Oregon State Bar

BAR LEADER
Handbook 2012

SECTIONS

Includes

Bylaws
Procedures
Deadlines
Forms
Electronic Services

Oregon State Bar

Mission

The mission of the Oregon State Bar is to serve justice by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice.

Functions of the Oregon State Bar

We are a regulatory agency providing protection to the public.

We are a partner with the judicial system.

We are a professional organization.

We are leaders helping lawyers serve a diverse community.

We are advocates for access to justice.

And the bar does this as a "public" corporation – as an instrumentality of the Oregon Supreme Court.

Values of the Oregon State Bar

Integrity

Integrity is the measure of the bar's values through its actions. The bar's activities will be, in all cases, consistent with its values.

Fairness

The bar embraces its diverse constituencies and is committed to the elimination of bias in the justice system.

Leadership

The bar will actively pursue its vision. This requires the bar and all individual members to exert leadership to advance their goals.

Diversity

The bar is committed to serving and valuing its diverse community, to advancing equality in the justice system, and to removing barriers to that system.

Promote the Rule of the Law

The rule of law is the premise of the democratic form of government. The bar promotes the rule of law as the best means to resolve conflict and achieve equality. The rule of law underpins all of the programs and services the bar provides.

Accountability

The bar is committed to accountability for its decisions and actions and will provide regular means of communicating its achievements to its various constituencies.

Excellence

Excellence is a fundamental goal in the delivery of programs and services by the bar. Since excellence has no boundary, the bar strives for continuous improvement. The bar will benchmark its activities to organizations who exhibit "best practices" in order to assure high quality and high performance in its programs and services.

Table of Contents

OSB Mission Statement i

Bar Information 1

Questions & Answers 1
Whom to Call with Questions 3
Commonly Asked MCLE Questions & Answers. 4
New Lawyer Mentoring Program 5
New Lawyer Mentoring Program At a Glance 6
OLF and IOLTA 7
Bulletin 8
Electronic Services. 9
Website Services 10
Electronic Communications Policies 11
Social Media Policies. 12
Members of the Board of Governors. 14
Board Meeting Schedule 15
Bar Bylaws: Article 15 – Sections 16
Standard Section Bylaws 18
Miscellaneous Bar Bylaws. 23
Aspirational Pro Bono Standard 27
List of Approved Charitable Contributions 27

Public Affairs 28

Governmental Relations and Public Affairs. 28
The Political Process: Roles and Responsibilities 30
Legislation Contacts 32
Bar Bylaws Legislation and Public Policy 34

Chair/Chair-Elect. 36

Guidelines 36
Section Chair Job Description 37
Liaison to Sections Job Description 38
Member Services Procedures for Meeting Notices . . . 39
Important Dates and Deadlines 40
Initial Section Report. 42
Annual Section CLE Report 43
Section Annual Report Guidelines. 44
Section Employees and Independent Contractors. . . . 45
Menu of Section Services. 46
Additional Services Available to Sections. 47
CLE Services. 48
Group CLE Accreditation Application 50

Treasurer 51

Chair and Treasurer Guidelines. 51
Section Forms 54
Sample Memo 55
Budget Preparation Instructions. 56
Budget Worksheet 58
Long Range Plans Budget Report 59
Member Expense Reimbursement Form 60
Expense Reimbursement Policy. 61
Section Check Request. 62
Section Cash Received Form 63
Transfer of Funds Authorization for the MCLE Program
Sponsor Fee Form. 64

Resources. 65

Public Meetings Law 65
Meeting Management Rules of Order. 67
10 Tips on Conducting Quality Meetings. 68
Effective Meetings 69
Secrets to Better Meetings 70
Professional Liability Fund Resources 71
Notes. 84

Questions & Answers

Following you will find brief answers to some of the most commonly asked questions from Oregon State Bar ("OSB") leaders. Additional detail on each area can be found in the handbook.

1. **How do I get an article in the Bulletin?**

   Please see page 8 for information. For further assistance, contact Paul Nickell, Ext. 340.

2. **Who is Sylvia Stevens and what does she do? How do I get in touch with her?**

   Sylvia Stevens is the Executive Director of the OSB and may be reached at Ext. 359. She is employed by the BOG to serve as the bar's chief administrative officer, overseeing the bar's programs, activities, staff and general operations. [Please see the OSB Resource Directory or visit the OSB web site at www.osbar.org for a current OSB staff list]

3. **How do I know who my Board of Governors contact is?**

   Each committee and section has an OSB staff liaison and a Board of Governors' contact. These are listed on your group's roster. Your BOG contact is your communication link with the BOG. Most BOG Contacts do not attend meetings, although many do try to attend the first meeting of the year. Feel free to contact your BOG contact.

4. **If a section or committee needs Board of Governors' approval, how do we proceed?**

   A listing of Board meeting dates is shown on page 15. Contact Camille Greene, Executive Assistant, at Ext. 386, 16 days prior to the board meeting to get an item placed on the agenda.

5. **May we file an amicus curiae brief on behalf of the section or committee?**

   No, amicus briefs must first be approved by the BOG, whether to be filed on behalf of a section or the bar itself. Specific restrictions for filing also exist. Please contact Helen Hierschbiel, at Ext. 361, for assistance. [Bar Bylaw 2.105, page 23.]

6. **Our committee or section wants to hold all of its meetings in Portland. Can we do this?**

   Committees and sections are encouraged to schedule some meetings away from the Portland area [please see Guidelines for Meetings, page 36]. The committee or section should develop its meeting schedule to accommodate all of its members.

7. **Who maintains the committee rosters and section executive committee rosters and how do I get a meeting notice sent out?**

   The OSB Member Services Department maintains committee rosters and section executive committee rosters. Committees should call Ext. 384 and sections Ext. 385, at the OSB to provide the pertinent information regarding your meeting. An agenda and minutes will be distributed prior to the meeting. The bar encourages sections and committees to send e-mail notification of meetings to save on postage costs. E-mail replies as to meeting attendance can be submitted to the secretary.

Sections

1. **How does a Section Executive Committee notice get distributed?**

   The OSB should be notified 20 days in advance of section meetings. However, if 20 days notice is not practical, then as soon as possible. Mail, email or fax the information, including the date, time, agenda and minutes of the previous meeting to the Member Services Section Specialist and to the assigned bar liaison. These minutes will be distributed along with the meeting notice. Distribution of meeting notices, agendas and minutes will only be done via e-mail. Responses to secretaries can also be e-mailed. [Standard Section Bylaws, Article III, Section 1, page 16. Also refer to Important Dates and Deadlines for Sections located at pages 40-41.]

2. **How do I get a bill paid for a section expense?**

   Section invoices should be sent to accountspayable@osbar.org accompanied by a section check request signed by the Section Treasurer. [Section Chair and Treasurer Guidelines, Check Requests, page 62.]

3. **Our section would like to sponsor a CLE. How do we apply for MCLE credit?**

   You must apply for MCLE credit by submitting a completed MCLE Form 2 Group Activity Accreditation Application [see form section in the Resource Directory and on the OSB web site]. There is an application fee that varies depending upon the number of credit hours. MCLE Form 2 may be filed before but must be filed no later than 42 days after the completion of the activity. You will receive a copy of the processed MCLE Form 2 showing the number of credits assigned. You may contact the MCLE Department at the OSB, Ext. 315 or 336, for assistance.

4. **Our section wants to hold a reception and serve alcoholic beverages and hors d'oeuvres. Is this an authorized utilization of section funds?**

   No. While you may be reimbursed from section funds for food, Bar Bylaw 7.501 (e) states: "Bar funds must not be used to pay the cost of alcoholic beverages." We encourage the use of no-host bars or outside sponsorship.

5. **Our section would like to put on a CLE and we're not sure if we want to co-sponsor with the OSB or plan a non-co-sponsored educational program. Who should we talk to?**

   Call Karen Lee at the OSB, Ext. 382. Sections can choose to co-sponsor with the OSB or not. CLE will work with you regarding a mutually beneficial OSB co-sponsorship. In the alternative, for a nominal per-person fee, the OSB will provide registration services, only, for a seminar. Call the CLE Registrar at the OSB at Ext. 413 to discuss this option.

6. **Our section would like to co-host a CLE with another group. May we do so?**

   Sections may co-sponsor, but must, by board bylaw, offer any co-sponsorship first to OSB CLE. If OSB CLE does not wish to co-sponsor, a section may co-sponsor with an outside entity. If there has been an ongoing arrangement and an agreement with OSB CLE for outside co-sponsorship of a specific program which is of a continuing nature, annual notice is all that is required. [See Bar Bylaw 15.600, page 16-17.]

7. **Our section would like to hold a reception at a private club. Is there any restriction on the use of private clubs?**

   Yes, there are restrictions. No professional, business, or social function of the OSB, or any of its sections, committees, affiliates or other authorized entities shall be held at any private or public facility which discriminates, in any way, on the basis of race, gender, religion, nationality or any other invidious distinction. [See Article 10, page 26.]

8. **If someone asks how they can join a section, what should I tell them? Do they have to wait until the next year?**

   No, members can join sections through October 31 using the member fee payment system or by sending a letter to the Accounting Department of the OSB with a check for the section dues and a request to join the section.

9. **Our section would like to take a position on a bill before the Legislature. Do we need prior BOG approval to do this?**

   Yes, see Bar Bylaw, Article 12, page 34. Every effort is made to minimize restrictions upon sections. However, routine activity is usually processed and approved quickly. Contact Susan Evans Grabe at the OSB at Ext. 380, Matt Shields, Ext. 358, or David Nebel, Ext. 317, for assistance.

10. **Our section wants to hire an editor for our newsletter or our website. Can we just do this on our own?**

    No, you must first determine if the person you wish to hire would be an employee or an independent contractor. We request that you work with Amber Hollister, Deputy General Counsel, at Ext. 312, to develop any contract. [Please see Section Employees and Independent Contractors, page 45.]

11. **Our section is interested in creating a website separate from the OSB standard section page. Are there restrictions on this?**

    Yes, the section must comply with the guidelines provided on page 10 of the Bar Leader Handbook or contact Anna Zanolli at Ext. 414 for assistance.

12. **May we enter into any contractual arrangement of any type on behalf of our section?**

    No. Since sections are a part of the OSB, any contracts executed on behalf of the section must be reviewed by the bar's General Counsel, and executed by the bar's Executive Director. Please contact Amber Hollister at Ext. 312 for assistance.

13. **Can a section use OSB letterhead for correspondence?**

    The bar has specifically designed a logo for each section. Contact the OSB Design Center, Ext. 414, for more information.

14. **Can one of our members decide to set up an educational trust for a deceased member's children?**

    No, this is outside the scope of section and bar mandated activities. [See *Keller v. State Bar of California*, Bar Bylaw 12.602, page 35.]

15. **Can a section make a contribution to a charitable organization of its choice?**

    No, any section making a donation to a charitable group can only do so with the approval of the Executive Director. Donations will only allow on the showing by the prospective donor that the donation of the section funds to the charitable entity is related to the purposes for which the section exists.

Whom to Call with Questions

Broadcast e-mails . . . . Sarah Hackbart, Ext. 385

Brochures, directories, etc. . . . . . Anna Zanolli, Ext. 414

Bulletin editor . . . . Paul Nickell, Ext. 340

CLE co-sponsorship . . . . Karen Lee, Ext. 382

CLE seminar registration services . . . . Kelly Dilbeck, Ext. 352

Legal publication authors . . . . . Linda Kruschke, Ext. 415

CLE seminars speakers . . . . Karen Lee, Ext. 382

Cash receipt questions . . . . Michelle Peterson, Ext. 305

Committee leadership opportunities . . . . Danielle Edwards, Ext. 426

Committee meeting notices & room reservations. . . . . Michelle Lane, Ext. 384

Design center services (newsletters, brochures, directories, etc.) . . . . Anna Zanolli, Ext. 414

Distribution of financial statements . . . . Michelle Peterson, Ext. 305

General accounting questions. . . . . Michelle Peterson, Ext. 305

General committee questions. Michelle Lane, Ext. 384

General section questions . . . Sarah Hackbart, Ext. 385

House of Delegates questions. Camille Greene, Ext. 386

Lawyer to Lawyer . . . . Ext. 408

Legislative matters. . . . . Susan Grabe, Ext. 380
. . . . David Nebel, Ext. 317
. . . . Matt Shields, Ext. 358

List serves. . . . . Michelle Lane, Ext. 384

Mailing List . . . . Ext. 411

MCLE sponsor questions . . . . Denise Cline, Ext. 315

Payment of invoices . . . . Michelle Peterson, Ext. 305

Payroll . . . . Michelle Peterson, Ext. 305

Rosters, committee lists . . . . . . Michelle Lane, Ext. 384

Rosters, section lists . . . . Sarah Hackbart, Ext. 385

Section budget questions . . Michelle Peterson, Ext. 305

Section bylaw questions. . . . . Sarah Hackbart, Ext. 385

Section contracts . . . . Amber Hollister, Ext. 312

Section meeting notices & room reservations. . . . . Sarah Hackbart, Ext. 385

Web site services . . . . Anna Zanolli, Ext. 414

OSB Member Services Staff

503-620-0222 or 1-800-452-8260

Kay Pulju

Member & Public Services Director . . . . Ext. 402
Oversees all aspects of member and public outreach

Danielle Edwards

Member Services Manager . . . . Ext. 426
Committee volunteer opportunities and appointments, public member recruitment.

Sarah Hackbart

Member Services Section Specialist . . . . Ext. 385
Section administration and rosters.

Michelle Lane

Member Services Specialist . . . . Ext. 384
New Lawyers Division, committee meeting notices, and list serves.

Amy Meyri

Member Services Assistant . . . . Ext. 423
Public meeting notices, local and specialty bar associations, and list serves.

Commonly Asked MCLE Questions & Answers

What is MCLE?

MCLE is the acronym for the Minimum Continuing Legal Education program. The Rules and Regulations governing MCLE and various MCLE forms can be found on the bar's web site at www.osbar.org.

What is the best way to contact the MCLE staff?

We are available by phone, fax or e-mail:

MCLE Department:

Phone: 503-620-0222 or 1-800-452-8260, Ext. 368
Fax: 503-684-1366

Denise Cline, MCLE Program Manager

Ext. 315, E-mail: dcline@osbar.org,
Fax: 503-598-6915

Jenni Abalan, MCLE Assistant

Ext. 336, E-mail: jabalan@osbar.org,
Fax: 503-598-6936

How and when do I submit applications for accreditation of programs and applications for teaching or research?

Use MCLE Form 2 for accreditation of a live or group replay CLE. Be sure to include all information requested on the form and, if applying as a sponsor, include the program fee. See MCLE Rule 4.5 and Regulation 4.50 for details.

OSB sections may pay the sponsor fee using a transfer of funds form signed by the section treasurer. Applications will not be processed until all requested information is submitted. The accreditation process takes approximately 30 days from the date the MCLE office receives the application. Applications must be submitted in advance of the program if you wish to advertise that it is accredited and for how many credits. Otherwise, applications must be submitted within 30 days after the program.

What programs qualify for MCLE credit?

MCLE Rule 5 sets out the accreditation standards that are used by the MCLE Department when reviewing applications for accreditation. Programs must have "significant intellectual or practical content" designed to enhance or improve competence as a lawyer. Accreditation is available for programs dealing with substantive law, personal and practice management, ethics, professionalism and diversity.

What kind of programs qualify for ethics credit?

MCLE Rule 5.5(a) states: "In order to be accredited as a legal ethics activity, an activity shall be devoted to the study of judicial or legal ethics and professional responsibility or professionalism and shall include discussion of applicable judicial conduct codes, disciplinary rules or statements of professionalism.

Are there requirements for program length?

To qualify for credit, a program must be at least 30 minutes in length. Programs are given one hour of credit for each 60 minutes of actual instruction, except that there can be a break of not more than 15 minutes in a three hour program.

New Lawyer Mentoring Program

The issue of how new lawyers transition to the legal profession has long been a concern among bar leaders. There are elements of being a highly competent and professional lawyer that are difficult to address in the law school environment. In previous generations, "apprentice" programs were a common model for complementing the cognitive learning of law schools with the practical realities of running a professional law practice and working with clients, opposing counsel, and courts. Indeed some form of apprentice/mentoring continues to exist to some degree in many large firms and/or specialty bars.

However, the changing nature of the profession and the economics of modern practice have significantly limited the opportunities for new lawyers to learn the attributes of professional lawyers through one-on-one guidance. Indeed, economic realities are translating to more new lawyers launching practices early in their careers, often with minimal access to more experienced bar members.

To fill that gap and provide a service to both the bar and the public, the Oregon Supreme Court has passed a requirement that all new Oregon lawyers participate for one year in the OSB New Lawyer Mentoring Program. The NLMP offers new bar members one-on-one guidance on elements of a highly competent practice, while promoting the competence, professionalism, and collegiality that make Oregon among the best places in the country to practice law.

The program is loosely modeled on programs in Georgia and Utah, which have received accolades for giving all new bar members meaningful access to experienced lawyers and a well-developed mentoring program in their first year. The Oregon model emphasizes a particularly flexible approach in which mentors and new lawyers take the core curriculum and shape it to best meet the needs of the new lawyer.

If you have other questions, or if you are interested in serving as a mentor, please contact program administrator Kateri Walsh at mentoring@osbar.org, or (503) 431-6406.

New Lawyer Mentoring Program At a Glance

Program Basics

The goal of the New Lawyer Mentoring Program is to provide personalized professional guidance to Oregon's newest attorneys. The program is designed to welcome new lawyers into the legal profession, and to help them develop the practical skills and judgment required in establishing a successful and professional law practice.

Participants are matched with their mentor based on location, practice areas and other common elements. The recommended curriculum includes six components, each designed with the flexibility to tailor it directly to the new lawyer's needs and the mentor's strengths.

Mentor Criteria

- member of the OSB in good standing
- at least seven years experience in the practice of law
- reputation for competence and ethical and professional conduct
- no current disciplinary prosecutions pending
- recommended by the OSB Board of Governors and approved by the Supreme Court

The typical time commitment is expected to be a monthly 90-minute meeting for 12-18 months. The new lawyer is required to complete the program no later than December 31st of their first full year of admission.

Training & MCLE Credit

- Mentors are responsible for reviewing the NLMP Manual (curriculum) in detail and viewing a brief training video. Both are posted on the bar's website www.osbar.org.
- Mentors may claim a total of eight (8) MCLE credits upon completion of the plan year.

Matching

Matches are made in one of three ways:

- new lawyers may recruit mentors from relationships already developed within the legal community;
- mentors may be available through the new lawyer's firm or place of employment; or
- the OSB makes the match based primarily on geographic location and practice areas of interest.

Curriculum

The new lawyer and mentor will work to develop an individualized Mentoring Plan covering six areas:

- introduction to the local legal community
- rules of professional conduct and cultural competency
- introduction to law office management
- successful client relationships
- career development, public service, bar leadership and work/life balance
- practice area basic skills

Other Program Details

- Mandatory participation for all OSB members admitted after January 1, 2011, unless admitted by reciprocity or having practiced in another jurisdiction for at least 24 months.
- Deferrals to the program apply to new lawyers serving as judicial clerks, those residing outside the state and those not engaged in the practice of law.
- Upon completion of the NLMP, new lawyers are awarded 6 MCLE credits that can be carried forward into their first three-year reporting period. These credits do not replace the first-year requirements for new admittees.

Interested in Helping?

One of the primary goals for 2012 will be recruiting highly qualified mentors to support the NLMP. The anecdotal evidence continues to amass that New Lawyers, particularly in today's climate, are in need of a community of experienced practitioners during their transitional first year. And even more than in past years, many are establishing their own practices just out of law school, which increases the bar's responsibility to be available as supportive resources to these new colleagues. We hope you will look further into the program, or talk to other highly regarded members in your practice area who may be well-suited to the mentoring role.

Contacts

If you have additional questions about the NLMP, please contact Kateri Walsh, Program Administrator at 503.431.6406 or send an email to mentoring@osbar.org.

Oregon Law Foundation and the IOLTA Program

Fact Sheet 2012

IOLTA Program

The Interest on Lawyers' Trust Accounts (IOLTA) program is an innovative way to supply a public good. Client funds that are too small in amount or held for too short of a time to earn interest for the client, net of bank charges or administrative fees, are placed in a pooled interest-bearing trust account. The interest from these accounts is remitted by the financial institutions to the Oregon Law Foundation (OLF), a charitable, tax-exempt entity. Financial institutions play a significant role in the success of the IOLTA program. The amount of funding generated through IOLTA each year is dependent upon several factors, including interest rates and bank-imposed service fees. You can help the OLF by establishing your IOLTA account at (or moving your IOLTA account to) a bank that is committed to maximizing the rate of return on IOLTA accounts. The OLF's "Leadership Banks" have shown such a commitment. For more information on the OLF and to see the OLF's "Leadership Banks" please go to www.oregonlawfoundation.org.

IOLTA Income

Due to record low interest rates, IOLTA income for 2012 is predicted to be less than $900,000. This is a 75% decrease from the $3.6 million received in 2007.

2012 Grantees

For 2012 the Foundation awarded $950,000 in grants that greatly benefited the economically and socially disadvantaged citizens of Oregon. Grants totaling $705,000 were made to the legal aid offices which are Legal Aid Services of Oregon, Center for Non-Profit Legal Aid (Jackson County), Oregon Law Center and the Lane County Law and Advocacy Center. Other direct service grants totaling $243,500 were made to Immigration Counseling Service, Disability Rights of Oregon, St. Andrew Legal Clinic, Multnomah Volunteer Lawyers' Project, Juvenile Rights Project, Northwest Justice Project and Hood River Legalization, and Catholic Charities.

In addition to the OLF's focus of direct service to economically disadvantaged Oregonians, the OLF funds legal education that benefits all citizens and promotion of diversity in the Legal profession. For 2012 $1,000 was awarded to Classroom Law Project, and $2,500 to OSB Affirmative Action OLIO program.

Grant Application

To be considered for an OLF grant, application must be received not later than October 1. Applications are available in August either by request or they can be downloaded from the OLF's website www.oregonlawfoundation.org. The Board makes grants once each year for payments to be made in four equal installments. In the absence of special circumstances, the funding period for successful applicants is one year. The focus of the OLF continues to be support of access to justice in Oregon by obtaining and distributing funds to provide legal services to persons of lesser means.

For further information, please contact the Oregon Law Foundation Executive Director, Judith Baker, at Ext. 323 at the Oregon State Bar.

Oregon State Bar Bulletin

2012 Bulletin Editorial/Advertising Deadlines

Issue	Bulletin Deadline	Bar News Deadline	Mailed
January 2012	November 23, 2011	December 9, 2011	January 6, 2012
February/March 2012	January 13, 2012	February 3, 2012	March 2, 2012
April 2012	February 17, 2012	March 9, 2012	April 6, 2012
May 2012	March 16, 2012	April 6, 2012	May 4, 2012
June 2012	April 13, 2012	May 4, 2012	June 1, 2012
July 2012	May 18, 2012	June 8, 2012	July 6, 2012
August/September 2012	July 20, 2012	August 10, 2012	September 7, 2012
October 2012	August 17, 2012	September 7, 2012	October 5, 2012
November 2012	September 14, 2012	October 5, 2012	November 2, 2012
December 2012	October 19, 2012	November 9, 2012	December 7, 2012

Editorial and Advertising Guidelines Oregon State Bar Bulletin

The Bulletin is published for members of the Oregon State Bar (OSB). The Bulletin is published monthly and distributed during the first week of the month, except for double issues in February-March and August-September. It is not a consumer magazine, nor a law library text/review book. The purpose of the Bulletin is to provide the members of the Oregon State Bar with information that will directly affect their practice of law in Oregon, will aid and improve their business, and will keep them informed on activities and issues in the legal profession.

