannot reasonably be provided by Oregon lawyers alone; or
- (2) lawyers licensed in the other jurisdiction are displaced and unable to practice law in the other jurisdiction.

(b) *Temporary Pro Bono Practice in Oregon Following Major Disaster.* Following the declaration of an emergency under paragraph (a)(1) of this Rule, a lawyer authorized to practice law in another United States jurisdiction, and not disbarred, suspended from practice or otherwise restricted from practice in any jurisdiction, may provide legal services in Oregon on a temporary basis to persons in need of legal services as a result of the disaster, on a pro bono basis without compensation, expectation of compensation or other direct or indirect pecuniary gain to the lawyer, and performed under the auspices of an established not-for-profit bar association, pro bono program or legal services program or through organization(s) specifically designated by this Court.

(c) *Temporary Practice in Oregon by Displaced Lawyers from Another Jurisdiction.* Following the declaration of emergency under paragraph (a) (2) of this Rule, a lawyer who is authorized to practice law and whose principal office is in that affected jurisdiction, and who is not disbarred, suspended from practice or otherwise restricted from practice in any jurisdiction, may provide legal services in Oregon on a temporary basis to any client provided the legal services arise out of or are reasonably related to the lawyer's practice of law in the other jurisdiction.

(d) *Duration of Authority for Temporary Practice.* The authority to practice law in Oregon granted by paragraph (b) of this Rule shall end when this Court determines that the disruption of the justice system in this or the other jurisdiction has ended, after which lawyers practicing under such authority shall not accept any new clients or matters. Notwithstanding the termination of authority, a lawyer then representing a client with a legal matter pending in Oregon is authorized to continue the provision of legal services for such time as is reasonably necessary to complete the representation. The authority to practice law in Oregon granted by paragraph (c) of this Rule shall end sixty [60] days after this Court declares that the conditions caused by the major disaster in the affected jurisdiction have ended.

(e) *Court Appearances.* The authority granted by this Rule does not include appearances in court except:

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(1) pursuant to UTCR 3.170 and, if such authority is granted, the fees for admission shall be waived; or

(2) if this Court, in any determination made under paragraph (a), grants blanket permission to appear in all or designated courts of Oregon to lawyers providing legal services pursuant to paragraph (b). If such an authorization is included, the pro hac vice admission fees shall be waived.

(f) *Disciplinary Authority and Registration Requirement.* Lawyers providing legal services in Oregon pursuant to paragraphs (b) or (c) are subject to this Court's disciplinary authority and the Oregon Rules of Professional Conduct as provided in Rule 8.5 thereof. Lawyers providing legal services in Oregon under paragraphs (b) or (c) shall, within 30 days from the commencement of the provision of legal services, file a registration statement with the Clerk of this Court in a form prescribed by this court. A lawyer who provides legal services pursuant to this Rule shall not be considered to be engaged in the unlawful practice of law in Oregon.

(g) *Notification to Clients.* Lawyers authorized to practice law in another United States jurisdiction who provide legal services pursuant to his Rule shall inform clients in Oregon of the jurisdictional limits of their practice authority, including that they are not authorized to practice law in Oregon except as permitted by this Rule, and shall not state or imply to any person that they are otherwise authorized to practice law in Oregon.