Deadlines

Contact the Oregon State Bar Bulletin editor at (503) 620-0222, Ext. 340, or editor@osbar.org. The in-state toll-free line is 1-800-452-8260.

Classified Advertising

Classified advertisements are available for purchase by both OSB members and non-members. Firms or organizations offering professional employment opportunities or services are available to OSB members and non-members at the same rate. Non-position and non-service advertising is provided to OSB members at a reduced rate.

Lawyer Announcements

Paid advertising space is available for members to announce changes in law firms or practices. Such advertising is available only in the Bulletin, and only to members of the Oregon State Bar, or their law firms or offices.

Rates

For rates and other information, contact the Oregon State Bar advertising coordinator at (503) 620-0222, Ext. 348, or advertising@osbar.org.

OSB Electronic Services

Fastcase™ Online Web Library

The Fastcase™ Web Library contains a library of Oregon, and other state and federal resources. The library permits search and browse functions for legal research and is a valuable membership benefit. An online tutorial and user manual are also located on the website via the member login page.

Membership Fees and Section Enrollment

View and make payments for your membership and section fees online, or print your statement and mail your payment to the bar. Also, view your section's current membership roster.

Member Profile Update

You can change your address online through the member login page. The online Member Directory is updated daily.

OSB Online Voting

Online voting is available to members who have listed an e-mail address as part of their permanent bar record. Electronic elections offer convenience to members, save money, and increase member participation.

Telephone Conferencing for Committees and Sections

Premiere is the conference call provider for the Oregon State Bar. Groups utilizing this service have service available 24 hours a day, seven days a week, with no prior set-up required.

Sections and committees have individualized toll-free numbers along with the conference ID number.

The numbers are included on meeting notices for members who occasionally call into a meeting.

Conference call services continue to be free to Oregon State Bar Committees. Sections continue to be charged a minute rate for conference calls.

Section Email Accounts

Sections wishing to create an email account for use by their executive committee must contact the OSB. There are a number of free email providers the bar can recommend for section use but the section must provide the OSB with the email login and password. When selecting an email address sections are asked to refrain from the use of OSB__section@__.com or any other address implying the OSB is responsible for the email account. It is also important to consider the type of information a section asks to receive by email as this is not a secure means of communication. Contact Anna Zanolli (Ext. 414) regarding section email account restrictions.

Web Conferencing

The Oregon State Bar has contracted with Premiere, a provider of web conferencing services. Premiere is a full-featured web conferencing service that lets you easily conduct online web and audio events from start to finish for virtually any size audience. Premiere allows you to organize and conduct meetings online, view and share documents.

Web-conferencing is available at no cost to Oregon State Bar Committees. Section Executive Committees will pay an hourly fee, as yet to be determined.

If you would like more information about web-conferencing services contact Danielle Edwards, Member Services Manager, 1-800-452-8260, Ext. 426, 503-431-6426 or dedwards@osbar.org.

Web Surveys

The Oregon State Bar uses a variety of services to conduct online surveys for the bar and sections. Pricing is based on the length and type of survey desired, and the bar can provide a quote per your section's specific needs. If you would like more information about web surveys, contact Anna Zanolli, Design Center Manager, 1-800-452-8260, Ext. 414, 503-431-6414 or azanolli@osbar.org.

Website Services

Several options are available to OSB sections who want to develop a presence on the web—from a basic business "e-card" page to a full-blown website:

Basic web page

Design and hosting .... included
Content................................ created/maintained by OSB

A basic section web page is maintained for each section on the OSB website. This web page contains the group's dues, membership, executive committee and annual report. These pages follow a templated design and are maintained by the OSB Design Center. No section editor is required and the cost of these pages is included in the section member assessment.

Expanded web page

Design and hosting ....included
Content..created by section
Page updates........................... OSB Design @ $40/hour

Basic pages can be expanded to include section newsletters (pdf format) and practice area links. The section is asked to appoint a web editor to create and maintain this additional content, and to develop an update schedule and procedure with the OSB Design Center.

Collaborative website

Design.........................OSB Design @ $40/hour
Content......created & maintained* by section

A section can choose to create and maintain a site on a collaborative site that provides a set of web development tools that can be accessed by one or more section web editors. These basic sites contain no advertising. The OSB Design Center will help the section create a site on homestead.com that contains the basic web page information outlined above. Additional content must then be provided and maintained by the section web editor(s). Design Center staff can provide instruction in the site web development tools as well as bar graphics.

The bar will pay the annual fee for collaborative section sites. If the section does not contribute and maintain content on the site during the course of the year, the bar reserves the right to close the site after notifying the section.

*Occasional website updates may be available through the OSB Design Center at the standard design rate of $40/hr. Please contact Anna Zanolli (Ext. 414) for availability and scheduling, and for training information.

Custom web site

Site design.............................. negotiated with designer
Content...................... created & maintained by section
OSB hosting* ....included
File uploads to OSB site ....included
Non-OSB hosting ....negotiated with web host

Sections may also choose to completely design and maintain their own web sites.

OSB hosting: The bar will host a custom web site on its server at no additional cost to the section. OSB hosted sites must be designed to work on the OSB server and, as such, set up and features must be approved in advance by the bar. Pages on these sites are maintained and updated by the section web editor and sent to the OSB Design Center (webmaster@osbar.org) for upload to the bar's site. This upload is normally available within the same work day. Supplied pages must be web ready, or Design Center can be hired to finalize these pages ($40/hr.).

Non-OSB hosting: The section may choose to have its custom site maintained on a server other than the bar's. In such a case, the bar will maintain a link on the bar site to the provided URL.

Before a separate website can be established, the contract must first be reviewed by Amber Hollister, Ext. 312. Sections who choose to create their own website must provide the OSB annually with the web editor's contact information and the administrator's login information. Please contact Anna Zanolli (Ext. 414) with this information.

Electronic Communications Policies

Member Services Department, Oregon State Bar

The Oregon State Bar Member Services Department provides electronic communications such as broadcast e-mails and list serves to bar groups. These groups consist of sections, committees and local bar associations. These services provide cost-effective communication methods to disseminate information regarding CLE seminars and group activities.

Broadcast Email

Broadcast e-mails are for official section, local bar association and committee business only. A typical broadcast e-mail announces meetings, CLE seminars, conferences, symposiums or networking opportunities. Broadcast e-mail services from the Member Services Department are not available to express political views, job announcements, solicitations to OSB members to join sections, or to purchase products.

The following conditions apply to the sending of broadcast e-mails:

1. Requests for broadcast e-mails must be received by Member Services a minimum of two (2) business days prior to distribution. Such requests must indicate the group(s) to receive the e-mail and the date by which the e-mail is to be sent.
2. The information to be sent must be in a single document, no more than one page in length and include a subject line.
3. Attachments are not included in broadcast e-mails, all text must be embedded in the body of the e-mail. However a link to a CLE brochure can be placed into the broadcast e-mail.
4. The broadcast e-mail text must designate the person who is to receive e-mail replies.
5. Section e-mails may include the sponsoring section and up to two additional sections for free. If a section e-mails to more than two additional sections, a charge of $25 per additional section will be assessed. E-mails to the total bar membership are not allowed.
6. Local bar association broadcast e-mails may be sent to all lawyers in a particular county as well as surrounding counties.
7. Unless the broadcast e-mail is county-wide, local bars must provide a current list of members with the broadcast e-mail request.
8. Sections, committees and local bars utilizing broadcast e-mails to market a CLE seminar may send an initial announcement and no more than two reminders per seminar.
9. Bar committees may utilize broadcast e-mails for meeting notices, seminar announcements and legislative information.

All broadcast e-mail requests are subject to review and approval by Member Services staff.

List Serves

Upon request, the Member Services Department will create an Executive Committee or full section list serve or both. OSB committees may also utilize list serves.

The purpose of the list serve is to facilitate communication among members of the group. Note that list serves are a private list: participation is open only to members of the group who have e-mail addresses registered with the Bar.

Once established, each Section Executive Committee is responsible for monitoring their own section list serves and must work with the OSB Member Services Department to remove or change any members list serve status.

Social Media Policies for the Oregon State Bar

Definition

Social media is media designed to be disseminated through social interaction, created using easy-to-learn publishing techniques. While social media can be used to easily broadcast (one-way) content to audiences, what sets it apart is the ease with which the audience can respond or interact with that content.

Using social media

Social media easily and inexpensively allows an association to interact with its members and the public and can facilitate member-to-member dialog. Social networks—including but not limited to, blogging, microblogging, (Twitter), networking sites (Facebook, LinkedIn), podcasts and video media (YouTube)—offer opportunities for outreach, information sharing and interaction.

The Oregon State Bar ("OSB") supports the use of these technologies to increase member engagement, build community, and improve access to information, resulting in greater value to our members and the public. These tools are one method for communicating with a variety of audiences, but may not be appropriate in all instances or for all kinds of outreach.

The following guidelines apply to OSB volunteers, sections, committees, boards, divisions, panels, and related programs or groups (Entities) wishing to use OSB's name and/or graphic identity (e.g., logo) in conjunction with the creation or maintenance of a social media presence that identifies the Entity as being sponsored by, administered by, or affiliated with OSB.

Objectives

Entities considering social media should be committed to long-term goals. Consider the goals you seek to achieve with social media participation. How will you, or how can you, measure the success of your social media activity? If you are going to invest resources in social media sites, you must be prepared to give good reason for that investment and to commit to its development and maintenance for the long term.

Administering the social media site

Each OSB Entity desiring a social media presence shall work with the OSB staff contact to determine the Entity's objectives, the proper social media venues for the Entity and the manner and location of the social media presence.

The OSB staff contact will establish the page/account for the Entity. The Entity shall work with the staff contact to generate content updates to the page/account. In order to prepare for possible emergencies, and to facilitate future succession of Entity's officers and members, the Entity must timely share all information required to manage the page/account (such as, but not limited to, login, password, billing information, etc.).

Privacy

All information disseminated via a social media presence established by Entity is subject to public inspection and disclosure in accordance with the Public Records Laws (ORS 192.410—192.502).

Content guidelines for social networking

Entities are responsible, in collaboration with their OSB liaison/contact and all those individuals participating in the social network, for complying with these guidelines.

In some circumstances, inappropriate use of social media may subject you to discipline for failing to comply with the Rules of Professional Conduct (RPC), as well as civil and/or criminal liability.

1. Be responsible. You are personally responsible for the material you post. Carefully consider content; what you publish will be widely accessible for some time and, in some cases, indefinitely. All statements must be true and not misleading. Do not post private information about yourself or others. Keep the posts relevant to the OSB's mission and/or goals. Adhere to all statutory prescriptions and Rules of Professional Conduct governing the privacy of individuals and confidential information of your clients. Represent the OSB and our profession well. Exercise good judgment when posting.

2. Be upfront; identify yourself. Use your real name, and, if relevant, your role or interest in the topic

discussed. When appropriate, make it clear you are speaking for yourself and not on OSB's behalf.

3. Be civil and respectful. It's all right to disagree with others, but do not use defamatory, libelous, or damaging innuendo; abusive, threatening, offensive, obscene, explicit, or racist language; or post illegal material.

4. Be quick to correct an error. If you make a mistake, admit it. Quickly provide the correct information. If appropriate, modify an earlier post to make it clear that you have corrected an error.

5. Keep it relevant/add value. Write about what you know. Information can add value if it contributes to the legal community's knowledge or skills, improves the legal system or public understanding of the legal system, or builds a sense of community.

6. Follow copyright laws. Always give people proper credit for their work. Make sure you have the right to use material with attribution before publishing. It is a good practice to link to others' work rather than reproducing it on your site. When in doubt as to the proprietary nature of material, don't use it.

7. Protect proprietary and client information. Do not discuss or misuse proprietary or confidential information, and follow all professional and ethical rules governing the disclosure of information shared with you by clients. When in doubt, leave it out.

8. Avoid politics. Comply with Article 12 of the OSB Bylaws. Do not discuss or take a position with respect to any local, state or federal elections, or political issues.

9. Comply with Oregon rules governing lawyer conduct. Comply with all legal restrictions and obligations governing professional conduct, particularly those regulating communication and advertising (Oregon RPC 7.1), when posting content to any social network, including postings by an Entity.

10. Do not violate antitrust laws. Antitrust laws prohibit postings that encourage or facilitate agreements between OSB members of different firms concerning the following, as they pertain to legal services: prices, discounts, or terms or conditions of sale; salaries; profits, profit margins, or cost data; market shares, sales territories, or markets; allocation of customers or suppliers; or any other term or condition related to competition.

11. Abide by the social network's rules. By joining a particular social network, you agree to abide by that community's terms of use, so review those terms carefully.

12. Avoid blatant marketing. Blatant marketing or advertising by individuals is inconsistent with the purposes of general dialogue and information exchange. OSB may use its own social media site to promote programs and services.

E-commerce

Entity shall not use social media pages to conduct any monetary transactions. All e-commerce must be transacted through the OSB website and managed by OSB staff.

Using the OSB's name and/or logo

OSB Entities may incorporate the OSB's name and/or logo into their social media identity with prior approval from the OSB Information Design & Technology Manager or his/her designee.

To create consistency and community on the Web, the OSB has established standard logo templates, disclaimers, and naming conventions. Entities must work with their assigned OSB staff contact to coordinate the development of the social network graphic and other site requirements.

All Entities must provide direct links on any social media page back to the "main" OSB social media page.

OSB reserves the right to monitor these sites and will take appropriate action to enforce these guidelines, including removing any content deemed inappropriate or not in keeping with these guidelines. In addition, entities and individuals who fail to comply with these guidelines may forfeit the right to participate in social networking activities sponsored by the OSB.

Members of the Board of Governors

Officers

President: Mitzi M. Naucler
President – Elect: Michael Haglund

Members

Terms Expiring 2012

Barbara M. Dilaconi
Boivin Uerlings & Dilaconi PC
803 Main St Ste 201
Klamath Falls, OR 97601
Phone: (541) 884-8101
Email: bdiiaconi@riverbasinlaw.com

Ann L. Fisher
AF Legal & Consulting Services
PO Box 25302
Portland, OR 97298
Phone: (503) 721-0181
ann@annfisherlaw.com

Michelle Garcia, *Public Member*
US Trust, Bank of America
121 SW Morrison St Ste 1200
Portland, OR 97204
Phone: (503) 795-6461
Email: michelle.c.garcia@ustrust.com

Steve D. Larson
Stoll Berne
209 SW Oak St Ste 500
Portland, OR 97204
Phone: (503) 227-1600
Email: slarson@ssbls.com

Mitzi M. Naucler
Legal Aid Services of Oregon
433 4th Ave SW
Albany, OR 97321
Phone: (541) 926-8678
Email: mitzi.naucler@lasoregon.org

Terms expiring 2013

Michael E. Haglund
Haglund Kelley Horngren et al
200 SW Market St Ste 1777
Portland, OR 97201
Phone: (503) 225-0777
Email: haglund@hk-law.com

Ethan D. Knight
US Attorney's Office
1000 SW 3rd Ave Ste 600
Portland, OR 97204
Phone: (503) 727-1041
Email: ethan.knight@usdoj.gov

Maureen O'Connor, *Public Member*
3800 NE 23rd Avenue
Portland, OR 97212
Phone: (503) 281-1397
Email: maureeno@sba.pdx.edu

David Wade
Gartland Nelson McCleery Wade
44 Club Rd Ste 200
PO Box 11230
Eugene, OR 97440
Phone: (541) 344-2174
Email: davidw@gartlandnelsonlaw.com

Terms expiring 2014

Jenifer Billman, *Public Member*
1690 Saginaw Street S
Salem, OR 97302
Phone: (503) 585-6572
Email: jeniferbillman@comcast.net

Hunter B. Emerick
Saalfeld Griggs PC
250 Church St SE Ste 300
PO Box 470
Salem, OR 97308
Phone: (503) 399-1070
Email: hemerick@sglaw.com

Matthew H. Kehoe
Law Offices of Matthew Kehoe
330 NE Lincoln Ste 200
PO Box 543
Hillsboro, OR 97123
Phone: (503) 648-0766
Email: mkehoe1726@aol.com

Tom Kranovich
Kranovich & Lucero LLC
5 Centerpointe Dr Ste 400
Lake Oswego, OR 97035
Phone: (971) 204-0260
Email: tom@tkatlaw.com

Kenneth Stephen Mitchell-Phillips Sr.
Mitchell-Phillips Law PC
9809 NW Engleman
Portland, OR 97229
Phone: (503) 317-4344
Email: ken@mitchellphillipslaw.com

Terms expiring 2015

Theresa M. Kohlhoff
Kohlhoff & Welch
5828 N Lombard
Portland, OR 97203
Phone: (503) 286-7178
Email: theresakohlhoff@gmail.com

Audrey T Matsumonji, *Public Member*
PO BOX 1666
Gresham, OR 97030
Phone: (503) 702-4837
Email: Healingsun@frontier.com

Travis S. Prestwich
Swanson Lathen Alexander et al
3040 Commercial St Se Ste 200
Salem, OR 97302
Phone: (503) 581-2421
Email: travis@slamlaw.com

Richard G. Spier
2536 NE 28th Ave
Portland, OR 97212
Phone: (503) 284-2511
Email: rspier@spier-mediate.com

Sylvia E. Stevens, Executive Director
Oregon State Bar
16037 SW Upper Boones Ferry Rd
PO Box 231935
Tigard, OR 97281
Phone: (503) 620-0222 or 800-452-8260 Ext. 359
Email: sstevens@osbar.org

2012 Board Meeting Schedule

Date	Meeting	Location
January 6	BOG Committee Meetings	OSB Center
February 10	Board Meeting	Salem Conf. Ctr./Phoenix Grand Hotel
March 30	BOG Committee Meetings	OSB Center
April 27	Board /PLF Committee Meetings	OSB Center
May 25	BOG Committee meetings	OSB Center
June 22-23	Board Meeting	Ashland Springs Hotel
July 27	BOG Committee Meetings	OSB Center
August 24	Board Meeting	OSB Center
September 28	Special Board Meeting	Conference Call
October 12	BOG Committee Meetings	OSB Center
November 2	House of Delegates Meeting	OSB Center
November 8-10	Board Retreat & Board Meeting	Surfsand Resort - Cannon Beach

Bar Bylaws
Article 15 – Sections

Section 15.1 Purpose

Sections are an integral and important part of the Bar. Sections are intended to provide bar members who share particular interests an opportunity to develop and improve skills and to provide a forum for communication and action in matters of common interest.

Section 15.2 Formation

Any 100 members of the Bar who wish to form a section in a particular area of law may submit a petition to the Board to create a section. The petition must state that the signators are committed to becoming members of the section, if the Board approves forming the section. The Board must consider creating a section when it receives the petition and determines that the proposed section does not duplicate another section's activities or area of legal interest. The Board may merge, reorganize or abolish sections at the request of affected sections or as the Board deems appropriate. Factors that the Board must consider include, but are not limited to, the section's membership falling below 100 members, failure to conduct Continuing Legal Education activities or failure to hold regular meetings.

Section 15.3 Bylaws

Sections are governed by the Standard Section Bylaws adopted by the Board. Sections may propose and the Board may approve, modified bylaws commensurate with the section's needs.

Section 15.4 Finances

Subsection 15.400 Dues

The Bar will assess and collect section dues at the same time that bar membership dues are collected. Section dues will be assessed and collected together with bar dues by the Bar. The Board must approve the dues for each section. Each section should set dues at an appropriate level to pay for programs and activities. The Bar charges each section a per capita fee equal to 50 percent of the cost of providing services to the sections. This fee is recalculated periodically as determined by the Executive Director. No section may maintain a separate bank account. Each section's receipts and expenditures are handled by the Bar and accounted for in the section's monthly financial statement provided by the Bar. Interest on section accounts accrues to the Bar's General Fund and is used to offset the calculation of the per capita fee.

Subsection 15.401 Donations

Sections may make donations to charitable causes only with prior approval of the Executive Director. The Executive Director will allow such donations only on a showing by the prospective donee that the donation of section funds to the charitable entity is related to the purposes for which the section exists. For sections that are not entirely self-supporting, as described in Article IX, Section 5(B) of the Standard Section Bylaws, the prospective donee must also show that the donation fits within the limitations set forth in Section 12.1 of the Bar's Bylaws.

Section 15.5 Administrative Services

Special services of the Bar that are not included in the calculation of the per capita assessment may be made available at cost to the sections upon adequate notification to and negotiation with the Bar. Sections must give the Bar the first opportunity to provide the necessary publications production support services before contracting with outside organizations or individuals. Sections seeking to contract for any goods or services with outside organizations or individuals must contact the General Counsel's office of the Bar for preparation of appropriate contract documents and must obtain the Executive Director's prior approval of all such contracts.

Section 15.6 Continuing Legal Education Activities

Subsection 15.600 CLE Publications and Seminars Scheduling

The Bar, is the informational clearinghouse for the CLE activities of each section. Each section should advise the Bar's CLE Publications and Seminars Departments of any proposed CLE activities at the earliest possible date and in accordance with timelines established by the CLE Committee.

Subsection 15.601 CLE Event Co-sponsorship with Bar

If a section decides to seek co-sponsorship for a CLE event, it is encouraged to first contact Bar's CLE Seminars Department. If the CLE Seminars Department is unavailable to co-sponsor the seminar event, the section then may seek co-sponsorship with other organizations. The CLE Seminars Department will establish policies for bar co-sponsorship of section CLE events. These policies will address issues such as event revenues and expenses, topic, speakers, date and location.

Subsection 15.602 Oregon State Bar Logo

A section that plans a seminar or a publication without the Bar's co-sponsorship must indicate clearly on all publicity, printed seminar materials and publications that the seminar or publication is a section endeavor and the sponsoring section. The section must not use the Oregon State Bar logo or the phrase Oregon State Bar CLE. A section that plans a seminar without the Bar's co-sponsorship is responsible for applying for Minimum Continuing Legal Education credit for the seminar.

Section 15.7 Grants

Sections may apply for grants only with prior approval of the Board of Governors. The board will allows grant applications only upon a showing that the grant activity is consistent with the section's purposes and the mission of the bar. The board may disallow any application that the board does not believe is in the best interests of the bar. The grant application must be reviewed and approved by OSB General Counsel before submission to the grant-making organization. Any grant funds received by a section shall be deposited with the bar and will be distributed only upon request of the section treasurer and in accordance with the grant specifications. The section must periodically report to OSB General Counsel regarding the status of the grant project and any reports to the granting organization must be reviewed and approved by OSB General Counsel in advance of submission.

Standard Section Bylaws

Revised 5/08

Article I Definition And Purpose

Section 1. Sections provide Bar members who share interests in particular substantive areas of law an opportunity to develop and improve skills and provide a forum for communication and action in matters of common interest.

Section 2. Sections may adopt a statement of purpose.

Section 3. The Section shall not participate in or take a position with respect to the election or appointment of a candidate for any public office.

Article II Membership

Section 1. Any active or inactive member of the Oregon State Bar may be a regular member upon payment of the membership dues. Any active member of another state bar may be an out-of-state member. Sections are encouraged to offer complimentary membership to 50-year members and to judges and their lawyer staff. Nonlawyers may be associate members as provided in Section 2 of this Article. Only regular members may vote and hold office except as otherwise specifically approved by the Section membership and the Board of Governors.

Section 2.

(A). Associate membership shall be available to: (1) employees of an Oregon lawyer or employees of the legal department of a corporation or government entity who are supervised by an Oregon lawyer, (2) law students, and (3) members of related professions.

(B). Out-of-state members as defined in Section 1 and associate members as defined in Section 2(A) are automatically entitled to membership upon payment of section dues unless the Section votes at its annual meeting to "opt out" and not include either out-of-state members or associate members.

(C). Out-of-state members and associate members shall certify their qualifying status upon initial application for membership and annually upon renewing their membership.

(D). Out-of-state or associate membership shall terminate immediately upon the termination of the member's qualifying status. There shall be no refund of dues in that event.

Section 3. Membership dues shall be set by the membership of the Section at the annual meeting of the Section or by mail or electronic ballot, subject to subsequent approval of the Board of Governors. Membership dues shall not be prorated for any portion of a year. Dues may be waived for new admittees, law students or any other category designated by the Section. Membership dues for members of the Oregon State Bar shall be collected annually by the Bar with Bar membership fees.

Article III Meetings of Section

Section 1. Meetings of the Section (including meetings of the Executive Committee and its committees) are subject to the Public Meetings Law (ORS 192.610 et seq. and 192.630(4)).ORS 192.630(4) requires that meetings of a public body be held within the geographic boundaries of the state. The Section shall notify the Bar at least twenty (20) days in advance of any meeting, or in the case of special meetings as soon as possible.

Section 2. The Section shall hold at least one membership meeting annually for the purpose of conducting Section business, which meeting shall be known as the Section Annual Business Meeting. The Section Annual Business Meeting may be held in conjunction with the Annual House of Delegates Meeting of the Oregon State Bar. Sections shall elect officers and executive committee members by November 15 either at the Section Annual Meeting or by a mail or electronic ballot election.

Section 3. Special meetings of the Section may be scheduled from time to time by the Section Executive Committee.

Section 4. A quorum is required to conduct Section Business. Those members present shall constitute a quorum. Action at a meeting of the Section shall be by majority of those voting.

Section 5. A report to the Section membership shall be included in the meeting notice and shall include information about the Section's activities and use of dues for the previous calendar year, the activities and use of dues contemplated for the next year, the status of the Section's finances, its budget, long range plan and fiscal reserve policy.

Section 6. The Section shall sponsor or co-sponsor not less than one continuing legal education program every two years. The CLE program may, but need not, be held in conjunction with the Section's Annual Business Meeting. Sections are encouraged to offer complimentary CLE admission to 50-year members and to judges and their lawyer staff.

Article IV Officers

Section 1. The officers of the Section shall be the Chair, Chair-Elect, Immediate Past Chair, Secretary, Treasurer and such other officers as may be determined to be necessary by the membership. Officers of the Section shall be active members of the Oregon State Bar. Sections may establish eligibility requirements or other procedures to ensure rotation of the Chair among specific groups or specialty areas of the membership, such as plaintiff or defense counsel.

Section 2. The Chair, or the Chair-Elect in the absence of the Chair, shall preside at all meetings of the Section and of the Section Executive Committee. The Chair shall appoint the officers and members of all committees of the Section pursuant to Article VII; plan and monitor the programs of the Section; keep the Section Executive Committee informed and carry out its decisions; and perform such other duties as may be designated by the Section Executive Committee.

Section 3. The Chair-Elect will become the Chair on January 1 regardless of the date of the Section Annual Business Meeting or, regardless of the date of the mailed or electronic ballot election. The Chair-Elect shall aid the Chair in the performance of the Chair's responsibilities, and shall perform such other duties as may be designated by the Section Executive Committee. In the event of the death, disability, or resignation of the Chair, the Chair-Elect shall perform the duties of the Chair for the remainder of the Chair's term or disability.

Section 4. The Secretary shall retain and maintain all books, papers, documents and other property pertaining to the work of the Section, and shall keep a true record of proceedings of all meetings of the Section and of the Section Executive Committee. The Secretary shall perform other duties as assigned by the Section Executive Committee.

Section 5. The Treasurer shall keep an accurate record of all receipts and expenditures by the Section as hereinafter provided; report on the Section's present and projected financial condition at each meeting of the Section Executive Committee; prepare an annual projected budget for approval by the Section Executive Committee; and submit a report of the Section's financial affairs and financial condition to the members at the Section Annual Business Meeting.

Article V Section Executive Committee

Section 1. The Section Executive Committee shall be composed of the Chair, the Chair-Elect, the Immediate Past Chair, the Secretary, the Treasurer, and not fewer than two (2) nor more than twelve (12) Members-at-Large. The terms of the Members-at-Large shall be staggered as evenly as possible. Suspended members may not serve on the Section Executive Committee.

Section 2. The Section Executive Committee shall supervise and control the affairs of the Section subject to these Bylaws and the Bar's bylaws.

Section 3. A quorum is required to conduct Executive Committee business. A quorum shall consist of a majority of the Executive Committee. Action of the Section Executive Committee shall be by majority vote of those voting.

Section 4. The Chair may, and upon the request of three members of the Executive Committee shall, call meetings of the Executive Committee.

Section 5. Between meetings of the Section, the Section Executive Committee shall have full power to do and perform all acts and functions that the Section itself may perform.

Section 6. The Section Executive Committee may direct that a matter be submitted to the members of the Section by a mail or electronic vote or by a vote at the Section Annual Business Meeting; in any such event, binding action of the Section shall be by majority of those voting.

Section 7. No salary or compensation for services shall be paid to any member of the Section Executive Committee or member of any committee with the exception of the Editor and other staff of the Section newsletter (if applicable). Reimbursement may be allowed for travel and other out-of-pocket expenses for members of the Section Executive Committee and members of all Section standing and special committees.

Section 8. The membership of the Section shall have the right to rescind or modify any action or decision by the Section Executive Committee, except for filling a vacancy in the position of Officer or Executive Committee member, and also may instruct the Section Executive Committee as to future action. The Executive Committee shall be bound by any such action of the membership. The right of the membership to direct, modify, or rescind an act of the Section Executive Committee shall not include the power to invalidate contracts or payments previously made under direction of the Executive Committee. Any vote to direct, modify, or rescind an action of the Section Executive Committee must be taken at a meeting at which two-thirds of members voting approve the Motion.

Article VI Terms of Office and Elections

Section 1. No member may serve on the Section Executive Committee for more than nine consecutive years.

Section 2. Each term of office shall begin on January 1 regardless of whether the election is held at the Section Annual Business Meeting or a mailed or electronic ballot election.

Section 3. A position on the executive committee, including an officer position, may be, at the option of the Executive Committee, deemed vacant if that member:

A. Fails to attend two consecutive meetings, in the absence of an excuse approved by the chair prior to the meeting; or

B. Fails to attend four consecutive meetings, even if excused.

Section 4. Except as provided by Article IV, Section 3, and except for the office of Chair-Elect, the Section Executive Committee shall fill by appointment until January 1 of the next year any position that becomes vacant.

Section 5. Any officer or Member-at-Large appointed to fill an unexpired term shall serve the unexpired period. Such members shall then be eligible at the next Section Annual Business Meeting or mail or electronic ballot election for election for a first full term, unless the member's election to the new term will result in a violation of Section 1 of this article.

Section 6. At the Section Annual Business Meeting or a mail or electronic ballot election, the Section membership shall elect:

A. A Chair-Elect, Secretary and Treasurer, each to serve a term of one year; and

B. Members-at-Large to serve terms of two years or less on the Section Executive Committee.

Section 7. The Chair-Elect will succeed to the office of Chair on January 1 and serve a term of one year. If the office of Chair-Elect is vacant at the Section Annual Business Meeting or a mail or electronic ballot election, then a Chair shall be elected by the members. No officer shall serve two successive terms in the same office, except the Treasurer. A Member-at-Large may serve no more than four consecutive years as a Member-at-Large.

Section 8. At least sixty (60) days prior to the Section Annual Business Meeting or a mail or electronic ballot election, the Section Executive Committee shall appoint a nominating committee of not less than three members of the Section, no more than two-thirds of whom may be on the Executive Committee. The nominating committee shall make and report to the Chair at least thirty (30) days prior to the Section Annual Business Meeting or the date of a mail or electronic ballot election one nomination for each position to be filled by election. The nominating committee shall use reasonable efforts to ensure that the members nominated reflect the diversity of the Section membership taking into account all relevant factors including without limitation practice area, office location, age, gender and race.

Section 9. To the extent possible, no more than one person from the same law firm, company or department of a public agency may serve on the Executive Committee at the same time.

Section 10. If elections are held at the Section Annual Business Meeting, the report of the nominating committee shall be distributed to the Section membership along with the notice of the time and place of the Section Annual Business Meeting at least fourteen (14) business days in advance of the meeting. Additional nominations for any position may be made from the floor at the Section Annual Business Meeting. Elections for contested positions may be by written ballot. Each contested position shall be set forth and voted upon separately. In a contested election, the candidate receiving the highest number of votes shall be elected.

Section 11. Upon approval of the Section Executive Committee, elections may be by mail or electronic ballot of the Section membership provided that: (1) write-in votes are allowed, (2) ballots are returned to an appropriate Section officer for tabulation, and (3) the results are certified to the Bar Center no later than November 15.

Article VII Committees

Section 1. The Section Executive Committee may establish as many standing committees as deemed necessary and may set the names, functions, and duration of such committees. The Chair, with the approval of the Section Executive Committee, shall appoint the Chair and members of all standing committees.

Section 2. In addition to the standing committees provided above, the Executive Committee may appoint as many special committees for particular purposes as deemed appropriate and may set the names, functions, and duration of such committees. The Chair, with the approval of the Section Executive Committee, shall appoint the Chair and members of all special committees.

Article VIII Legislative Activities

Section 1. Legislative activity of the Section, whether initiating legislation or taking positions in support or opposition of pending legislation shall be in compliance with Article 12 of the OSB Bylaws and these bylaws. The Section shall not represent to the legislature or any committee thereof a position or proposal or any bill or act as the position of the Section without the majority approval of the Section Executive Committee and the approval of the Board of Governors, except as provided otherwise below.

Section 2. The Section shall submit proposals for new legislation, together with the full text of the proposals to the Public Affairs Director by May 1 of each odd numbered year, or such other date as the Public Affairs Director shall designate. The proposal shall indicate whether the Section requests that it be presented to the legislature under the sponsorship of the Oregon State Bar or of the Section. The Board of Governors will inform the Section whether the legislation should go forward under the sponsorship of the Section or under the sponsorship of the Bar, and whether it will be presented to the House of Delegates or the membership for approval. If the Board of Governors declines to submit the Section's proposal for Bar-sponsored legislation to the House of Delegates or the membership, any member of the Section may submit the matter to the House of Delegates or the membership in accordance with ORS 9.148(3) and (4) and Article 3 of the OSB Bylaws.

Section 3. During regular legislative sessions the Section Executive Committee may, by majority vote, tentatively approve a position in favor of or in opposition to any pending bill within its general subject area. The proposal shall be submitted to the Bar's Public Affairs Director or the Chair of the Public Affairs Committee. After receipt of the proposal, the chair of the committee shall have 72 hours to approve the position or to refer it to the entire Public Affairs Committee. If the chair or committee approves the proposal, the action then becomes an official position of the Section and representatives of the Section may testify or make other appropriate statements.

Section 4. When special need is demonstrated, the Public Affairs Committee may expedite the introduction of new Section bills or amendments. The Public Affairs Director shall be kept informed about the status of Section legislative activity.

Article IX Receipts and Expenditures

Section 1. Membership dues shall be collected by the Oregon State Bar and any other receipts of this Section shall be remitted promptly to the Oregon State Bar.

Section 2. The Oregon State Bar shall regularly assess the Section an amount to cover both direct and indirect costs of the Section's activities performed by the Oregon State Bar staff.

Section 3. Expenditure of the balance of Section funds, after such assessment, shall be as determined by the Executive Committee. Section funds shall be disbursed by the Oregon State Bar as authorized in writing by the Section's Treasurer using forms and following procedures established by the Bar. If the Treasurer is unavailable for authorization, the Section Chair may authorize disbursement of Section funds followed by written notice to the Treasurer of the action taken. Reimbursement of expenses incurred by the Treasurer or by the Treasurer's firm must be authorized in writing by the Section chair. Expenditures of Section funds shall not exceed the available Section fund balance, nor shall expenditures be in violation of laws or policies generally applicable to the Oregon State Bar.

Section 4. Contracts for Section newsletter editors or other providers of personal services must be reviewed and signed by the Oregon State Bar Executive Director or the Director's designee.

Section 5.

(A) The Section serves as an education, communication and networking forum in the areas of law or other law related activity for which the Board of Governors approved its establishment. If the Section receives support from the Bar on other than a fee for service basis, it shall comply with the expenditure restrictions applicable to the Bar as set forth in *Keller v. State Bar of California,* 496 US 1 (1990) and related board policies.

(B) If the Section wishes to spend Section funds free from the restrictions imposed by *Keller* and related board policies it may do so if it pays the full cost of administration and other support provided by the Bar, so that the Section is entirely self-supported by voluntary dues of its members. The Section must obtain approval of its members to such election by mail or electronic vote or at a regular or special meeting. Upon exercising its right under this policy, the Section shall be provided administrative and other services by the bar on a fee for service basis only. The election shall be effective until rescinded by a vote of the Section membership.

Article X Notice of Meetings, Minutes and Reports

Section 1. The Chair or Secretary shall distribute_notice of scheduled Section Executive Committee meetings together with an agenda and minutes of the previous meeting to all Section Executive Committee members and to the Bar at least ten (10) business days prior to such meetings, or if ten days' notice is not practicable, then such lesser notice as is practicable. Typed minutes of all meetings of the Section and of the Section Executive Committee shall be distributed to all members of the Section Executive Committee and to the Bar no later than thirty (30) days after the meeting and are subject to amendment and approval at the next meeting of the Section or the Section Executive Meeting.

Section 2. Whenever the Section desires to request action by the Board of Governors, the requested action shall be reflected in the minutes and shall in addition be set forth in a letter accompanying the minutes and delivered to the Board of Governors in care of the Executive Director. If the vote on the requested action is not unanimous, the votes for and against shall be set forth in the minutes and the dissenting members shall be afforded the opportunity to explain their positions.

Section 3. Not later than December 1, the Chair shall file with the Executive Director of the Oregon State Bar a concise report summarizing the activities of the current year and anticipated activities for the ensuing year, together with the full text of any proposed legislation.

Section 4. A proposed annual budget and proposed annual dues for approval by the Board of Governors shall be provided to the Executive Director no later than October 15 of each year if it contains a proposal for a change in membership dues, or no later than December 1 of each year if no change in membership dues is proposed. Alternatively, this budget information may be included with the Section's annual report submitted December 1, pursuant to Section 3 of this Article.

Section 5. The proposed budget shall have attached to it a short description of the Section's long range plans for programs and activities which require accumulation of funds and the Executive Committee's reserve plan, including the target reserve calculated to protect the Section from foreseeable financial loss.

Section 6. At the request of the Board of Governors, the Section Chair shall present a report in person to the Board of Governors concerning the activities of the Section for the current and succeeding years.

Article XI Amendments to Bylaws

Section 1. These Bylaws may be amended by the Board of Governors. Notice of intent to promulgate and pass Bylaw Amendments shall be given to the Section Executive Committee in sufficient time to allow for review and comment. Bylaw amendments passed by the Board of Governors become effective upon passage.

Section 2. These Bylaws may be amended by the Section by a majority of those voting in a mail or electronic ballot or at any membership meeting of the Section to become effective upon subsequent approval of the Board of Governors. Notice of intent to amend bylaws and the text of proposed amendments shall be distributed to all Section members at least fourteen (14) business days prior to the meeting or mail or electronic balloting.

Article XII Sunsetting the Section

Section 1. The Section has a duty to its members, and at a minimum each year, must:

A. Hold regular Executive Committee meetings.

B. Appoint a Nominating Committee.

C. Hold a Section Annual Business Meeting.

D. Elect officers and executive committee members at large by November 15 of each year.

E. Submit an annual budget.

F. File an annual Section CLE Participation Report.

G. File its annual report.

If the Section fails to meet the above minimum requirements, it is subject to restructuring or sunsetting by the Board of Governors.

Article XIII Rules of Order

Section 1. Except as otherwise provided herein, meetings of this Section shall be conducted in accordance with the most recent edition of Robert's Rules of Order.

Section 2. All references in these Bylaws to "mail" or "mailing" or "mail ballot" shall also include electronic email to a member or addressee who has an email address on file with the Oregon State Bar and who has agreed to be contacted by electronic mail.

Miscellaneous Bar Bylaws

The current version of this document is maintained on the bar's website: www.osbar.org

Subsection 2.105 Amicus Curiae Briefs

A section or committee that wishes to enter an amicus curiae appearance before any trial court or appellate court must obtain prior approval from the Board. The request must be in writing and must include a synopsis of the question involved, the posture of the case, the position to be taken in the amicus appearance, and the anticipated cost of appearing amicus curiae including lawyer fees, if any. The question involved must directly or substantially affect admission to the practice of law, the practice of law, discipline of members of the bench or bar, the method of selecting members of the judiciary or other questions of substantial interest to the Bar or a committee or section. The Board will determine whether the question involved can be adequately presented to the court without the amicus appearance of the committee or section. All costs for appearance by a section must be paid by the section; if the Board approves the filing of an amicus appearance by a committee, the Bar will pay any costs for the appearance.

Section 2.6 Conflicts of Interest

Bar officials are subject to the provisions of ORS Chapter 244, the Government Standards and Practices Act. Nothing in this section is intended to enlarge or contradict the statutory provisions as they may apply to bar officials. To the extent anything in the this section contradicts the provisions of ORS Chapter 244, bar officials shall be bound by the statutory provisions.

Subsection 2.600 Definitions

As used in Section 2:

(a) "Actual conflict of interest" means that the person, a relative of the person or a business with which the person or a relative of the person is associated will derive a private pecuniary benefit or detriment as a result of an action, decision or recommendation of the person in the course of bar-related activities.

(b) "Bar official" means members of the Board of Governors; appointees of the Board of Governors, including members of standing committees, Local Professional Responsibility Committees, bar counsel panels, and the State Professional Responsibility Board; section officers and executive committee members; and bar staff.

(c) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed person and any other legal entity operated for economic gain, but excluding any income-producing not-for-profit corporation that is tax exempt under IRC §501(c) with which a bar official is associated only as a member or board director or in a non-remunerative capacity.

(d) "Business with which the person is associated" means:

(1) any private business or closely held corporation of which the bar official or the bar official's relative is a director, officer, owner, employee or agent or any business or closely held corporation in which the bar official or the bar official's relative owns or has owned stock worth $1,000 or more at any point in the preceding year;

(2) Any publicly held corporation in which the bar official or the bar official's relative owns or has owned $100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; and

(3) Any publicly held corporation of which the bar official or the bar official's relative is a director or officer.

(e) Except as excluded by ORS 244.020(6),"gift" means something of economic value given to or solicited by a bar official, or a relative or member of the household of the bar official:

(1) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not bar officials or the relatives or members of the household of bar officials on the same terms and conditions; or

(2) For valuable consideration less than that required from others who are not bar officials.

(f) "Potential conflict of interest" means that the bar official, a relative of the bar official or a business with which the bar official or a relative of the bar official is associated, could derive a private pecuniary benefit or detriment as a result of an action, decision or recommendation of the person in the course of bar-related activities, unless the pecuniary benefit or detriment arises out of the following:

(1) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the bar official of the office or position.

(2) Any action in the bar official's official capacity which

would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the bar official, or the bar official's relative or business with which the person or the bar official's relative is associated, is a member or is engaged.

(3) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code..

(g) "Member of the household" means any person who resides with the bar official.

(f) "Relative" means the bar official's spouse, the bar official's Oregon Registered Domestic Partner, any children of the bar official or the bar official's spouse or Oregon Registered Domestic Partner, and siblings and parents of the bar official or the bar official's spouse or Oregon Registered Domestic Partner. Relative also means any individual for whom the bar official provides benefits arising from the bar official's public employment or from whom the bar official receives benefits arising from that individual's employment.

Subsection 2.601 Prohibited Actions

Regardless of whether an actual or potential conflict is disclosed:

(a) No bar official may use or attempt to use the person's official position to obtain any financial gain or the avoidance of any financial detriment that would not otherwise be available to the person, but for the bar official's holding of the official position, except official salary, reimbursement of expenses for official activities or unsolicited awards for professional achievement for the bar official, a relative of the bar official, a member of the household of the bar official, or for any business with which the bar official or the bar official's relative is associated.

(b) No bar official may attempt to further the personal gain of the bar official through the use of confidential information gained by reason of an official activity or position.

(c) No bar official or relative or member of the household of a bar official may solicit or receive, during any calendar year, any gift or gifts with an aggregate value of more than $50 from any single source that could reasonably be known to have an economic interest, distinct from that of the general public, in any matter subject to the decision or vote of the bar official acting in the bar official's official capacity. This provision does not apply to bar officials who are subject to the Oregon Code of Judicial Conduct.

(d) No bar official may solicit or receive a promise of future employment based on an understanding that any official action will be influenced by the promise.

Subsection 2.602 Disclosure of Conflict

When met with an actual or potential conflict of interest, a bar official must disclose the conflict and take any other action required by this bylaw.

(a) If appointed by the Executive Director, the bar official must notify the Executive Director of the nature of the conflict and request the Executive Director to dispose of the matter giving rise to the conflict. Upon receipt of the request, the Executive Director will designate within a reasonable time an alternate to dispose of the matter, or will direct the bar official to dispose of the matter in a manner specified by the Executive Director.

(b) If the bar official is the Executive Director, she/he must notify the Board of Governors, through the President, of the nature of the conflict and request the Board of Governors to dispose of the matter giving rise to the conflict. Upon receipt of the request, the President will designate within a reasonable period of time an alternate to dispose of the matter, or will direct the Executive Director to dispose of the matter in a manner specified by the Board of Governors.

(c) If the bar official is elected to or appointed by the Board of Governors or other appointing authority to serve on a board, committee, council, commission or other public body, the bar official must:

(1) When met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a bar official; (2) when met with an actual conflict of interest, announce publicly the nature of the actual conflict, and refrain from participating in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue, except that if the bar official's vote is necessary to meet a requirement of a minimum number of votes, the bar official may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

(d) When a bar official gives notice of an actual or potential conflict of interest under subsection 2.602(c), the conflict must be recorded in the minutes or other official record of the board, committee, council, commission or other public body on which the official serves, together with an explanation of how the conflict was resolved. If there are no minutes or other official record, then the bar official, in addition to the disclosure to the board, committee, council, commission or other public body, must disclose the conflict in writing to the Executive Director.

(e) No decision or action of the any bar official or of any board, committee, council, commission or other public body on which the official serves is invalid or voidable solely by reason of the failure to disclose an actual or potential conflict of interest.

Subsection 2.603 Board Members as Witnesses in Bar Proceedings

As provided in BR 5.3(c), a current member of the Board of Governors must not testify as a witness in any bar admission, discipline or reinstatement proceeding except pursuant to subpoena. If requested by a party to be a witness in a bar proceeding, board members should urge the party to present the anticipated testimony through other witnesses. However, the parties ultimately decide whether a board member will be subpoenaed to testify as a witness in a bar proceeding.

Article 4 Awards

Section 4.1 General Policy

The Board will select award recipients from among the nominations received from local bars, committees, sections, individual members, affiliated groups and bar groups.

Section 4.2 President's Membership Service Award

The criteria for the President's Membership Service Award is as follows: The nominee must have volunteered his or her time for the activity in which he or she was involved; the nominee must be an active member of the Bar; the nominee must have made a significant contribution to other lawyers through efforts involving Continuing Legal Education programs or publications, committees, sections, boards or the Bar's legislative/public affairs process or similar activities through local bar associations or other law-related groups.

Section 4.3 President's Public Service Award

The criteria for the President's Public Service Awards is as follows: The nominee must have volunteered his or her time for the activity in which she or he was involved; the nominee must be an active member of the Oregon State Bar; the nominee must have made a significant contribution to the public through efforts involving pro bono services; coordination of local public service law-related events, such as those associated with Law Day; service with community boards or organizations or similar activities that benefit the public.

Section 4.4 President's Affirmative Action Award

The criteria for the President's Affirmative Action Award is as follows: The nominee must be an active member of the Bar or be an Oregon law firm; the nominee must have made a significant contribution to the goal of increasing minority representation in the legal profession in Oregon through progressive employment efforts, innovative recruitment and retention programs, advocacy or other significant efforts.

Section 4.5 President's Special Award of Appreciation

The President's Special Award of Appreciation is a discretionary award of the President of the Bar, with the concurrence of the Board, to be presented to a person who has made recent outstanding contributions to the bar, the bench and/or the community. The award will be made in conjunction with the OSB Awards Dinner or House of Delegates events within the following guidelines. In any given year, there may be no award, one award or more than one award. The recipient may be a lawyer or a non-lawyer. The President will present his or her proposed award recipient to the Board at the same time the Board considers the Bar's other awards.

Section 4.6 Award of Merit

The Award of Merit is the highest honor that the Bar can bestow. The recipient may be (1) an Oregon lawyer who has made outstanding contributions to the bench, the bar and the community-at-large, and who exhibits the highest standards of professionalism or (2) a non-lawyer who has made outstanding contributions to the bar and/or bench, and who exhibits the highest standards of service to the community-at-large. The award does not have to be granted every year and only one award may be bestowed in any year.

Section 4.7 Wallace P. Carson, Jr. Award for Judicial Excellence

The Wallace P. Carson, Jr. Award for Judicial Excellence honors a member of the state's judiciary. The criteria for the award are as follows: 1) a current or retired state court judge or federal judge; 2) who has made significant contributions to the judicial system; and 3) who is a model of professionalism, integrity, and judicial independence.

Section 4.8 President's Public Leadership Award

The criteria for the President's Public Leadership Award are as follows: The nominee must not be an active or inactive member of the Oregon State Bar and the nominee must have made significant contributions in any of the areas described in the President's Awards (Section 4.2-4.4 above).

Section 6.3 Rights of Members

Subject to the other provisions of these policies, all active members have equal rights and privileges including the right to hold an office of the Bar, the right to vote, and the right to serve on bar committees. Inactive members may be members, but not officers, of sections. Suspended members may remain members of or join sections during the term of their suspensions, but may not hold an office of the Bar, vote or serve on the Board of Governors, in the House of Delegates or on any bar committee or section executive committee.

Article 10 Diversity

The Bar respects the diversity of its membership and its employees. Bar entities, including, but not limited to standing committees, section executive committees and Continuing Legal Education programs and publications, should reflect this diversity. "Reflect," as used in this article, does not require the application of strict quotas, but requires a good faith attempt to achieve representative participation. Reports of such efforts may be required of bar entities. In addition, no bar entity may discriminate on the basis of race, religion, color, gender, sexual orientation, geographic location, age, handicap or disability, marital, parental or military status or other classification protected by law. No professional, business or social functions of the Bar, or any of its sections, committees, affiliates or other authorized entities may be held at any private or public facility, which discriminates, based upon the terms listed above. Furthermore, advertisements or solicitations for employment must offer equal employment opportunities. The United States Armed Forces are exempt from this policy as it regards advertisements in the bar's communications.

Section 11.3 Media Relations

The Bar will be responsive to the needs of the media and will identify persons to speak for the Bar. All statements made to the media, whether oral or by news release, must be informational in nature and must avoid statements of personal opinion or positions not considered or adopted by the Board. The President is the official chief spokesperson for the Bar. If public appearances or statements by the chairperson or other officer or member of any bar committee are deemed necessary, prior authority must be obtained in advance from the President.

Subsection 16.200 Reduced and Complimentary Registrations; Product Discounts

(a) Complimentary registration for CLE seminars and scheduled video replays where the CLE Seminars Department is the content provider is available to the following OSB lawyer members: Active Pro Bono members, lawyer-legislators, 50-year members, judges, and judicial clerks.

(b) Complimentary registration does not include the cost of lunch or other fee-based activities held in conjunction with a CLE seminar.

(c) Reduced registration for webcasts where the CLE Seminars Department is the content provider is available for the following lawyer members: Active Bro Bono members, lawyer-legislators, 50-year members, judges, and judicial clerks.

(d) For purposes this policy, "judges" means full or part-time paid judges and referees of the Circuit Courts, the Court of Appeals, the Tax Court, the Supreme Court, and of tribal and federal courts within Oregon. Complimentary registration at any event for judicial clerks will be limited to one clerk for each trial court judge and two clerks for each appellate court judge.

(e) Complimentary registration for Active Pro Bono members is limited to eight (8) hours of programming in any one calendar year, which may be used in increments.

(f) Reduced registration, tuition assistance and complimentary copies of programs may be available to certain other attendees, at the sole discretion of the CLE Seminars Director.

(g) Discounts for and complimentary copies of archived CLE Seminars products in any format where the CLE Seminars Department is the content provider may be available at the sole discretion of the CLE Seminars Director.

(h) Seminars and seminar products in any format where the CLE Seminars Department is not the content provider are not subject to any discounts, complimentary registration or complimentary copies except at the sole discretion of the CLE Seminars Director.

Serving on the OSB House of Delegates, Committees, Sections and Task Forces Meets the OSB Aspirational Pro Bono Standard

The OSB Pro Bono Aspirational standard found at OSB Bylaw 13.1 details a category of pro bono work designed for those bar members who contribute valuable volunteer time to improve the law, the legal system and the legal profession. This category includes those lawyers who serve on the HOD, Committees, Sections and Task Forces.

We encourage you to report the hours you spent serving on the HOD Committees, Sections, and Task Forces in the annual OSB Pro Bono Roll Call, Category B. To record your hours of pro bono service go to www.osbar.org/probono.

List of Approved Charitable Contributions

Any section making a donation to a charitable group can only do so with the approval of the Executive Director. The Director will only allow donations on the showing by the prospective donee that the donation of section funds to the charitable entity is related to the purpose for which the section exists.
The following groups have been approved:

- Allen Hein Scholarship Fund at NW School of Law of Lewis & Clark College
- Campaign for Equal Justice
- Carlton Snow Scholarship Fund
- Chemawa Student Association
- Classroom Law Project
- Federal Circuit Bar Associations Charitable and Educational Fund (FCBA)
- Harry Chandler Scholarship Fund
- Legal Aid Services of Oregon
- Lewis & Clark Small Business Clinic
- Multnomah County Probate Advisory Committee
- National Bar Association – Oregon Chapter
- National Council on Juvenile and Family Court Judges
- Native American Youth Association (NAYA)
- Oregon Minority Lawyers Association (OMLA)
- Opportunity for Lawyers in Oregon (OLIO)
- Oregon Lawyers Against Hunger
- Oregon Lawyer Assistance Foundation (OLAF)
- Oregon Lawyers Against Hunger
- Peacemakers
- Section scholarships to 3 law schools for students earning the highest grade on the final exam, i.e. Securities Section awards to Securities students.

Governmental Relations and Public Affairs

Public Affairs Mission

The Public Affairs Department works to apply the knowledge and experience of the legal profession to the public good by advising governmental bodies, proposing legislation for law improvement, and advocating on matters that affect the legal profession.

What is the OSB Public Affairs Program?

The Public Affairs Program:

- Provides legal expertise and assistance to lawmakers;
- informs bar leaders, members and government bodies on bar related legislation and public policy issues;
- assists bar groups with law improvement projects; and
- influences major issues affecting the legal profession and justice system.

The bar recognizes the diverse membership of the organization and tries to "avoid committing bar funds to issues which are divisive or result in creating factions within the profession."

The Public Affairs Committee of the Board of Governors oversees the work of the program, and makes recommendations to the Board of Governors on public policy issues.

Department Contact

If you have any questions or would like to talk about legislative activity, please feel free to contact the Public Affairs Department staff.

Amanda Roeser, ***Administrative Assistant***
503-431-6376
1-800-452-8260, Ext. 376 (only within OR)
aroeser@osbar.org

Also please visit the bar's legislative web pages at: www.osbar.org/publicaffairs

2011 in Review

The 2011 legislative session commanded almost all of the attention of the public affairs staff from the legislative organizational meetings in January until adjournment on June 30. Since adjournment, staff has produced a review of legislation enacted during the session and has begun work with sections and committees on legislation for 2013.

Two circumstances profoundly affected the 2011 session: a nearly even split of power between the parties and the continuing recession. While Democrats held a two vote majority in the Senate, the House was split evenly and under joint control. The severe continuing recession required further budget reductions to already strapped state services.

Bar staff focused on several priorities the Board of Governors established for the 2011 session:

- To the extent possible, preserve court funding to enable Oregonians access to justice completely and without delay, as required in the Oregon Constitution. The bar was only partially successful in this endeavor: court budgets were cut by as much as many executive department agencies, but funding for the Oregon eCourt Project was continued. As a result of budget cuts, courts will be closed for at least nine days during the biennium and a number of court services will be curtailed.
- Work with the courts and the legislature to craft a more rational and transparent filing fee system. HB 2710 substantially accomplished this objective, eliminating a number of vexing fees.
- Maintain funding for civil legal services. The add on filing fee for support of legal services for low income Oregonians was combined into the base filing fee in HB 2710, along with all the other add on fees for justice system related programs. While the legislature treated legal services as a priority, nonetheless funding was reduced from previous levels.
- Enact the law improvement proposals brought forward from sections and committees. These measures are generally designed to make the legal system function better. Bar groups introduced 19 measures of which 17 passed.

During the session, the public affairs staff acted as a conduit for information between the legislature and interested bar groups, and as the point of contact between bar groups and the Public Affairs Committee of the Board of Governors. Members representing the bar or specific sections supported or opposed a number of bills brought forward by others and lent expertise to improve measures that the legislature considered.

During the session staff also organized several events to acquaint lawyers with the legislative process and to put lawyers in touch with their legislators on issues of importance to the justice system. The department staffed a Legislative Tips CLE program in January. Several legislators including the Senate and House Judiciary Committee chairs participated in the event. The bar also hosted a reception for lawyer legislators and appellate judges in Salem during the session. In May, the Public Affairs Committee organized a Day at the Capitol at which lawyers met with their legislators to discuss the importance of an adequate court system to the citizens of Oregon and to businesses that operate within the state.

Since the end of the session, the public affairs staff worked with volunteer authors and editors to produce a comprehensive review of the 2011 session designed to apprise practitioners of changes in virtually all practice areas—2011 Legislation Highlights. The staff also organized a half day CLE on the legislature's work, the faculty of which included lawyers who serve in the legislature. To prepare for the 2013 regular session, public affairs staff has met with section executive committees and other bar groups to discuss the process by which groups may submit legislative proposals for bar sponsorship, and offered to help these groups through the process.

Staff monitors the work of interim legislative committees, task forces and work groups. Of special interest to lawyers this interim are several joint committees, one on court facilities and another on filing fees. The department is also involved in ongoing judicial department advisory groups giving input and overseeing the implementation of the Oregon eCourt program.

Public affairs staff continues to be the liaison between the bar and the Council on Court Procedures (COCP) and between the bar and the Oregon Law Commission (OLC). The COCP is a statutorily created group charged with maintaining the Oregon Rules of Civil Procedure in good working order and proposing suggested improvements which go into effect unless changed by the legislature. The OLC is also a statutory group, but with a broader charge of general law reform, simplification, modernization and consolidation when appropriate.

State Elected Officials with Legal Training 14 Legislators with Legal Training in the 2012 Legislative Session

Oregon Senate:

Floyd Prozanski (D), District 4 (Parts of Lane, Douglas and Coos Counties)

Peter Courtney (D), District 11 (Salem/Gervais/Woodburn)

Betsy Johnson* (D), District 16 (Scappoose)

Suzanne Bonamici (D), District 17 (NE Washington/NW Multnomah Counties)

Dave Nelson* (R), District 29 (Pendleton)

Oregon House of Representatives

Wally Hicks (R), District 3 (Grants Pass)

Dennis Richardson (R), District 4 (Central Point)

Phil Barnhart (D), District 11 (Central Lane and Linn Counties)

Shawn Lindsay (R), District 30 (Hillsboro)

Chris Garrett (D), District 38 (Lake Oswego)

Jefferson Smith (D), District 47 (East Portland)

Matt Wand (R), District 49 (Troutdale/Gresham)

Jason Conger (R), District 54 (Bend)

Mike McLane (R), District 55 (Prineville)

Cliff Bentz (R), District 60 (Ontario)

*Indicates law degree but not OSB member.

Statewide Office

John Kroger (D), Attorney General

Kate Brown (D), Secretary of State

Brad Avakian (D), Commissioner of the Bureau of Labor and Industries

Information Numbers

Legislative Committees .... (503) 986-1813
House Democratic Office .... (503) 986-1900
House Republican Office .... (503) 986-1400
Senate Republican Office .... (503) 986-1950
Senate Democratic Office .... (503) 986-1700
Legislative Counsel .... (503) 986-1243
Distribution Center (for copy of legislative bills)
.... (503) 986-1180
.... www.leg.state.or.us
Oregon State Bar,
Public Affairs and Legislation .... (503) 620-0222
.... Ext. 376

Governor's Legal Counsel,
Joseph O'Leary .... (503) 378-8636

The Political Process: Roles and Responsibilities

1.0 Introduction

In the public policy arena, the bar plays a significant role in the evaluation and consideration of administration of justice issues in the legislative and political processes. The board encourages bar groups to be involved in legislative activities within their jurisdiction, subject to the bar's legislative guidelines and relevant election laws. There is a long tradition of lawyers working through the bar process to improve the quality of laws in the state of Oregon. The bar's law improvement program has served to raise the credibility of lawyers as a resource for expertise in a wide variety of areas.

The Oregon State Bar Board of Governors guidelines for legislative and political activity are set forth in BOG Bylaws Article 12. The guidelines are drawn from the bar's statutory purposes, constitutional limits on the use of mandatory membership fees, and election law limits on the activities of public employees. They also reflect the recognition that the Oregon State Bar has a diverse membership with differing views on many subjects.

1.1 Statutory Authority

By way of background, the Oregon State Bar is a "public corporation and an instrumentality of the Judicial Department of the government of the State of Oregon..." ORS 9.010(1). Although the board has statutory authority to "at all times direct its power to the administration of the science of jurisprudence and the improvement of the administration of justice" (see ORS 9.080(1)), its actions are still constrained by other applicable law, including *Keller v. State Bar of California*, 496 U.S. 1 (1990). As a state entity, the bar's funds are subject to audit by the Secretary of State pursuant to ORS 297.210 and, for purposes of the expenditure of bar resources, bar "funds" are considered "public funds" and board members may be subject to the restrictions on the expenditure of public funds under ORS 294.100 as public officials.

As a mandatory membership organization, the Oregon State Bar cannot engage in the wide-range of activities allowed voluntary organizations. Even though the bar is partially funded by membership fees as opposed to state general fund revenues, its unique statutory composition makes it subject to various laws. Thus, in pursuing any activity, the expenditure of public funds by the board must be related to the purposes for which the bar exists. If it is not, the public officials who permit the unauthorized expenditure may be subject to personal liability under ORS 294.100 if the expenditure constitutes malfeasance or wanton neglect of duty.

1.2 *Keller* Standard

The U.S. Supreme Court's decision in *Keller v. State Bar of California* set the parameters for what a mandatory state bar can do under the First Amendment. In *Keller*, a member of the California bar contested the bar's use of compulsory dues to support and/or advocate "political or ideological "views in violation of his First Amendments rights. The U.S. Supreme Court held that a mandatory state bar's use of compulsory dues to finance political and ideological activities violates the First Amendment rights of dissenting members when such expenditures are not "necessarily or reasonably incurred" for the purpose of regulating the legal profession or improving the quality of legal services.

The court did not establish a particularly clear standard on what constitutes permissible or impermissible dues-financed activities. However, it stated that the extreme ends of the spectrum were endorsing or advancing gun control or a nuclear weapons freeze which were prohibited on the one hand and disciplining bar members or adopting changes to the profession's ethics code as acceptable on the other hand. We believe the broad middle area of law improvement is appropriate if it is germane to the bar's role in improving the quality of legal services to the people of the State of Oregon or relates to the regulation of the legal profession. The Board of Governors has set the scope of OSB permitted activities under *Keller* in BOG Bylaws Article 12.

Additionally, the bar's guidelines for legislative and policy activities require that the Board of Governors "endeavor to respect the divergent opinions of subgroups within the profession" and make reasonable efforts to "avoid committing bar funds to issues which are divisive or result in creating factions within the profession." See BOG Bylaws Article 12.

1.3 Oregon Election Law

Bar employees are not public employees within the meaning of ORS 260.432. Therefore, bar staff may participate in advocacy efforts on behalf of the bar.

1.4 OSB Board Member ("Elected Official") Roles and Responsibilities

The board may do the following:

1) Advocate support or opposition to a measure or candidate. A board member may use staff-prepared

informational and advocacy materials.

2) Use public (bar) resources and staff to develop and distribute material on the effects of an initiative measure on the bar and the justice system.

3) Take a position on an initiative measure. Public announcement of the board's position by way of a press release is permissible.

4) Provide, at bar expense, a content neutral forum at which proponents and opponents of an initiative measure may present their views.

5) Personally campaign for or against a measure.

1.5 Recent bar activities

In 2006 the Board of Governors reviewed its policy on involvement in the initiative and electoral process and substantially expanded the scope of its activities.

In 2008 the Board of Governors and House of Delegates passed resolutions opposing both Measures 51 and 53, imposed limits on contingency fees and created additional sanctions for "frivolous pleadings." The bar worked closely with other interest groups to oppose the measure and was ultimately successful when the initiatives were withdrawn by the petitioners after challenges were made to their signature gathering procedures.

The Board of Governors also voted to oppose Measure 59 which would have created an unlimited deduction for federal income taxes on individual taxpayers' state tax returns. This measure failed by a wide margin.

1.6 OSB Section/Committee Roles and Responsibilities

Sections and committees of the bar operate under the umbrella of the bar and thus are subject to the same legal constraints as the board. In light of the political restrictions outlined above, here are some examples of activities that are permitted and some that are restricted:

1) Bar groups can develop legislation for sponsorship to be included in the bar's legislative package or take positions on legislation that fall within *Keller* and legislative guidelines subject to OSB Public Affairs Committee approval.

2) Bar groups may take positions or respond to public policy activities on legislation. OSB Section/Committee leaders cannot use bar funds to advocate a position on a ballot measure, unless approved by the BOG or HOD. This means money, staff time during working hours, travel allowances, facilities or equipment. Section/committee members or officers cannot ask staff to research or write a speech designed to support or oppose a ballot measure or charge travel expenses for attending a meeting at which such a position is advocated.

3) Bar groups may coordinate or liaison with any group to engage in information gathering on issues involving the bar, the judicial system, the judicial department budget and issues relating to the administration of justice.

4) Bar groups may take a position for or against an initiative or referendum, with prior BOG approval. Bar groups may not advocate a political position for or against a candidate.

OSB Legislation Contacts — 2012

(Please note this contact list is subject to change)

Below is a list of bar legislative contacts. If you have particular questions or comments regarding legislation we encourage you to contact the appropriate person. Please contact Amanda Roeser at 503.431.6376 or aroeser@osbar.org if a contact assignment changes.

(* indicates person is also the section/committee chair)

Administrative Law	Janice Krem
Admiralty	John R. Dudrey
Agriculture	Tim Bernasek
	Steve Shropshire
Alternative Dispute Resolution	Jane Gordon
	Helle Rode
Animal Law	Scott Beckstead
Anti-Trust	Joseph N. Eckhardt
Appellate Practice	Neil Byl
Aviation	Rod Boutin
Business Law	M. Chris Hall
Business Litigation	Renee Rothauge
Civil Rights	Sean Driscoll
Computer and Internet Law	Paula Holm Jensen
Constitutional Law	Greg Chaimov
Construction Law	Jeremy Vermilyea
Consumer Law	Keith Karnes
Corporate Counsel	Dan J. Field
Criminal Law	Tim Sylwester
	Barbara Ghio
Debtor/Creditor	Samuel Sears
Disability Law	Robert C. Joondeph
Diversity	Diane Schwartz Sykes
	Cashauna Hill
Diversity & Inclusion	Mariann Hyland (OSB)
Elder Law	Mike A. Schmidt
Energy, Telecom & Utility	Brendan McCarthy
Environmental Law	Hong Huynh
Estate Planning	Jeff Moore
Family Law	Dave Gannett
	Ryan Carty
Adoption Law Subcommittee	Robin Pope
Government Law	Stephanie Harper
	Kim Medford
Health Law	Lauren Rhoades
Indian Law	Doug MacCourt
	Craig Dorsay
Intellectual Property	Kelly Luzania
	Anna McCoy
International Law	Kimball Ferris
Judicial Administration and Funding	Yumi O'Neil
Juvenile Law	Cathy Ouellette
	Judith Swanson
Labor & Employment	Rich Meneghello
Law Practice Management	David L. Carlson
Legal Ethics	Helen Hierschbiel (OSB)
Legal Services	Judith Baker (OSB)
Litigation	Lindsey Hughes
Military Assistance Panel	Jesse Barton
	Mike Mendelson
	Velda Rogers
Pro Bono	David J. Petersen
	Cathy Petrecca
Procedure and Practice	Michael Hallinan*

Product Liability .... David Rocker*

Professional Liability .... Barbara Fishleder
.... Ira Zarov

Public Service & Information .... Kay Pulju (OSB)

Quality of Life .... Ellen K. Jones

Real Estate and Land Use
Real Estate .... Greg Nelson
Land Use .... Laurie Craghead
.... Chris Crean

Securities Regulation .... David Matheson
.... Timothy DeJong
.... Gustavo Cruz, Jr.

Sole and Small Firm Practitioners .... Kelly Doyle
.... Janice Hazel
.... Myah Osher

Sustainable Future .... Diane Henkels

Taxation .... Robert Manicke

Unlawful Practice & Independent Paralegals
.... J. O'Shea Gumusoglu*
.... Helen Hierschbiel (OSB)

Workers' Compensation .... Jennifer Roumell

Law Improvement Questions

.... David Nebel (OSB)
.... Matt Shields (OSB)

Public Affairs Department .... Susan Grabe (OSB)

Other Interest Groups

Access to Justice .... Judith Baker (OSB)

Bar, Press and Broadcasters .... Doug Bray
.... Kateri Walsh (OSB)

New Lawyers Division .... Jason Hirshon*

Bar Bylaws
Article 12 – Legislation and Public Policy

(Effective Nov. 1, 2003)

Section 12.1 Guidelines

Bar legislative or policy activities must be reasonably related to any of the following subjects: Regulating and disciplining lawyers; improving the functioning of the courts including issues of judicial independence, fairness, efficacy and efficiency; making legal services available to society; regulating lawyer trust accounts; the education, ethics, competence, integrity and regulation of the legal profession; providing law improvement assistance to elected and appointed government officials; issues involving the structure and organization of federal, state and local courts in or affecting Oregon; issues involving the rules of practice, procedure and evidence in federal, state or local courts in or affecting Oregon; or issues involving the duties and functions of judges and lawyers in federal, state and local courts in or affecting Oregon.

Section 12.2 Initiation of Legislation

Subsection 12.200 House of Delegates and Membership

The Bar must sponsor legislative proposals approved by the House of Delegates or through a membership initiative to the Legislative Assembly directly following the House or membership action. Legislation not enacted may not be sponsored in the following session unless resubmitted by one of the methods set forth above or by action of the Board.

Subsection 12.201 Board of Governors

The Board may sponsor legislative proposals to the Legislative Assembly on its own initiative. The Board and its Public Affairs Committee has the authority between meetings of the House of Delegates to act on legislative and public policy matters pursuant to the guidelines established.

Section 12.3 Legislative Process

Because of the nature of the legislative process, the Board or its Public Affairs Committee retains the right to set priorities regarding the enactment of legislation, to propose amendments or consent to amendments to legislation and to sponsor or take positions on appropriate legislation. In so doing, the Board will make a reasonable effort to do the following:

Encourage as wide a participation of the membership as possible in formulating positions on legislative issues; inform members, especially sections and committees, of the Bar's legislative positions; respect divergent opinions of subgroups within the legal profession; provide assistance to bar sections and committees; avoid committing bar funds to issues that are divisive or result in creating factions within the profession; present major issues to the House of Delegates for approval; ensure that the Public Affairs Committee encompasses a balance of interest within the Bar and ensure that the Public Affairs Committee consults frequently with the Board.

Section 12.4 Committees and Sections

Any committee or section wishing to sponsor legislation or take a position on any rule or public policy issue will inform the Public Affairs Program, and through that office, the Board, of the exact nature of the legislation proposed. A copy of the bill, proposed rule or policy will be presented for consideration and approval of the Board. A committee or section of the Bar may not represent to the legislature or any individual, committee or agency thereof, a position or proposal or any bill or act, as the position of that committee or section of the Bar without the majority approval of the members of that committee or, in the case of a section, the executive committee and the prior approval of the Board, except as follows. During a legislative session or during the interim, a bar committee or the executive committee of any section must contact the Bar's Public Affairs Program before taking any position on a bill, rule or public policy issue within its general subject area. The chair of the Board's Public Affairs Committee will determine, within 72 hours of notice of the issue, whether it is appropriate for the Bar to take an official position or to allow the section or committee to take a position as requested. The full Public Affairs Committee or the full Board may be consulted before a final decision is made. Bar staff and the Public Affairs Committee of the Board will make every effort to accommodate committees and sections that wish to express positions on relevant issues. The Public Affairs Program shall be kept informed about the status of such positions and related activities.

Section 12.5 Professional Liability Fund Legislation

The Professional Liability Fund ("PLF") may not present to the legislature or any individual, committee or agency thereof, a position or proposal or any bill or act, as the position of the PLF without the majority approval of the Board of Directors of the PLF and the prior approval of the Board of Governors, except as is provided in Section 12.4 of the Bar's Bylaws.

Section 12.6 Objections to Use of Bar Dues

Subsection 12.600 Submission

A member of the Bar who objects to the use of any portion of the member's bar dues for activities he or she considers promotes or opposes political or ideological causes may request the Board to review the member's concerns to determine if the Board agrees with the member's objections. Member objections must be in writing and filed with the Executive Director of the Bar. The Board will review each written objection received by the Executive Director at its next scheduled board meeting following receipt of the objection. The Board will respond through the Executive Director in writing to each objection. The Board's response will include an explanation of the Board's reasoning in agreeing or disagreeing with each objection.

Subsection 12.601 Refund

If the Board agrees with the member's objection, it will immediately refund the portion of the member's dues that are attributable to the activity, with interest paid on that sum of money from the date that the member's fees were received to the date of the Bar's refund. The statutory rate of interest will be used. If the Board disagrees with the member's objection, it will immediately offer the member the opportunity to submit the matter to binding arbitration between the Bar and the objecting member. The Executive Director and the member must sign an arbitration agreement approved as to form by the Board.

Subsection 12.602 Arbitration

If an objecting member agrees to binding arbitration, the matter will be submitted to the Oregon Senior Judges Association ("OSJA") for the designation of three active-status retired judges who have previously indicated a willingness to serve as volunteer arbitrators in these matters. The Bar and the objecting member will have one peremptory challenge to the list of arbitrators. The Bar and the objecting member must notify one another of a peremptory challenge within seven days after receiving the list of proposed arbitrators. If there are no challenges or only one challenge, the OSJA will designate the arbitrator. The arbitrator will promptly arrange for an informal hearing on the objection, which may be held at the Oregon State Bar Center or at another location in Oregon that is acceptable to the parties and the arbitrator. The hearing will be limited to the presentation of written information and oral argument by the Bar and the objecting member. The arbitrator will not be bound by rules of evidence. The presentation of witnesses will not be a part of the hearing process, although the arbitrator may ask the state bar representative and the objecting member and his or her lawyer, if any, questions. The hearing may be reported, but the expense of reporting must be borne by the party requesting it. The Bar and the objecting member may submit written material and a legal memorandum to the arbitrator no later than seven days before the hearing date. The arbitrator may request additional written material or memoranda from the parties. The arbitrator will promptly decide the matter, applying the standard set forth in *Keller v. State Bar of California*, 496 U.S. 1, 110 S. Ct. 2228, 110 L. Ed. 2d 1 (1990), to the expenditures to which the member objected. The scope of the arbitrator's review must solely be to determine whether the matters at issue are acceptable activities for which compulsory fees may be used under applicable constitutional law. In making his or her decision, the arbitrator must apply the substantive law of Oregon and of the United States Federal Courts. The arbitrator must file a written decision with the Executive Director within 14 days after the hearing. The arbitrator's decision is final and binding on the parties. If the arbitrator agrees with the member's objection, the Bar will immediately refund the portion of the member's dues that are reasonably attributable to the activity, with interest at the statutory rate paid on the amount from the date that the member's fees were received to the date of the Bar's refund. If the arbitrator agrees with the Bar, the member's objection is denied and the file in the matter closed. Similar or related objections, by agreement of the parties, may be consolidated for hearing before one arbitrator.

Oregon State Bar Sections

OSB Sections provide specialized information and opportunities for members. Each section is designed to:

- Enhance lawyers' specialized skill and knowledge.
- Influence changes in the legislature and community.
- Keep members abreast of developments in their field.
- Provide an avenue for educational and pro bono opportunities.
- Provide a forum to network, build relationships, and express views.

Each section accomplishes these goals through a combination of section meetings, Continuing Legal Education programs, legislative activities, and publications. In addition to these activities common to most section, sections have programs and goals that address important issues in their specific field.

Guidelines

For Bar Committee and Section Executive Committee Meetings

These guidelines are intended to make participation on Committees less difficult for members living outside the Portland area. Committees are urged to take these guidelines into account when meeting schedules are established.

1. Committee meetings should be limited to every six, or even eight, weeks, unless a particular committee's work load justifies more frequent meetings. Over the course of a year, a few long meetings will be less demanding on member's time than several short ones. Moreover, longer meetings may be more productive, since there is less time spent reviewing and reinventing.

2. Committees should schedule a minimum number of meetings away from the Portland area. For example, an eight meeting schedule should include five meetings in Portland, two at a moderate distance (e.g., Eugene, Bend, Newport) and one in southern or eastern Oregon (Ashland, Pendleton, John Day, etc.). Portland area members should be strongly encouraged to attend as part of their duties as committee members.

3. At least a third of the meetings should be held on Saturday. Portland meetings often require the commitment of an entire day for members living outside the Portland-Salem area. Impact on office time should be reduced by scheduling Saturday meetings.

4. Committees should explore alternatives to regular meetings, such as phone conferences, and means of participation other than attending regular meetings.

5. To schedule a meeting at the bar center, call, write, or e-mail your bar liaison with the desired date and time. Meeting space is available at the bar center at no charge and the bar will provide coffee and tea for committee and section meetings. Please note that meeting space is assigned on a first come, first served basis.

Section Chair Job Description

- Conduct the Executive Committee Meetings.
- Schedule the Executive Committee meetings for the year.
- Determine Subcommittees.
- Plan and Schedule Activities and CLEs.
- Submit Agenda's to the OSB Member Services Department to be included with the Executive Committee meeting notice which are distributed 14 days in advance.
- February 1st – file Initial Section Report. See page 42.
- April 2nd – submit Legislative Summary and full text of proposed legislation to Board's Public Affairs Committee for approval and pre-session filing in even-numbered years prior to legislative session.
- Hold the sections annual meeting prior to October 15th if section proposes a dues increase for the next calendar year. The OSB Accounting Department needs to be notified no later than October 15th so that the correct dues amount can be listed on the membership fee statements. If section proposes a dues increase, its section budget for the following year is due to the bar by October 15th, 2012.
- Hold the sections annual meeting prior to November 15th if there are no proposed dues increase for the next calendar year.
- Confirm that the Treasurer has submitted next year's budget to the OSB Accounting Department by December 1.
- December 1 – file Section Annual Report with the Member Services Department. See page 44.
- Serve as an ex-officio member of the HOD and attend the annual meeting on November 2, 2012 at the Oregon State Bar beginning at 10:00 a.m.

OSB Liaison to Sections Job Description

General

Serve as a resource and information source on bar programs, services, and policies for bar sections.

Specific

At the beginning of each section year, the bar liaison will contact the chair to schedule a meeting to discuss a plan of work that will allow the section to effectively and efficiently discharge its responsibilities for the year. The chair will be encouraged to schedule all section meetings for the year at the first meeting of the executive committee.

The bar liaison will attend all section meetings including the annual meeting. If unable to attend, the bar liaison will find a replacement. The bar liaison will actively participate in meetings offering suggestions or direction. The bar liaison will remain in telephone contact with the chair or other appropriate members of the section on relevant issues and agendas.

The bar liaison will alert appropriate bar employees or departments of planned activities of the section which will affect their operations. Examples: budget or dues issues, CLE programs, CLE publications, meeting dates and location, amicus brief issues, legislative issues, public service projects, desktop publishing/technology issues, surveys and mail room.

The bar liaison will facilitate communication with BOG contact and identify issues which may require board consideration or action, or interaction with other OSB sections, committees and other groups.

The bar liaison will submit copies of agendas and minutes to Member Services and assist Member Services staff, on request, in obtaining required reports and other documentation from the section. The bar liaison will receive copies of all section meeting notices, OSB correspondence, and updated rosters. The bar liaison will have a general knowledge of bar bylaws on sections (Article 15), Standard Section Bylaws and co-sponsorship of CLEs. The bar liaison has a general knowledge of the section's financial condition and the bar's financial procedures for sections and will alert appropriate bar staff of potential financial or budget needs of the section.

The bar liaison will assist the section chair in meeting deadlines: Budget and annual report due December 1, Initial Section Report due February 1, CLE Participation Report due April 15 [Also see page 43 of the Bar Leadership Handbook].

The bar liaison will submit liaison report to Member Services Manager with a copy to the Member Services Section Specialist and Executive Director within five (5) days of the meeting. A copy will also be provided to a particular staff person if discussion included topics relevant to other staff. The next meeting date should be noted in the report.

Member Services Procedures for Meeting Notices

Department is to assure that the external customers of the department are satisfied with services received. A major part of this effort is the sending and tracking of meeting notices. The meeting notice procedure is based on the premise that notices are sent timely, efficiently and cost-effectively.

Member Services will, on receipt of the necessary information, send notice of meetings with the following information the meeting date, time, location, agenda and minutes of the last meeting. Notices of meetings should be given a minimum of two weeks before the meeting date to allow ease of scheduling for members and to meet the Oregon public meeting notice requirements.

All meeting notices are sent by email and allow committee members to return attendance replies to the secretary or his/her designee.

An important bar liaison responsibility is to assist the committee in determining a meeting schedule and to inform Member Services of this information. Once Member Services is informed of the schedule and meeting notice process, the bar liaison is sent a reminder that it is time to initiate the meeting notice process approximately three weeks prior to the scheduled meeting.

The method above reflects standard procedure. Allowances can be made to accommodate individual committee preferences.

Important Dates and Deadlines for Sections

January 1

Begin section year. Officers and executive committee members take office.

February 1

File Initial Section Report. See page 42.

April 2

Submit Legislative Summary and full text of proposed legislation to board's Public Affairs Committee for approval and pre-session filing in even-numbered years prior to legislative session.

October 15

Hold annual meeting or mailed ballot election if section proposes a dues increase for the next calendar year. The OSB Accounting Department needs notification no later than October 15 so that the correct dues amount can be listed on the membership fee statement.

If the section is proposing a change in membership dues, the budget must be received by October 15, so that the BOG may approve the change and dues can be collected with the membership fees.

November 15

Hold annual meeting or mailed ballot election in accordance with standard section bylaws. Election results shall be certified to the Oregon State Bar once election or mailed ballot election occurs for the purpose of bar records, creating new section executive committee rosters and for publication in the annual membership directory. Section shall hold at least one membership meeting for the purpose of conducting section business including the election of the section executive committee (or hold a mailed ballot election).

Section treasurer to submit a report of the section's financial affairs and financial condition to the members at the section annual business meeting.

December 1

File with the Executive Director of the OSB an annual report which is a summary of the activities of the current year and anticipated activities for the upcoming year, together with the full text of any proposed legislation unless submitted to the OSB by the April 1 deadline. Budget and financial information on the current year may be included in this report. See page 44.

Section budget. The section treasurer shall submit the section budget to the Board of Governors' Budget & Finance Committee for its approval no later than December 1. If the section is proposing a change in membership dues, the budget must be received by October 15, so that the BOG may approve the change and dues can be collected with the membership fees.

60 days prior to the Section's Annual Business Meeting

The section executive committee shall appoint a nominating committee to make nominations for positions for the upcoming year.

45 days prior to a House of Delegates Meeting

Any proposed recommendation or resolution considered by the House of Delegates must be submitted to the Executive Director at the Oregon State Bar no less then 45 days prior to the meeting. See page 15 for meeting schedule.

30 days prior to the Section's Annual Business Meeting

The nominating committee shall make and report to the chairperson one nomination for each position.

Within 30 days of any Section Executive Committee Meetings

A copy of the minutes of each meeting shall be delivered to the OSB Section Member Services Section Specialist.

14 days prior to any scheduled Executive Committee or Section meeting

Notice and agenda shall be distributed to the OSB Section Member Services Section Specialist and to the assigned BOG Contact and bar liaison.

14 business days prior to the Section's Annual Business Meeting

The report of the nominating committee shall be distributed to the section membership along with the notice of the time and place of the meeting. Included in that mailing, a report to the section's membership shall include information about the section's activities and use of dues in the year since the last section annual business meeting and the activities and use of dues contemplated for the next year.

14 days prior to membership meeting

If section bylaws are to be amended, notice of intent to amend bylaws and the text of proposed amendments shall be mailed to all section members.

At least 5 days prior to any section mailing that is handled by OSB

Written notification to the Section Member Services Specialist, so that labels, copying and stuffing can be coordinated.

At least 3 days prior to any section mailing not handled by OSB mailing service

Content of mailing must be provided to the Section Member Services Specialist.

Oregon State Bar Initial Section Report

To be completed by the Section chairperson. Use extra pages, if necessary.

Oregon State Bar
Initial Section Report

To be completed by the Section chairperson. Use extra pages, if necessary.

Section Name:	
1.	**This report must be received in the bar office no later than February 1, 2012.** List Section goals and objectives for the period ending December 31, 2012. (This will include projects that may continue beyond December 31, 2012.)
2.	If committees are appointed, list the committees, the chairperson, and the committee responsibilities.
3.	Name of legislative contact(s).
4.	Section Executive Committee meeting schedule through December 31, 2012.

Please return to:
Sarah Hackbart
Email: shackbart@osbar.org
Member Services
Oregon State Bar
P.O. Box 231935
Tigard, Oregon 97281-1935

Annual Section CLE Report

Please complete a separate form for each CLE activity sponsored by the section from January 1, 2012 to through December 31, 2012. Return this report by Friday, April 12, 2013, to CLE Seminars,

Oregon State Bar, P.O. Box 231935, Tigard, OR 97281-1935.

This response is not required for activities co-sponsored with the bar's CLE Seminars Department.

Name of Section	Type of Section Activity ___Seminar ___Publication
Name and Date of Seminar or Publication	
Brief Description of the Seminar or Publication	

List of Lawyer Speakers or Planners, Authors and Editors

Name	Gender (Circle One)	Ethnic Origin* (Circle One)
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N
	Male Female	C B H A N

C = Caucasian, B = African-American, H = Hispanic, A = Asian, N = Native American

Oregon State Bar
Section Annual Report Guidelines

Standard Section Bylaws - Article X, Section 3

Not later than December 1, the Chair shall file with the Executive Director of the Oregon State Bar a concise report summarizing the activities of the current year and anticipated activities for the ensuing year, together with the full text of any proposed legislation.

The Annual Report is a valuable planning document for the future work of the group and is useful as a way to share ideas between sections and committees. The committee and section reports are compiled in a a web-based Annual Report available online at www.osbar.org.

The information in the Annual Report should correspond to the Initial Section Report and contain the following:

1. Describe briefly the sections accomplishments for the year including any activities, CLEs and newsletter publications.
2. General budget information from the 2011 year and/or 2012 year.
3. Description of any legislative issues during the year.
4. Recommendations for next year's goals and activities.
5. Any other comments.

Section chairs should submit Annual Reports in electronic format (either Word or Word Perfect) to mlane@osbar.org before December 1, 2012

Section Employees and Independent Contractors

Memorandum

TO: Section Officers
FROM: Amber A. Hollister, Deputy General Counsel

Sections often hire newsletter editors, web site designers, law clerks, and other persons to assist with section projects. Because sections are part of the bar, the legal relationships with these individuals must be handled in accordance with bar policy.

Law clerks and other personnel who will be working under the supervision and direction of a section member are generally considered employees and need to be added to the bar's payroll as temporary employees. The forms that must be completed before a temporary employee can be hired are indicated below. The Human Resources manager is available to assist you in this regard. She can be reached at 620-0222, Ext. 401.

Newsletter editors and web site designers and managers are generally independent contractors under the standard established in ORS 670.600. The bar has an independent contractor agreement template that can be tailored to meet any special circumstances.

Bar policy provides that payment to independent contractors cannot be made if there is not an independent contractor agreement in place. Please call me at 620-0222, Ext. 312, if your section would like to enter into an independent contractor agreement or if you have questions about section employees.

Thank you for your cooperation in this important area.

Hiring and Payroll Procedures For Temporary Employees

1. Determine if the person should be hired as an employee as opposed to being put on a contract as an independent contractor. Call Helen Hierschbiel, Ext. 361 if there is any question.
2. If the person is an employee, the section chair should contact the bar's Controller at Ext. 305. Since the person will become a temporary employee of the bar the following forms must be completed by the employee and/or the section chair:
    a. Personnel Action Notice for Section Temporary Employees (authorization and information provided by the section)
    b. Form W-4 (required IRS tax withholding information)
    c. Form I-9 (Employment eligibility verification required by Immigration and Naturalization Service)
    d. Timesheet (for the employee to record hours worked)
3. The new employee completes the W-4 and I-9 forms. The supervising attorney reviews the required documents and signs the certification on the I-9 form. Both documents must be completed prior to the start of work and then forwarded to OSB Payroll.
4. The employee completes an OSB timesheet to show all dates and hours worked. The signed timesheet is sent to the section's treasurer for approval, (the employee should retain a copy for the employee's records.)
5. The section treasurer signs the timesheet and forwards it to OSB Payroll.
6. The approved timesheet will be processed in the next payroll period after which it was received.
7. The paycheck will have payroll taxes withheld at the rate designated for a bi-weekly payroll and based on the number of exemptions indicated on the employee's W-4 form.
8. Paychecks are mailed to the employee unless the employee directs the check be held for pickup.
9. Each personnel action notice is in effect for six months unless a shorter authorized duration is specified.
10. Any change in the rate being paid requires a new Personnel Action Notice specifying the new rate.
11. Any questions regarding payroll processing may be directed to the Controller at Ext. 305.

Menu of Section Services

Services included with Per Member assessment ($6.50)

Accounting and Office Services

- Section membership fee statement production and payment processing.
- Associate member billing.
- Cash receipt of revenue from all other section activities.
- Processing and payment of section bills and expense reimbursement requests.
- Maintenance of all computer systems to handle financial processes and membership dues database.
- Coordination of Section Budget process.
- Section treasurer training.
- Information resource for chair and treasurer questions concerning budgeting and accounting procedures.
- Bi-annual audit of section accounting records and procedures.
- Preparation and publication of monthly financial statements.

Member Support Services

- Maintenance of section membership roster.
- Executive committee and general meeting notice preparation and distribution.
- Distribution of broadcast e-mails.
- Maintenance of list serves for executive committee and sections (if requested).

Other Services

- Serve as general resource for section leaders and members.
- Respond to inquiries regarding section activities (information clearing house).
- Print and distribute annual reports which describe section activities for the year.
- Distribute Bar Leader handbook to section leadership.
- Meeting facilities for groups up to 140 at the Bar Center (classroom or conference room seating). Advance reservations are advised.
- Board and bar liaison personnel available as additional resource.
- Mailing and emailing services.
- Section web page services.

The services listed above are charged to the section on a $6.50 per member basis. The charge is made on the section's financial statements as members join the section.

Bar Bylaw 15.400 states, "The bar charges each section a per capita fee equal to 50 percent of the costs of providing services to the sections."

Additional Services Available to Sections

Layout and Design

The OSB Design Center staff is available to help sections prepare newsletters and other communication materials, such as brochures, ads, announcements, and annual meeting notices and handbooks.

Graphic design services....................... $40/hour

Newsletter design & layout.................$25/page

The newsletter price relates to printed publications. This price per page includes an electronic file (pdf) for website/archive use and up to one hour of other graphic services (photo scans and clean up, ad preparation, inserts, etc.). Additional graphic service time will be charged at the normal $40 per hour design rate.

Many sections are moving away from print to electronic-only delivery of newsletters. Costs may vary depending on the design of the e-newsletter, layout needed, the length/word count, and inclusion of links. We're happy to help you find the approach that best meets your section's needs and budget.

Call Anna Zanolli (Ext. 414) or Molly Whiteside (Ext. 349) in the Design Center to discuss lead time/details on your upcoming project.

Printing and Mailing

Estimates provided on a per project basis. Please contact Molly Whiteside (Ext. 349) in the Design Center about project estimates.

Invoicing

The OSB Accounting department can provide invoicing services for the sections upon request. This service includes creating, delivering and tracking the payment of section charges that need to be billed to third parties. A typical example is event sponsorships whereby firms have agreed to sponsor an event but require an invoice from the bar section to make the payment to the section.

The section contact will be notified if an invoice becomes past due so the section may make collection efforts for these invoices. Please contact the Controller at Ext. 305 to request invoicing services.

CLE Services

Sections have a variety of options when organizing a CLE event. To discuss cosponsorship of a seminar with the CLE Seminars Department, please contact the CLE Seminars Director at (503) 431-6382. For sections planning a CLE event without cosponsorship with the CLE Seminars Department, the following information highlights some of the services available.

Please note: Cosponsorship with any Washington State Bar Association section must receive prior approval from the WSBA CLE Department. For more information, please contact the WSBA CLE Director at (206) 727-8293.

Venue

Bar center facilities are available to sections free of charge. Depending upon the room configuration, the rooms at the bar can accommodate between 40 and 72 people in a classroom setting or up to 120 people theater-style. For CLE events where attendance in a classroom style setting is expected to exceed 72, another venue should be selected. General information regarding other venues can be obtained from the CLE Seminars Department: (503) 431-6351 or toll-free in Oregon (800) 452-8260, Ext. 351.

Equipment

The following equipment is free for use by sections, but subject to availability.

- Document Camera
- VCR/DVD Player
- Data projector
- Podium
- Microphones (tabletop and wireless lapel/lavaliere)

Registration Services

The OSB offers a variety of services to assist sections with their CLE events, including brochure development; sending email announcements to OSB sections; registration services; collating course materials; providing evaluation and MCLE recordkeeping forms; fielding member calls and questions through the OSB CLE Service Center; and venue, catering and A/V recommendations.

These and other CLE services are available for $10 per registration ($300 minimum). Expenses such as printing brochures and course materials, postage, MCLE accreditation, and bank charges for credit card transactions are an additional cost.

Information detailing all of the CLE services for sections can be downloaded from the bar's website, www.osbar.org, or you may contact the OSB CLE Seminars Event Coordinator at (503) 431-6351, toll-free in Oregon at (800) 452-8260, Ext. 351.

MCLE Sponsor Fees for CLE Programs

Sponsor fees are $40.00 for a program of four or fewer hours and $75.00 for a program of more than four hours. A sponsor who submits an application for accreditation more than 30 days after the completion of the CLE activity shall pay a late application fee of $40.00 and accreditation shall not be granted until the fee is received. If you have questions, please call Ext. 368.

Series MCLE Costs

Sponsors presenting a CLE activity as a series of presentations may pay one program fee of $40.00 for all presentations offered within three consecutive calendar months, provided:

- The presentations do not exceed a total of three credit hours for the approved series; and
- Any one presentation does not exceed one credit hour.

MCLE Accreditation Process

Contact Person: Denise Cline, Ext. 315

The following forms and information is needed to apply for MCLE credit:

- MCLE Form 2 – Enclosed
- Copy of the CLE notice or agenda showing timelines
- Sign-in sheet
- Copy or sample of programs written materials
- Transfer of Funds Authorization Form completed by Treasurer (program fee of $40.00)

A written application for accreditation of a group CLE activity should be filed either before or no later than 30 days after the completion of the activity. If the accreditation application is received after 30 days there will be a $40.00 late fee due in addition to the program sponsor fee.

A program fee of $40 is due for all presentations offered within three consecutive calendar months, provided 1) the presentations do not exceed a total of three credit hours for the approved series; and 2) any one presentation does not exceed one credit hour. (MCLE Regulation 4.350(c)).

Return the completed MCLE Form 2, agenda, copy or sample of program written materials, and the Transfer of Funds Authorization Form to the MCLE department within 30 days after completion of the activity, or report attendance to the MCLE department electronically using the template at www.osbar.org/mcle/forms.

MCLE FORM 2: Group CLE Activity Accreditation Application

Instructions:
Pursuant to MCLE Rule 4.3, sponsors of Group CLE Activities must apply for accreditation no later than 30 days after the completion of the CLE activity.
Individual bar members may also apply on their own behalf for accreditation of a Group CLE Activity by using this form. No fee is required.
The sponsor fee is $40 for a program of 4 or fewer hours and $75 for a program of more than 4 hours. The sponsor fee for a series of programs not exceeding 3 hours in 3 consecutive months is $40. A sponsor fee is required for each repeat (live or electronic) of the programs. (See MCLE Rule 4.3(c).)

Name and address of person or organization applying (Please print. This will be mailing label):	Applying As (check one): ❑ Sponsor ❑ Individual Member Bar # ________________________
Phone: Contact Person (Sponsors only):	
Title of CLE Activity:	
Name of CLE Sponsor (if not the applicant):	Phone:
Date(s) and Location(s) of CLE Activity Date(s) Location(s) (city/state)	Number of credits requested: General _________ Practical Skills ________ Prof. Resp.: Ethics ______ Child Abuse Rep______ A/J______ TOTAL _______________________
Delivery method(s): ❑ faculty in room with participants; ❑ telephone to broadcast site; ❑ interactive video; ❑ satellite ❑ audiotape presentation; ❑ videotape presentation; ❑ interactive computer/internet; ❑ discussion leader present	
Is this a replay? ❑ Yes ❑ No If yes, please identify program producer:	
Will this program include the use of written materials? ❑ Yes ❑ No (If no, please explain) Total pages:	List any attendance restrictions [See MCLE Rule 5.1(f)]
Describe sponsor's experience in providing CLE activities (for non-OSB accredited sponsors):	
This application will not be processed unless the following are enclosed: ✓ *Copy of the program agenda showing timelines* ✓ *Biographical information on the program faculty* ✓ *Copy or sample (15-20 pages) of program's written materials - include ethics portion if applicable* ✓ ***Sponsor Fee***	
Sponsor/Member Signature:	Date:

OSB MCLE Office Use Only

❑ *Approved* ❑ *Denied*	*Fee Paid:*	*MCLE Credits:*	*General:*
MCLE Dept.:	*Reciprocity?* ❑ *Yes* ❑ *No*		*Ethics:*
	Program No.:		*A/J:*
Date:			*General or Practical Skills:*
			Total:

Make a copy of this form for your records and mail the original to:
Oregon State Bar MCLE, 16037 SW Upper Boones Ferry Rd., PO Box 231935, Tigard, OR 97281-1935
(503) 620-0222 X368 or 1-800-452-8260 X368

Section Chair and Treasurer Guidelines

General Financial Information

The bar's fiscal year ends December 31. The Accounting Department produces monthly financial statements for each section. The statements include monthly revenue and expense, year-to-date activity, comparison to current budget, and prior year's month-to-date and prior year-to-date activity.

All section receipts and disbursements must be made from the Oregon State Bar checking account. Under no circumstances should a section maintain a separate checking account or process its receipts through a firm or attorney's bank account.

Timing of Financial Statements

Books are held open until the 5th working day of the next month to allocate relevant items to the correct month. Any transactions received after this date may be reflected on the next financial statement. Financial statements should be available by the tenth working day of the month, except the months of December and January. As part of the year-end process, December financial records are held open longer then normal in order to post transactions into the correct fiscal year.

Budgets and Long Range Plans

The section can request to change its member dues annually in accordance with Article II, Section 3, of the Standard Section Bylaws. Budgets are due annually by October 15th, if the section is planning a dues increase. If no dues increase is proposed then the deadline is December 1st.

Revenue

Membership Fees General Information: The Accounting Department sends a membership fee statement, including Section membership fees to all active and inactive members annually. It also processes all section membership fee payments. A member may join a section through October 31st of each calendar year. Membership is based on a calendar year and membership dues are not prorated.

Additional Membership Recruitment Mailings: Sections may send additional notices to members after the first general section statement is mailed in early December. Please contact the Controller, Ext. 305, prior to mailing any solicitation for funds from section members. All expenses related to these additional notices will be assessed to the section.

Associate and non-attorney section membership is provided in the Standard Section Bylaws, unless the section membership votes not to allow associate members. Non-attorneys may join a section by completing an "Application for Associate Section Membership" form, and paying the current year's section dues. See Standard Section Bylaws, Article II, Section 2 for definition of associate members.

Applications for Associate Section Membership are available from the bar's Accounting Department or online at www.osbar.org and selecting the OSB forms library. The Accounting Department sends a renewal notice to the associate members for each section from the prior year's roster. Any questions on these memberships should be addressed to the Accounting Assistant, at Ext. 304.

Cash Receipts

If sections collect money, e.g. section CLE registrations, these funds must be sent to the bar for deposit and recording in the section's revenue. All bundles of checks sent to the bar MUST be accompanied by a completed Cash Received form. The total on the Cash Received form must equal the total money sent in that bundle. This form is available online in both Excel and Word formats. The following items listed on the Cash Received form: the section name, date of event, the revenue account code to apply the funds to, a roster of persons paying for the event, the name on the check, the amount of check, check number and a grand total of funds submitted to the bar. [See sample.]

Please do not mail cash to the bar. When dealing with cash, deposit it in your personal account and submit a check to the Oregon State Bar, equal to the cash deposited.

Credit card processing as a method of payment is not available to Sections for data security reasons. An exception is made if a section uses the online registration services of the CLE Seminars department.

Expenses and Assessments

Bar Services: The Section is charged a per-member assessment for the services provided by the bar (see Menu of Section Services.) This assessment is made each time a member or associate section member joins the Section and is reflected on the financial statements under "OSB Support Services."

The assessment is $6.50 per member.

Conference call charges: Conference call charges attributable to sections and invoiced to OSB will be charged directly to the sections each month by the OSB accounting department. Upon request the accounting department will send section treasurer a copy of the detailed invoice for sections conference calls, thereby documenting the direct charge. If the conference call invoice detail appears to be correct, no action from the treasurer is necessary.

Credit Card Assessment: The bar accepts VISA and MasterCard payments for section CLE co-sponsorship events. The bank charges OSB a fee for processing credit card transactions. This fee will be passed on to the section; currently it is approximately 3%.

Alcoholic Beverages: Per Bar Bylaw 7.501(e), bar and section funds cannot be used for the purchase of alcoholic beverages. Reimbursement or payment of the cost of alcoholic beverages from section funds is prohibited.

Check Requests: To process a member expense or a vendor invoice, please use either Member Expense Reimbursement or Section Check Request Form (Both are available online). Treasurers should route these requests to the OSB, Attention: Accounts Payable. A section treasurer cannot approve their own or their firm expense reimbursements. Section chair approval is required on all section treasurer reimbursement requests.

Vendor Payment: To mitigate the problem of delay in payment to vendors such as printers, hotels, etc., vendors shall be instructed to send the invoice to the bar's Accounts Payable Department and to state on the invoice the name of the section. The bar will forward the invoice to the current section treasurer for approval. These may be delivered electronically by email to: accountspayable@osbar.org

Invoicing: To ensure accurate record keeping, ALL invoicing must be done through the bar's accounting system. Therefore, sections may **not** generate "invoices" on their own. (Solicitation/confirmation letters are suitable without the word "invoice"mentioned.)

The OSB Accounting department will provide invoicing services for the sections upon request. A typical example is event sponsorships whereby firms have agreed to sponsor an event, but require an invoice from the bar/section to make the payment to the section.

Please note: the bar does not invoice for seminar, conference or other event registrations. Event registrants shall submit payment at the time they register.

To request invoicing, please e-mail the particulars to mpeterson@osbar.org. There is no charge for invoicing services.

Contracts and Independent Contractors

All contracts with vendors shall be reviewed and executed by the OSB General Counsel or Executive Director. **Section members are not authorized to oblige the OSB contractually.**

CLE Program Finance Information

Section educational conferences or seminars should be conducted pursuant to the Bar Bylaw 15.601 et seq, which requires sections to notify CLE staff of their program dates and topics. It also requires sections to seek co-sponsorship with the OSB CLE Seminars Department before seeking co-sponsorship with other organizations. The CLE Seminars Department acts as an information clearinghouse to members so it is important, even if the event is not co-sponsored with the bar, that they are informed of the event [please call Ext. 351]. We encourage you to contact the bar prior to your first planning meeting for the brochure "The Section CLE Guide" which covers all major aspects of seminar planning.

For section seminars that are not co-sponsored with the bar, the CLE Seminars Department can provide registration as a stand alone service at a minimum charge of $300, or $10 per registration. The CLE Seminars Event Coordinator, at Ext. 351, should be contacted early in the planning process and before the registration forms are printed if the bar is to provide the registration services. The type of items that must be included on any registration form processed by the bar are:

- Registrant's name, address, e-mail address, fax number and telephone number
- Bar number
- Registration account code (The Accounting Department can provide you with this number)
- Registration rates and additional fees, such as: section member rate, new lawyer rate, general rate, lunch, dinner, etc.

- Total registration fee line – this total is necessary to process the registration form.
- Payment Option Section – Language explaining payment options: (1) checks should be made payable to the Oregon State Bar; (2) online.
- Cancellation policy.

If a section does not establish a cancellation policy, the CLE Seminars Department standard cancellation policy and fee will be applied. Please refer to the "Section CLE Guide" for the policy and fee.

Monies received for registration should be sent as soon as possible to the bar's Accounting Department accompanied by the Cash Received Form.

Section Forms

Member Expense Reimbursement Report Form (Available Online)

Use the expense reimbursement form to reimburse members or speakers for out-of-pocket expenses, including mileage. **Detailed receipts are required** and must be attached. The expense reimbursement form must be signed by the person requesting the reimbursement and must be approved by either the section treasurer or chair. A signed letter from the person requesting the reimbursement may be attached in lieu of a signature. Section approval, by either the treasurer or chair, is required prior to the issuance of a check. The section chair's signature is required if the form is to reimburse the treasurer or their firm.

Mileage rates are based on the IRS allowable rates. The most current expense reimbursement form reflecting the IRS current rate is available on the bar's website.

See sample on page 60.

Section Check Request (Available Online)

Vendors shall be instructed to send invoices directly to the OSB, Attention: Accounts Payable with the section name specified on the invoice. Accounts payable will attach a check request form to the invoice and forward it to the treasurer for a copy of the invoice for follow-up if the treasurer does not return it to the bar for payment within a reasonable period of time.

If a request for disbursement is required but no billing is available, or if an invoice is sent directly to a treasurer, the treasurer should complete a section check request form and forward it to the bar - Attention: Accounts Payable. These may be delivered via email to accountspayable@osbar.org. Upon receipt of the approved invoice, the bar will pay it according to the vendor's terms.

All disbursements will be mailed directly to the vendor/payee.

See sample on page 62.

Cash Received Form (Available Online)

Section revenue from CLE registrations and other sources, submitted directly to the section treasurer or another designated member shall be sent to the bar's accounting department accompanied by a completed Cash Received Form. This form is available in Excel and Word formats. Treasurers must sign this form.

Cash receipts are considered to be either currency or checks. NOTE: Please **do not mail cash** to the bar. Any cash received should be replaced by a check - either personal or from the treasurer's firm; however, the Cash Received Form should indicate from whom the cash was received. All checks should be made payable to the Oregon State Bar.

The form should be completed listing the persons from whom the money is received. It is important to identify the type of activity in the space designated "In Payment Of _____". (e.g., one form for newsletter subscriptions, one form seminar registrations, etc.). In lieu of the Cash Received Form, a listing may be submitted which follows the same format as the section Cash Received Form. The listing must also include a total.

See sample on page 63.

Transfer of Funds Authorization for the MCLE program Sponsor Fee

The MCLE Transfer form is used to authorize transfer of funds for the MCLE program sponsor fee from the section's expense account to the MCLE revenue account. An email from the section treasurer or Chair, in lieu of the form, will also suffice. The email should include all of the information requested on the form and should be sent to Denise Cline at dcline@osbar.org.

See sample on page 64.

SAMPLE MEMO TO SECTIONS

2009 Budget Memo SAMPLE

Date: September 13, 2009
To: Section Treasurers
Cc: Section Chairs & OSB Staff Liaisons (letter only)
From: Michelle Peterson, Controller
Ext. 305, *E-mail:* mpeterson@osbar.org, *Fax:* (503) 598-6905
Re: **Information for Preparing Section Budgets for 2009**

This information is for the preparation of your section's budget for 2009. Each section is required to complete an annual budget for the coming fiscal year. Completed budget documents are reviewed and approved by the bar's Budget & Finance Committee.

Sections intending to change their membership fee for 2009 must complete their budget by October 15, 2008. This is due to the printing deadline for the 2009 membership fee statement form.

If you have any questions about the budget process or the material enclosed contact either Michelle Peterson at 503-431-6305 or 1-800-452-8260 (ext. 305), or Cathi Pittman (ext. 302).

DEADLINE:

- If **changing** your section dues for 2009: **October 15, 2008.** (**If** *your section is considering a dues change and has not notified the bar yet, please contact me now.)*
- If **no change** in your section dues for 2009: **December 1, 2008**

WHAT IS ENCLOSED IN THIS PACKET:

- Section Budget Preparation Instructions
- Your section's 2009 budget worksheet – in Excel file form
- Long Range Plans and Target Reserve Form – separate tab in above Excel file

WHAT TO RETURN TO THE BAR

- **The completed 2009 budget worksheet.** *(If you are changing the section dues, please include a brief memo indicating reason(s) for the change.)*
- C**ompleted 2009 Long Range Plans and Target Reserve Form** in the same file as the budget worksheet.

RETURN COMPLETED BUDGET (Excel file) TO:

PREFERRED> E-mail: mpeterson@osbar.org

Mail: Oregon State Bar
Attn: Michelle Peterson
PO BOX 231935
Tigard, OR 97281-1935

Section Budget Preparation Instructions

Deadline:

- If changing your section dues for 2013: October 15, 2012
- If no change in your section dues for 2013: December 3, 2012

Budget Assistance

- Michelle Peterson
  Controller, Ext. 305
  mpeterson@osbar.org

Return Completed Budget (In Excel) To:

E-mail: mpeterson@osbar.org

Instructions

Your budget worksheet has been provided in an Excel format. Some formulas are provided for your convenience. You may notice that you are not able to put your cursor in certain cells that are protected. This is to prevent accidental destruction of the various formulas.

1. Save the 2013 Budget Worksheet on your hard drive or network before you add new data, as a backup copy.

2. Enter the Total # of members you are projecting your section will have for 2012 in the “Total # of Members @ 12/31/2012” box. This total is the current # of members supplied to you in the “Current # of Members Box” PLUS any additional new members you anticipate will join the section during the remainder of 2012.

3. Enter your section’s dues rate for 2013 in the “Dues Rate for Budget Year 2013” box.

4. Enter the total # of members you are projecting will join your section in 2013 in the “Projected # of Members for 2013” box. The Membership Fees revenue and OSB Support Service Assessment lines will calculate for you.

5. Complete the "Projected Total @ 12/31/2012" column by estimating your section’s activity for the remainder of this year for your other revenues and expenses, by taking the Current YTD @ 8/31/2012 column PLUS any additional. The purpose of the 2012 projection calculation is to determine whether your section has a fund balance adequate to operate in 2012. After you enter the projected amounts, the various totals should calculate for you. The Ending Fund Balance projected for 2012 will also calculate for you.

6. Complete the "2013 Budget Amount" column by estimating your section’s activity for your other revenues and expenses for 2013. See TIPS section for help with your other revenue and expense accounts.

7. After figuring all anticipated activity in the “2013 Budget Amount” column, the total revenues, total expenses, Net Revenue (Expense) and Fund Balance lines will calculate.

8. Complete the Long Range Plans form, on a separate tab in this same file. This plan should include a brief narrative of your “Section Long-Range Plans” for programs and/or activities that require an accumulation of funds. Any activities or programs for which you will be accumulating funds in the future should be listed here. Also, on this sheet is the section’s "Target Reserve." This reserve sum is to be calculated to protect the section from any financial loss or shortfalls and allow adequate funding for current section activities. Both portions of this worksheet must be completed and returned along with the budget worksheet.

Tips For Other Revenue & Expense Accounts

- Include new, enhanced, or decreasing projects or activities. It can be very helpful to devote some time at an Executive Committee meeting to help determine the activity level of the section over the next fiscal year.
- To assist you in budgeting CLE & Newsletter expenses, please refer to the Section newsletter costs and CLE Services topics in your 2012 Section Leader Handbook. Reminder: A policy issue which arises every year, particularly during section conferences and CLEs, regards the use of alcoholic beverages. The bar’s policy, which applies to sections, prohibits paying for any alcoholic beverages. Thus, if the section plans to provide alcoholic beverages at an event, it must be a no-host event or a host other than the section.

- The expense account titled "OSB Support Service Assessment" is the Bar's service charge to the sections to cover the cost of processing section revenues and expenses and other section services. The assessment is $6.50 per member for 2012 and is made on a per member basis. If your section has voted to grant judges and their lawyer staff complimentary section memberships for 2012, the OSB Support Service Assessment will be waived on those particular complimentary memberships only. At this time we have no historical data to estimate judiciary participation in this new offer.

Section Budget Worksheet

Workers' Compensation – 830

G/L#	Description	2004 Actuals	2005 Actuals	08/31/06 2006 YTD	2006 Budget	Projected Year End 12/31/06	2007 Budget Amount
830-U002-000	**Dues Rate**				**$25**	**$25**	
830-U001-000	**Member Count**	**364**	**361**	**359**	**360**		
	OSB Admin Fee per member				**4**	**4**	**5.25**
	REVENUES						
830-4025-000	Annual Event		27,305	28,820	[illegible]		
830-4405-000	Membership Fees	8,900	9,025	8,975	[illegible]	0	0
830-4565-000	Registrations - Conferences/Seminars	26,106	3,925	2,700	[illegible]		
830-4999-000	Miscellaneous Income						
	Total Revenue	**35,006**	[illegible]	[illegible]	**39,000**	[illegible]	**0**
	EXPENSES						
830-7040-000	Annual Meeting	[illegible]	[illegible]	27,085	25,000		
830-7195-000	Committee - Executive	[illegible]	[illegible]	1,529	2,000		
830-7245-000	Conferences / Seminars	[illegible]	[illegible]	75	5,000		
830-7270-000	Contributions - Campaign for [illegible]	[illegible]			1,000		
830-7715-000	Newsletter	[illegible]					
830-7745-000	OSB Support S[illegible]es Assessme[illegible]	[illegible]	1,444	1,436	1,424	0	0
830-7885-000	Telephone - Co[illegible]feren[illegible] Calling	[illegible]	400	238	500		
830-7999-000	Miscellaneous E[illegible]pense				500		
	Total Expens[illegible]	**38,420**	**34,303**	**30,363**	**35,424**		**0**
	[illegible] Reven[illegible] / [illegible]xpense)	**(3,414)**	**5,952**	**10,132**	**3,576**	**0**	**0**
830-3100-000	**Beginning [illegible]und Balance**			**11,586**		**11,586**	**11,586**
	En[illegible]ng Fund Balance (Beginning Fund Bal. + Net Revenue/(Expense))			**21,718**		**11,586**	**11,586**

Section Long Range Plans Budget Report

Section Name ____________________

Budget Year 2007

General Information:

Sections that require an accumulation of funds are required to complete this form, detailing the programs or activities for which the funds will be used. Please complete this form and submit this with your budget worksheet.

Section I - Describe programs/activities which require an accumulation of funds:

Section II - Enter target reserve balance: $ __________

Prepared By: ____________________ **Date:** __________

Sample

Oregon State Bar

Expense Reimbursement Report

Submit to: Accounts Payable, P.O. Box 231935, Tigard OR 97281-1935

Section Members: submit this form to your section **Treasurer for approval**, they will forward it to the bar.

DETAILED Receipts are required (except for meals at per diem rates) - Please attach.

Name: ________________________ **Sec/Dept:** ____________ **Bar #:** ______

Mailing Address:	Detailed description of business expenses or activity for each day below:

Expenses:	Date : / /	Date : / /	Date : / /	Date : / /	Date : / /	**Totals**
Breakfast						$
Lunch						$
Dinner						$
Lodging						$
Airfare/Car Rental						$
Taxi & Local Fare						$
Parking						$
Misc-Specify below						$
Totals	$	$	$	$	$	$

Mileage Reimbursement

Date	Travel to/from:	Mileage	Remarks	
	Total Mileage		0.555 / mi	$

Accounting Distribution		**Totals**	
Account #	Amount	Total Expenses	$
		Less Advance	$
		Total Reimbursement	$
		or Amount due to OSB	$
		Approval Signatures & Date:	
		Sec./Dept Approval:	
		Accounting:	
	$	CFO:	

Signature of requestor (required for payment): **Date:**

Attach necessary receipts/documentation. See policy below for guidelines.

Oregon State Bar Expense Reimbursement Policy

1. General Policy

a. This policy applies to participation at conferences and meetings or other official Bar business as member of a specified Board, or as an employee of the Oregon State Bar.

b. Members of the Board of Governors, Board of Bar Examiners, State Professional Responsibility Board, and Disciplinary Board shall be reimbursed for their expenses in accordance with this policy when acting in their official capacities. Expenses of board or committee members or employees shall not be reimbursed when attending meetings or conferences in a non-official capacity of the bar.

c. Expenses of spouses or guests shall not be reimbursed except for: (1) specifically budgeted conferences and meetings; (2) bar-sponsored functions where their attendance is specifically expected; and (3) as otherwise approved by the Board of Governors.

d. Requests for expense reimbursement **must be received by the bar not later than 30 days** after the expense is incurred. If an expense reimbursement form is not submitted within 30 days after the meeting, it must include justification as to why it was not timely submitted. If this requirement is not met, reimbursement will not be paid.

e. **Supporting documentation,** e.g. receipt or ticket**, is required** for air, bus, taxi, train, rental car transportation, parking and lodging. Credit card bills **cannot be accepted** in lieu of receipts. **Documentation must show details of purchase**.

2. Out-of-State Travel

a. Out-of-state travel for Board members shall be reimbursed for those persons and meetings set forth in the bar's annual budget or as otherwise approved by the Board of Governors.

b. Employees must obtain approval of the Executive Director prior to traveling out of state.

3. Reimbursable Expenses While on Official Business

a. Transportation
- (1) Use of personal automobile shall be reimbursed at the allowable IRS rate.
- (2) Actual cost of air coach fare.
- (3) Actual cost for taxi, bus, or other public transportation.
- (4) Actual cost of car rental at economy car rate when other transportation is not readily available.
- (5) Actual cost of parking (receipt must be attached or note parking was paid through a meter).

b. Lodging - Actual cost for a moderately priced double occupancy room, except when the location of the meeting or conference requires other arrangements. Lodging of members or employees at personally-owned residences, vacation homes or timeshare condos are not reimbursable.
Fees for pet, fitness center, resort usage and special cleaning are not reimbursable.

c. Meals

(1) reimbursement for **meals without receipts** shall be made at actual cost within the limits of the following schedule:

	In Oregon	**Out-of-state**
Total per day	$66.00	$71.00
Breakfast	$11.00	$12.00
Lunch	$16.00	$18.00
Dinner	$34.00	$36.00
Incidentals	$ 5.00	$ 5.00

(2) In the event that the meals exceed the maximum limits, **DETAILED RECEIPTS** must be submitted with explanation in order to receive reimbursement and must be approved by the Chief Financial Officer or the Executive Director.

(3) Meals purchased for members of the bar or other persons in the course of official bar business shall be reimbursed at actual cost with submission of detailed receipts, the names of attendees and a description of the business purpose of the event.

(4) Official dinners, meetings or banquets of the Oregon State Bar at which eligible persons and their spouses/guests are specifically expected to attend shall usually be paid for by the Bar and, if not, shall be eligible for reimbursement.

d. Miscellaneous

(1) Telephone, postage, office expense, registration fees, and other legitimate business expense items shall be reimbursed at actual cost with submission of DETAILED RECEIPTS and explanation of purpose of expense.

(2) Gift and gift card purchases must be accompanied by detailed receipts indicating the business purpose of the gift, and the name of gift recipient(s).

(3) Personal expense items shall not be reimbursed by the Oregon State Bar.

e. **Non-Reimbursable** Expenses
- (1) Alcoholic beverages: bar funds (including funds of sections) shall not be used to pay the cost of alcoholic beverages.
- (2) Lodging: movie rentals will not be reimbursed.
- (3) Lodging of members at their own residences, vacation homes or timeshare condos are not reimbursable.
- (4) Fees for pet, fitness center, resort usage and special cleaning are not reimbursable.

Rev. 01/2010

Oregon State Bar

Oregon State Bar

Section Check Request

This form requires signatures and attachments so must be printed after completion on-line.
Check will be mailed directly to payee, so attach any desired enclosures.

Name of Section:

Please issue check as follows:	*Invoice #*	*Invoice Date:*	
In favor of		*Vendor #*	*Amount $*
Address, including city, state & zip			

Payment Information

Payment Description

Business Purpose

Special Instructions to Accounting

Account codes and Treasurer Approval

Section Account number(s) for this expense:	**$ Amount**	**Remarks**
- -	**$**	
- -	**$**	
- -	**$**	
- -	**$**	

Treasurer's Approval - Required	***Chair's Approval - if applicable***

Accounting Use Only

Accounting Approval	*CFO Approval*

Accounting notes:

Possible new 1099 - Request W-9 - Y/N

Section funds shall not be used to pay the cost of alcoholic beverages

Oregon State Bar

OREGON STATE BAR SECTION
CASH RECEIVED FORM

Submit to: Oregon State Bar, Attn: Accounts Payable. P.O. Box 231935, Tigard, OR 97281-1935

Section Name: ______________________ Date: __________

Treasurer: ______________________

In Payment of: ______________________________________

Cash or Checks Received

Remitted By	Attendants(s)	Date of Check	Amount
		Total $	

Credit Acct #: ______________

Report Prepared by: ______________________ ***Date:*** __________

Transfer of Funds Authorization for the MCLE Program Sponsor Fee

This form is to be used to authorize the transfer of funds from an Oregon State Bar section account for the payment of the MCLE program sponsor fee. A fee is required for each live program and for each video replay ($40 for # 4 hours, $75 for > 4 hours).

Name of Section	
Program Title	
Program Date(s)	
Program Location(s)	
Total Number of Programs/Replays	
Total Program Sponsor Fee	
Section's OSB Account to be Charged	

I hereby authorize the transfer of funds from the section's Oregon State Bar account to the MCLE program sponsor fee account in payment of the program sponsor fee.

Date	Signature of Section Treasurer

Account to be credited: 21-4550

Public Meetings Law

The Oregon State Bar is subject to the Public Meetings Law by virtue of ORS 9.010[1]. The Public Meetings Law gives effect to Oregon's policy of open decision-making by the state's public bodies; in furtherance of that policy, the law requires that meetings at which decisions about the public's business is made are open to the public; that the public has reasonable notice of the time, place, and agenda for the meetings; and that the meetings be accessible to persons wishing to attend.

The Public Meetings Law applies to all meetings of a quorum of the Board of Governors. It also applies to meetings of the Board's standing and other committees for which a quorum is required to make a decision or a recommendation to the Board.

The Public Meetings Law is a public attendance law, not a public participation law. The right of the public to attend does not include the right to participate by giving testimony or comment.

Voting

- All official action must be taken by a public vote.
- The vote of each member must be recorded.
- If written ballots are used, each ballot must identify the member voting and the vote must be announced.

Minutes

Minutes must be kept of all public meetings, either in writing or by sound, video, or digital recording. The minutes must include at least the following:

- The names of members present,
- Motions and other proposals offered, and their disposition,
- The results of all votes and the vote of each member by name,
- The substance of the discussion on any matter (a true reflection of the matters discussed and the views of the participants), and
- A reference to any document discussed at the meeting.

Minutes are public records even before they are approved, although they can be marked as "draft" or otherwise to indicate their status.

Executive Session

An executive, or "closed," session is a public meeting that is closed to certain persons while the public body deliberates on certain matters. Executive sessions are not the same as meetings and proceedings that are exempt from the Public Meetings Law altogether, such as judicial proceedings and meetings of the State Lawyers Assistance Committee. Executive sessions must comply with all applicable provisions of the Public Meetings Law, while exempt proceedings need not.

The Public Meetings Law allows for executive session in a variety of circumstances; those that typically apply to the bar are sessions to:

- Consider the employment of specific candidates for executive director,
- Deliberate with agents designated to negotiate real property transactions for the bar,
- Discuss the contents of any public record that is exempt from disclosure,
- Consult with legal counsel concerning the bar's rights and duties in pending or anticipated litigation, and
- Review and evaluate the performance of the executive director, except that discussion of the executive director's salary may not be held in executive session.

Regardless of the basis for the executive session, the board or other body must return to open session to take any final action or make a final decision.

The Public Meetings Law does not define "final action" or "final decision," but the fact that further action or further decisions may be need does not make any particular action or decision less final. Two factors are relevant in determining whether an action is final: The nature of the proposed decision, and the purpose of the statutory authorization for executive session. A decision to spend money is rarely appropriate for executive session. When the finality of a decision is less clear, consideration should also be given to the rationale for the executive session and whether a public announcement of the proposed decisions will frustrate the policy behind the executive session or seriously compromise further action that must be taken. When in doubt, prudence suggests making the action or decision in open session.

[1] ORS 192.610 to 192.690

Convening an Executive Session

An executive session may be called during any regularly scheduled, special, or emergency meeting for which due notice has been given. When the body is ready for executive session, the presiding officer must announce the statutory authority for the executive session prior to going into executive session. The announcement should identify any persons other than news media who may remain and, if final action is anticipated, when the open session will resume. If media are present, the presiding officer should indicate any matters to be discussed in executive session that may not be disclosed.

Attendance at Executive Session

The Public Meetings Law expressly permits representatives of the media to attend executive sessions. The rationale is that it offers them background information that will enhance their understanding of the final decisions and their ability to keep the public better informed. However, the public body may require that the media not report specific information discussed during the executive session. Absent such a directive, the media is entitled to report without limitation, which may frustrate the purpose of having the executive session. At the same time, the nondisclosure requirement should be no broader than necessary to serve the body's needs. The media cannot, in any event, be forbidden from reporting the general nature of the discussion or the statutory basis for the executive session.

"Representative of the media" is not defined in the Public Meetings Law but is interpreted by the Attorney General to mean reporters of media that generally report on the activities of the body or matter of the nature under consideration.

Other than representatives of media, executive session are generally closed to all but members of the governing body and persons reporting to the body about the subject of the executive session or who are otherwise involved in the matter. The governing body may, however, invite others to attend without losing the executive character of the session.

Effect of Violation

A person who is affected by any decision made in contravention of the Public Meetings Law may seek injunctive or declaratory relief to require compliance with or prevent violations of the law. Improperly taken actions are not void, but if a court finds that the violation resulted from intentional disregard of the law or willful misconduct by a quorum of the body, the court may void the decision if no other equitable relief is available. At the court's discretion, a successful plaintiff may be awarded attorney fees and costs. Those attorney fees and costs will be the personal obligation of any member who is found to have engaged in willful misconduct.

If the violation is also a violation of the Government Standards and Practices Act, civil penalties may also be assessed against individual members of the governing body, unless they acted on the advice of the public body's legal counsel.

Meeting Management Rules of Order

The most productive meetings are those that provide for an open (but controlled) discussion in a relaxed atmosphere. As you preside over meetings, your leadership style will establish the pace and mood. When deciding on important issues, many leaders conduct meetings using Robert's Rules of Order.

Tips on Using Robert's Rules of order

1. Before an issue can be discussed, you must call a motion.
2. Discussion comes after the motion is seconded and before any vote.
3. Motions are amended by inserting, adding, striking out or substituting.
4. A motion can have only two amendments and the second one must apply to the first.
5. The chair should always restate the motion and any amendments.
6. You may sense when discussion is completed and "Are you ready for the question?"
7. A motion postponed indefinitely is dead, or at least until the next meeting.
8. You can limit debate by general consent: "If no one objects, we will limit debate to 5 more minutes." An objection requires a 2/3 vote to limit.
9. A motion to reconsider a matter can only be rescinded by someone who voted on the prevailing side.
10. A motion to recess for a specific amount of time is not debatable and may be useful to cool debate or to caucus to decide the best course.
11. The chair should announce the results of a vote and the effect of the decision. "The ayes have it and the bill will be paid."
12. Debate always is confined to the pending motion, may be started by the person who made the motion, requires recognition of the speaker by the chair, is directed to the chair, gives all a chance to speak before someone else speaks twice, prohibits the motion maker from speaking against the motion.

10 Tips on Conducting Quality Meetings

1. Plan an agenda review meeting between the President and Executive Director
   - administrative vs. policy
   - format of agenda
   - strategic planning – short term
2. Use folder method for future meetings, one per meeting
   - committee feedback
   - tabled items
   - when more information required
   - strategic planning – long term
3. Having an agenda
   - President/Executive Director control access
   - informational vs. action
4. Mail agenda and backup in advance to board members and appropriate committee members
   - two working days in advance
   - anticipate questions and answer them in backup material
5. Start a “members to be heard” item, limited to five minutes, so members have board access, and announce your new policy in publications and at meetings
6. Start and end on time
   - start without a quorum if necessary
   - have time of beginning and end on agenda
7. Balance respect for board members’ time with goal of open discussion
8. Use agenda as focal point of meeting to achieve board actions necessary
9. Be a facilitator, not dictator
   - draw out minority positions by asking questions
   - reflect discussions/viewpoints in minutes
10. Keep detailed minutes
    - with backup material
    - for future guidance, future meetings folders

Effective Meetings

How to Conduct Meetings that Work

Have a reason to meet

When and where the meeting will be held are important considerations. However, the very first question that should be asked is, "Why are we meeting and what do we want to accomplish?" If there are no clear-cut answers to this question, don't hold the meeting.

The dates of some meetings, such as those of standing committees and of the board of directors, may be set by the bylaws. The where of a meeting is usually decided by custom, room availability, or the availability of space at the association headquarters. You may be able to meet at the president's, or other association officer's law office. The time set for the meeting and how long it should run should be given careful consideration. Those held at the end of the day seldom hold the attention of members once normal quitting time has passed. 10:00 a.m. and 2:00 p.m. are optimum times for meetings. Whatever timetable you choose, stick to it.

Know who participates

The matter of who attends association meetings is seldom left to the leader. Participants are elected or selected, or they may simply volunteer. In working committees, it's best to have a definite limit on membership; the optimum size for getting results is five to 15 members. If there is no limit on committee size and you have more than 15, divide the members into smaller groups for specific tasks.

The agenda

Do not conduct a meeting without a written agenda. Agendas should be typed up and distributed to all participants well in advance to give them time to prepare. The agenda should list the date, place and estimated length of time of the meeting. The names of the participants should be given, together with the subject of the meeting, some background information and the status of the material to be discussed. Most important, the agenda should clearly set forth the goal of the meeting. An agenda will give the meeting structure and keep in on track. Do not allow the participants to stray from the agenda. Set time limits for all of the items on the agenda. You also need to be sure that new committee members are brought up to date on the committee's activities and plans before the meeting so that valuable time is not spent during the meeting orienting new members.

Seating arrangements

Studies have shown that people react in certain predictable ways in certain physical surroundings. The seating arrangements of your meeting can effect its productivity. Ideally, a round table is best, but this only works for a small group. A wide rectangular or U-shaped arrangement is effective for larger meetings. The leader should be easily seen by all participants.

Start on time

The meeting should always start on time. Don't wait for anyone. It sets a bad example and discourages others from being on time. Take your watch off at the beginning of the meeting and set it in front of you. This shows that you mean to stay on schedule. Briefly state the purpose of the meeting and emphasize the positive aspects of the subject. Each participant should introduce themselves before the discussion begins.

During the meeting

Be sure the group is focused on the same content. You should have a blackboard or flip chart to list the points being discussed. This is also a useful tool in defusing a heated discussion; since listing the points being discussed seems to disassociate the idea from the person proposing it. Before the meeting is adjourned, review the points discussed, conclusions and action items developed and be sure that all participants are in agreement.

After the meeting adjourns

Once the meeting is adjourned, the leader still has work to do. The results of the most successful meeting will slip away if they are not put into concrete form almost immediately. You should set up a standard form for a follow-up memo. It should include the date of the meeting, name of the sender, subject of meeting, participants, conclusions reached and action items. The action items should include the person(s) assigned responsibility and deadlines.

Adapted from How to Conduct Meetings that Get Results from The Florida Bar's 1990 Bar Leader Handbook and How to Make Your Meetings Work from the State Bar of California's Passport for the New Bar President.

Secrets to Better Meetings

Each meeting is unique. That makes it possible to set up a complete set of procedural rules for meeting leaders to follow. However, there are important ground rules that apply in almost all meetings.

Respect Other People's Time. When the meeting gets to the point that the special expertise or knowledge of key participants is no longer needed, offer these people the opportunity to excuse themselves. When they realize you are sensitive to not wasting their time, they will be more willing to help you out in future meetings.

Improve Communications. If you are leading a meeting, gear your vocabulary to the least sophisticated member of the group. Be on the lookout for abstract or pedantic language from other meeting participants and be ready to "translate" such language into colloquial speech.

Record All Ideas. At creative meetings, it is vital to avoid intolerance of participants' seemingly bad ideas. Ideas that seem silly today may be valuable sometime in the future. Record all ideas at a meeting for evaluation.

End Meetings After Defined Responsibilities and Firm Deadlines Have Been Established. If the meeting's purpose is to come up with an action plan, be sure that everyone clearly understands who is to do what by when.

Conclude With Summary Statements. The meeting leader should briefly summarize the proceedings and accomplishments of the meeting at its conclusion to underscore the focus of the meeting and to make clear what individuals are expected to do to follow-up.

Provide Means to Handle Unfinished Business. If times runs out before all points of the agenda have been dealt with, get agreement from participants on a plan to take up the unfinished business at a later time.

Oregon State Bar

Professional Liability Fund

Ira R. Zarov
Chief Executive Officer

A message from Barbara S. Fishleder
PLF Director of Personal and Practice Management/ OAAP Executive Director

We greatly appreciate your commitment to lawyers in Oregon. As a Bar Leader, you are in a unique position to help us help lawyers. You will find that members of the legal and judicial community contact you for information and clarification about where to turn for assistance. In order to assist with that process, I have enclosed some information describing the extensive practice management and personal assistance services offered by the Professional Liability Fund and the Oregon Attorney Assistance Program. We really appreciate your interest in our programs and your willingness to help us spread the word to members of the legal community.

It is our hope to help lawyers and judges function as effectively as possible. To accomplish this we offer practice management advisors that work directly with lawyers at their law office; hundreds of free forms and checklists; and free handbooks that explain trust accounting, setting up and running a law office, tips for sole practitioners, and Oregon statutes relating to Time Limitations. Lawyers and law firm staff do not need to reinvent the wheel – they just need to access the resources of the PLF!

We also offer personal assistance through the Oregon Attorney Assistance Program (OAAP), where lawyers and judges can obtain assistance with a wide variety of issues including stress management, time management, alcohol and drug abuse, career transition, depression, anxiety, retirement, and much more. All of our services are completely confidential. There is no downside to accessing the OAAP.

We are also available to present CLE programs for free to Bar Associations, law firms, and law related organizations. We can present on a wide range of topics – from Avoiding Malpractice to Working with Difficult People. If you are interested in arranging a free CLE program, contact me.

Please take a few moments to familiarize yourself with the enclosed material. Our websites are also a rich treasure of information. To visit the PLF website, go to www.osbplf.org; to visit the OAAP website, go to www.oaap.org.

Thank you very much for your time and for helping us to help lawyers. Please feel free to call me or email me for more information. I am happy to provide you with whatever you need.

Sincerely,

Barbara S. Fishleder

Barbara S. Fishleder
Director of Personal and Practice Management Assistance
barbaraf@osbplf.org
503-684-7425

503.639.6911 I Oregon Toll Free: 1.800.452.1639 I Fax: 503.684.7250 I www.osbplf.org
Street Address: 16037 SW Upper Boones Ferry Rd. I Suite 300 I Tigard, OR 97224
Mailing Address: PO Box 231600 I Tigard, OR 97281-1600

THE OAAP OFFERS HELP FOR...

- Alcohol and drug addiction
- Recovery support
- Burnout and stress management
- Career transition and satisfaction
- Depression, anxiety, and other mental health issues
- Compulsive disorders including gambling, sex, and Internet addiction
- Procrastination
- Relationship issues
- Retirement planning
- Time management

If you would like information about these topics, please call:

OAAP ATTORNEY COUNSELORS

Meloney C. Crawford, JD, CADC III, NCAC II, CGAC II
Mike Long, JD, MSW, CEAP
Douglas S. Querin, JD, MA, CADC I
Shari R. Gregory, MSW, JD

503-226-1057
1-800-321-OAAP (6227)
www.oaap.org

OAAP
helping lawyers and judges for over 25 years

520 SW Yamhill
Suite 1050
Portland, Oregon 97204

4-1

Providing Completely Confidential Assistance to Lawyers and Judges for Over 25 Years

Oregon Attorney Assistance Program

OAAP

503-226-1057
1-800-321-OAAP (6227)
www.oaap.org

OAAP
helping lawyers and judges for over 25 years

WHAT IS THE OREGON ATTORNEY ASSISTANCE PROGRAM?

The Oregon Attorney Assistance Program (OAAP) is a *confidential* service funded by the Professional Liability Fund for all Oregon lawyers and judges. We provide assistance with alcoholism, drug addiction, stress management, time management, career transition, compulsive disorders (including gambling addiction), relationships, depression, anxiety, and other issues that affect the ability of a lawyer or judge to function effectively.

OAAP attorney counselors all have experience practicing law and have personal experience and/or training in addiction, compulsive disorders, 12-step programs, career transition, stress management, mental health issues, and other areas of assistance provided by the program.

COMPLETELY CONFIDENTIAL

All communications with the OAAP are completely confidential and will not affect your standing with the Professional Liability Fund or the Oregon State Bar. No information will be disclosed to any person, agency, or organization outside the OAAP without the consent of the lawyer or judge accessing the program. Contacts with us are kept strictly confidential pursuant to ORS 9.568, PLF Policies 6.150 - 6.300, OSB Bylaw Ch. 24, and ORPC 8.3(c)(3). The only exceptions are: 1) to avert a serious, imminent threat to your health or safety or that of another person and 2) to comply with legal obligations such as ORS 419B.010 and ORS 124.060 (child abuse and elder abuse).

ARE THERE ANY COSTS?

All of our services are free, except for a nominal fee charged for some workshops and seminars. If additional professional help is needed, we can serve as a referral resource.

HOW DO I RECEIVE ASSISTANCE?

Call us. We are here to help.

OAAP ATTORNEY COUNSELORS

Meloney C. Crawford, JD, CADC III, NCAC II, CGAC II
meloneyc@oaap.org

Mike Long, JD, MSW, CEAP
mikel@oaap.org

Douglas S. Querin, JD, MA, CADC I
douglasq@oaap.org

Shari R. Gregory, MSW, JD
OAAP Assistant Director
sharig@oaap.org

503-226-1057
1-800-321-OAAP (6227)

OAAP EXECUTIVE DIRECTOR
Barbara S. Fishleder
503-684-7425/barbaraf@oaap.org

OAAP
helping lawyers and judges for over 25 years

4-2

Meloney C. Crawford is a graduate of Temple University School of Law (JD 1981). She was in private practice for two years, marketed WESTLAW products for eight years, and worked for several years in publishing as a writer and an editor. In recovery since 1988, Ms. Crawford joined the OAAP staff in 1999. She is certified as an Alcohol and Drug Counselor both nationally (NCAC II) and in Oregon (CADC III), and is also a Certified Gambling Addiction Counselor (CGAC II).

Mike Long is a graduate of Hastings College of Law, San Francisco, California (JD 1983) and Portland State University (MSW 1991). He was in private legal practice in Portland between 1985 and 1990. Mr. Long worked in alcohol and drug residential treatment from 1990 to 1991 and as a therapist and crisis counselor from 1991 to 1993 before joining the OAAP staff in 1994. He is a Certified Employee Assistance Professional (CEAP) and a coauthor of *Lawyers at Midlife: Laying the Groundwork for the Road Ahead* (DecisionBooks, Seattle: 2008).

Douglas S. Querin is a graduate of the University of Oregon (JD 1971) and George Fox University (MA in Counseling 2006). He was in the private practice of law in Portland for over 25 years, working as a trial lawyer in state and federal courts throughout the Pacific Northwest. In recovery since 2002, Mr. Querin joined the OAAP staff in 2006. He is a Certified Alcohol and Drug Counselor (CADC I) and the 2008 recipient of The Oregon Counseling Association Distinguished Service Award.

Shari R. Gregory is a graduate of Wurzweiler School of Social Work (MSW 1987) and Rutgers School of Law (JD 1992) and received her certificate of Business Management from Portland State University (2003). Her counseling experience includes career counseling, mental health counseling, crisis intervention, transition counseling, and alcohol and drug counseling. Ms. Gregory was in private practice specializing in criminal defense law for four years before joining the OAAP staff in 1999. She is the assistant director of the OAAP.

PRACTICE MANAGEMENT

We are available to assist
any law office in Oregon.
Reduce your risk of malpractice claims and
enhance the enjoyment of practicing law.

Contact the
Professional Liability Fund's
Practice Management Advisors:

Dee Crocker – deec@osbplf.org
Beverly Michaelis – beverlym@osbplf.org
Sheila M. Blackford – sheilab@osbplf.org

503-639-6911 or 800-452-1639
Facsimile 503-684-7250
www.osbplf.org

There is no charge for this confidential service.

Practice Management &
Malpractice Prevention Assistance

Practice Management Advisors of the Professional Liability Fund

Oregon State Bar
Professional Liability Fund
P. O. Box 1600
Lake Oswego, Oregon 97035

Practice Management Advisors of the Professional Liability Fund
P. O. Box 231600
Tigard, Oregon 97281-1600

Practice Management &
Malpractice Prevention Assistance

Call for *free* and *confidential*
law office systems assistance.

Practice Management Advisors of the Professional Liability Fund

503-639-6911
800-452-1639
www.osbplf.org

Oregon State Bar

OREGON STATE BAR
PROFESSIONAL LIABILITY FUND
P. O. Box 231600
Tigard, Oregon 97281-1600

Malpractice Prevention

Administrative errors, such as missed dates and deadlines, account for the majority of legal malpractice claims. Improving your office systems can substantially reduce your risk of potential claims and enhance the enjoyment of practicing law.

Free and confidential assistance with office systems is available through the Professional Liability Fund's Practice Management Advisor (PMA) Program. Practice management assistance is available to all Oregon lawyers for a wide range of needs, including:

SETTING UP A LAW PRACTICE

- Deciding the form of entity
- Choosing a location for your office
- Buying a law practice
- Furnishing your office
- Budgeting
- Hiring staff
- Sharing office space
- Referring work and splitting fees

OFFICE SYSTEMS

- Creating and using a conflict system
- Implementing and using a calendaring system
- Setting up periodic file reviews
- Keeping files organized and up-to-date
- Establishing systems for opening and closing files
- Establishing procedures for file retention and destruction
- Minimizing filing time
- Processing mail to minimize lost documents and missed deadlines
- Transitioning to a paperless office

TECHNOLOGY

- Purchasing hardware
- Finding software for docketing, case management, conflict systems, tickler systems, time and billing, general ledger, and trust accounting
- Using pleading templates for Word and WordPerfect

OFFICE MANAGEMENT

- Handling mail and email efficiently
- Creating a procedures manual
- Documenting personnel and office policies and procedures
- Using form books
- Using checklists and other practice aids to simplify workflow
- Establishing blocks of time for uninterrupted work
- Learning to delegate appropriately
- Managing time to reduce stress and improve working conditions

FINANCIAL MANAGEMENT

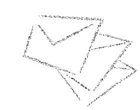
- Keeping accurate time records
- Preparing and sending billing statements
- Billing to meet clients' needs
- Developing alternatives to hourly billing (and determining when to use them)
- Tracking client funds
- Understanding trust accounting and general accounting
- Understanding IOLTA and lawyer trust account procedures
- Reconciling accounts
- Disbursing trust funds
- Disbursing settlement proceeds
- Avoiding overdrafts
- Handling unclaimed property
- Record keeping
- Managing accounts payable and receivable
- Handling collections
- Budgeting
- Managing office overhead

CLIENT RELATIONS

- Selecting cases and clients that are a good match for you
- Using intake and new client information checklists
- Clarifying information about case costs
- Reviewing fee agreements with clients
- Establishing client service policies
- Documenting case information
- Transmitting information to clients
- Creating and meeting realistic client expectations
- Marketing
- Building a solid client base

CLOSING A LAW PRACTICE

- Selecting a "buddy" or "assisting attorney" to help close your practice in an emergency
- Returning files to clients
- Transferring files to other lawyers
- Storing closed files



RESOURCES

- Sample letters and forms
- Practice aids for a wide variety of areas of law
- Audio/video materials
- For these and other resources, visit www.osbplf.org

Oregon State Bar **Professional Liability Fund**

CLE Seminars & Publications Catalog - www.osbplf.org

Phone: 503-639-6911 or 1-800-452-1639; Fax: 503-684-7250

The Professional Liability Fund offers a free lending library of CLE programs and materials to lawyers whose principal offices are in Oregon. (A minimal fee is charged for materials and shipping if office is located outside of Oregon.) All items can be ordered from our Web site: www.osbplf.org. ***You may order up to 5 programs at a time.*** Video programs (DVDs) must be returned within a specified amount of time. Audio programs (CDs) may be kept, passed on, or returned to our office.

2010 Practice Management Update: An Introduction to Internet-Based Practice Managment Software: Sponsored by the OSB SSFP Section, OMLA, and the OSB PLF, this seminar explains the theoretical, practical, and ethical issues relating to cloud computing. Also included is an hour-long presentation of Tips, Sites, and Gadgets presented by the PLF's practice management advisors. Presented on July 9, 2010.
3 MCLE general or practical skills credits; 1 MCLE ethics credit

Access to Justice: Topics include recognizing mental impairments, working with impaired clients, multigenerational communication, and working with clients from different cultural backgrounds. Presented November 3 and 5, 2010, as part of the *Learning The Ropes* program.
3 MCLE access to justice credits

Avoiding Legal Malpractice Claims: Topics include frequently missed time limitations, conflicts-of-interest disclosure letters, non-engagement letters, case and client screening, withdrawing from a case, and available resources when you have made a mistake. Presented February 25, 2005.
2.5 MCLE general credits. *Expires 12/31/2012*

Avoiding Malpractice in Family Law: Topics include general malpractice traps, documentation, pre- & post-nuptial agreements, pensions, life insurance, taxes, bankruptcy and more. Presented May 1, 2009.
3 MCLE general or practical skills credits

Avoiding Malpractice When Filing and Serving a Defendant: Topics include filing and service tips and traps, commencing civil actions, forms and methods of service, and requirements of proof of service. Presented February 25, 2005.
2.25 MCLE general credits. *Expires 12/31/2012*

Bankruptcy Issues in U.S. District Court Litigation: This CLE explores what happens when a litigant in a multi-party federal lawsuit files bankruptcy. Speakers include a bankruptcy judge, federal judge, and bankruptcy practitioner. Presented October 21, 2010.
1 MCLE general credit

Best Practices for Avoiding Conflicts and Maintaining Confidentiality: Topics include: how to set up a good system, answers to frequently asked questions, and lessons from the trenches. Presented March 15, 2006.
1 MCLE ethics credit. *Expires 12/31/2012*

Building a Successful Practice Through Improved Client Communication: Featuring internationally known U.K lecturer, Tom Edge, this presentation will teach you how to deliver better service, work with challenging clients, improve your listening skills, improve your law office management techniques, and refine your client communication skills. Presented June 18, 2004.
3 MCLE general credits. *Expires 12/31/2012*

Calendaring, Docketing, and File Tickling Systems: Presented as part of the lunchtime CLE series on practice management. Topics include setting up a calendaring system, file review, setting reminders, and follow-ups. Presented on February 15, 2007.
1 MCLE general or practical skills credit. *Expires 12/31/2012*

Corel WordPerfect X3 Tips: Presented as part of the Practice Management Software Update Brown Bag Series. Tips will include shortcuts and differences from the previous versions. Presented January 18, 2008.
1 MCLE general or practical skills credit. *Expires 12/31/2012*

Employment Practices for Lawyers: Topics include screening, interviewing, hiring employees, applications, background checks, discipline, warnings, and legal obligations in terminations. Presented May 1, 2009.
3.25 MCLE general credits

Enjoy Parenting: Tips on how to balance connecting with our children and setting reasonable limits. Presented by Michael Gorsline, MA, May 21, 2008.
NO MCLE credit

Ethics of Practice Management - Managing Your Practice to Avoid Legal Malpractice and to Comply with Ethics Rules: Topics include trust accounting, conflicts, protecting client confidentiality, and managing client files. Presented as part of the *Learning The Ropes* program, November 4, 2010.
1 MCLE ethics credit and .5 MCLE practical skills credit

Fee Agreements, Nonrefundable Fees, Billing, and Collections: Presented as part of the lunchtime CLE series on practice management. Topics include using engagement, nonengagement, and disengagement letters; reviewing fee agreements; billing tips; and more. Presented on February 1, 2007.
1 MCLE general or practical skills credit. *Expires 12/31/2011*

File Management: Presented as part of the lunchtime CLE series on practice management. Topics include keeping files organized, using client intake forms, establishing filing systems, arranging for file storage, and more. Presented on February 8, 2007.
1 MCLE general or practical skills credit. *Expires 12/31/2012*

Gambling: A Family Matter: This program is presented by OAAP attorney counselor Meloney C. Crawford who is also a certified gambling addictions counselor. This program was presented as part of the Challenges Families Face series and was held on February 27, 2009.
No MCLE credit

Health Insurance Today, At 65, and In Retirement: This seminar will help to answer some of the concerns that have arisen among retiring legal professionals regarding Medicare and the availability of health insurance and long-term care insurance on retirement. Presented by the Oregon Attorney Assistance Program on February 11, 2011.
3 MCLE personal management assistance credits

Increasing Revenue: Updated Strategies for Attracting New Clients and More Effectively Managing and Existing Client Base: Presented by the OSB Sole and Small Firm Practitioners Section on June 15, 2011. This seminar features Ed Poll of LawBiz® Management who explains the seven features of increasing revenue.
1.5 MCLE practical skills credits

Individual and Small Business Cases in Chapter 11: This seminar was presented by the New Lawyers Committee of the Debtor-Creditor Section of the OSB. Topics included basic pre-filing conisderations such as eligibility, feasibility, and case planning. Also discussed are post-filing considerations such as drafting the plan and disclosure statements. Presented on September 11, 2009.
3.25 MCLE general credits

Job Search 2010: Topics include effective job search skills, approaches to networking, resume and job interview tips, and using social media and the Internet in a job seach. Presented on May 17, 2010.
1.25 MCLE personal management assistance credits

Kids and Drugs: What Parents Need to Know: Presented by Dr. Marvin Seppala, Medical Director at Beyond Addictions in Beaverton. This program was part ot the Challenges Families Face series and was held on February 6, 2009.

No MCLE Credit

Lawyers Using iPads: Presented June 1, 2011 as part of Practice Management for Lawyers Using iPads, Less Paper, and the "Cloud." Josh Barrett of TabletLegal and Black Helterline LLP demonstrates how he uses his iPad in his law practice for text editing, drafting legal agreements, calendaring, e-mail, legal research, trial preparation, and more.

1.5 MCLE general/practical skills credits

Learning the Ropes 2011: A practical skills program designed to orient new admittees and lawyers entering private practice. Topics include information on developing a successful practice and avoiding malpractice, access to justice presentations, practical tips from judges and lawyers, and presentations on setting up effective office systems. Presented November 2-4, 2011.

15.75 MCLE credits - 10.75 practical skills; 1 ethics; 1 child abuse reporting; 3 introductory access to justice credits

Legal Productivity: Responsible Connectivity – How NOT to Be Consumed by Technology: This completely original session explores the hazards of constant connectedness and what attorneys can do to manage their risks. Presented July 21, 2011.

1 MCLE general or practical skills credit

Legal Productivity: Seven Ways to Make Your Law Firm More Efficient: Learn Highly Effective tips and tricks for becoming organized, prioritizing work, and eliminating interruptions. Presented July 21, 2011.

1 MCLE general or practical skills credit

Less Paper (The Paperless Office)
Presented June 1, 2011 as part of Practice Management for Lawyers Using iPads, Less Paper, and the "Cloud." Dee Crocker, PLF Practice Management Advisor, provides tips and advice on how to transition to a more sustainable, "less paper" law practice.

1 MCLE general/practical skills credits

Make Every Penny Count: Topics include financial aspects of lawyering such as billing effectively, issuing 1099s, ethical trust accounting, using credit cards wisely, and planning ahead. Presented June 1, 2007.

1.5 MCLE credits - 1 ethics credit and .5 general or practical skills credit. *Expires 12/31/2011*

Malpractice Traps Involving Debtor/Creditor Issues in Real Estate and Business Cases: Topics discussed include: Foreclosure process, document drafting, tax traps, and many other issues. Presented Feb. 5, 2010.

3.5 MCLE general credits

Meeting the Needs of Aging Parents: Issues discussed include how to start the conversation, keys to a successful aging plan, and whom to include in the discussion. Presented by Lynne Coon, MS, NCC, on May 14, 2008.

NO MCLE credit

Microsoft Outlook 2007 Tips: Presented as part of the Practice Management Software Update Brown Bag Series. Tips include shortcuts and differences from the previous versions. Presented January 11, 2008.

1 MCLE general or practical skills credit. *Expires 12/31/2012*

Microsoft Word 2007 Tips: Presented as part of the Practice Management Software Update Brown Bag Series. Tips include shortcuts and differences from the previous versions. Presented January 25, 2008.

1 MCLE general or practical skills credit. *Expires 12/31/2012*

Money Matters: This CLE offers the practice management and communication skills needed for effectively handling money matters. It features Dee Crocker and Beverly Michaelis, Professional Liability Fund practice management advisors, and Brian Farr, MA, LPC, professional financial counselor. Presented January 29, 2010.

2.25 MCLE practical skills credits and 1 personal management assistance credits

Networking and Career Building for Lawyers. Presented April 1, 2011. Co-Sponsored by the Oregon Federal Bar Association and the OAAP. This program features six networking and career development workshops. Topics include private practice, government, house counsel, and pro bono work.

.75 MCLE personal management assistance credits per workshop

Older Adults: Alcohol and Medication Dependence. Presented as part of the Challanges Families Face series. This program was presented on February 13, 2009.

No MCLE credit

Oregon and Washington Construction Law: Comparison and Contrast. Presented April 22, 2011 by the OSB Construction Law Section. Topics include, statute of limitation and ultimate repose, professional liability, lien and bond claim deadlines and pre-claim requirements, retainage liens and stop notices, and much more.

7.5 MCLE general credits

Practical Contract Lawyering: Topics include practice management systems for a contract lawyer, contractor vs. employee distinctions, tax issues, PLF coverage, and ethical considerations. Presented May 1, 2008.

4 MCLE credits - .75 general, 2.5 general or practical skills, .75 ethics. *Expires 12/31/2012*

Practical Law Office Solutions for Sole and Small Firms: Topics include technology solutions and evaluation tools, solutions for e-mail and time management, electronic discovery, and transitioning to the paper-less office. Featuring Sharon Nelson and John Simek, co-authors of *The 2010 Solo and Small Firm Legal Technology Guide: Critical Decisions Made Simple.* Presented May 8, 2009.

5.25 MCLE general or practical skills credits

Practicing in the Cloud – From Intake to Invoicing: Presented June 1, 2011 as part of Practice Management for Lawyers Using iPads, Less Paper, and the "Cloud." Jack Newton, co-founder of Clio, discusses practicing in the cloud. Topics: Overview of what "the cloud" is, the ethics of cloud computing, and using the cloud for managing your practice from intake to invoicing. A hands-on demonstration of Clio is included

1.5 MCLE general/practical pkills and .50 ethics credits

Practicing in the Cloud with RocketMatter®
Learn how to run a paperless office, get bills out on time, and organize your law firm with RocketMatter®. Presented July 21, 2011.

No MCLE credit

Practicing Law with Attention Deficit Disorder: Topics include "Understanding ADD," presented by Alan Kaiser, LCSW, PMHNP; "Treating ADD with Neurofeedback," presented by John McManus, M.Div., Ph.D.; and "Getting Organized with ADD," presented by Harriet Steinberg, RN, MN. Presented as part of a three-week workshop in April/May 2005.

No MCLE credit

Professionalism and the Legal Profession: Presented as part of the *Learning the Ropes* program, November 2008.

1.5 MCLE ethics credit. *Expires 12/31/2012*

QuickBooks 2007 Tips: Presented as part of the Practice Management Software Update Brown Bag Series. Tips include shortcuts and differences from the previous versions. Presented January 4, 2008.

1 MCLE general or practical skills credit. Expires *12/31/2012*

Recognizing Child Abuse and Fulfilling Your Duty to Report: Presented November 5, 2010, as part of the *Learning the Ropes* program.

1 MCLE child abuse reporting credit

Reducing the Pressure: Topics include managing stress caused by technology, working with difficult people, tools for stress management, time management, and managing debt. Presented April 2008.

4 MCLE credits – 3 personal management assistance, 1 practical skills. *Expires 12/31/2012*

continued on next page

Retiring or Changing Careers? How to Leave Your Law Practice Well: Topics include how to make a smooth transition, closing your own firm, checklists, resources, and disposition of files and records. Presented March 8, 2006.
1 MCLE general or practical skills credit. ***Expires 12/31/2012***

Road to Office Organization CLE Series: Topics include examining and defining causes of disorganization, tips for structuring an organized office, and developing time management techniques. Presented as a three-week series January 2005.
3 MCLE general or practical skills credits. ***Expires 12/31/2012***

Smart Isn't Enough - Improving Your Personal and Professional Effectiveness: This seminar will help you live and work more effectively by understanding and using your personal intelligence. Presented by Kenton R. Hill, EdD, CNC, work performance coach, and Alisa Blum, MSW, workplace trainer/consultant, on October 3, 2008. **NOTE:** There is a **$25** charge for this program, which includes a copy of Dr. Hill's book, *Smart Isn't Enough: Lessons from a Work Performance Coach.* Payment must be received or your order will not be processed.
5 MCLE personal management assistance credits. ***Expires 12/31/2012***

Solo by Choice in the Current Economy: Presented by Carolyn Elefant, author and creator of MyShingle.com. and Beverly Michaelis, PLF Practice Management Advisor. Topics include setting up a practice, practice area selection, managing an office, and more. **NOTE:** There is a **$30** charge for this program, which includes a copy of Carolyn Elefant's book, *Solo By Choice: How to be the Lawyer You Always Wanted to Be.* Presented November 20, 2009.
4.75 MCLE general credits and .5 ethics credits

Strategies for Balancing Work and the Rest of Your Life: Featuring internationally known U.K. lecturer, Tom Edge, this presentation give you tips for managing stress, encourage you to set goals, and guide you in finding the balance that is right for you. Presented June 18, 2004.
3 MCLE personal management assistance credits. ***Expires 12/31/2012***

Stress Hardiness for Lawyers and Judges: Learn how to better cope and face the stress of the legal profession**.** Presented April 7, 2011 NOTE: This CLE is a fund raiser for Oregon Lawyer Assistance Foundation (OLAF) a 501©(3) that provides grants to Oregon lawyers who are unable to afford needed mental health or addiction treatment. Please submit your donation to OLAF, PO Box 231600, Tigard, Or 97281-1600. Suggested donation: $100. All donations welcome.
3 MCLE personal management assistance credits

Survival Tips for Organizing Your E-mail and Practicing in eCourt. Tips on how to organize and optimize your e-mail and how to avoid malpractice in an eCourt practice. Presented February 9, 2011.
1 MCLE general or practical skills credit

Taking Care of Ourselves (While We're Busy Taking Care of Others) - Stress Reduction for Professionals in Conflict Resolution: Improve the way we handle stress, strengthen mental clarity, and enhance productivity. Co-sponsored by the MBSA and the OAAP. Presented by Dr. Alan Wallace and Michael Zimmerman, JD, on October 31, 2008.
5 MCLE personal management assistance credits. ***Expires 12/31/2011***

Taking Control of Your Career: Featuring Kathy Morris, JD. Topics include career transitions, assessing your career strengths, a panel discussion on transition strategies, tips for successful change, ideas for networking, and experiences with finding job satisfaction. Presented September 20, 2004.
3.5 MCLE personal management assistance credits. ***Expires 12/31/2012***

The Attorney as Employer: Employment and Tax Law Considerations: Topics include workers compensation, employee requirements, independent contractor requirements, and other issues of being an employer. Presented September 15, 2011.
3.0 MCLE general or practical skills credits

The Next Stage: Planning NOW for the Retirement YOU Want: This workshop will examine the financial, business, practical, and emotional aspects of retiring from the practice of law. Presented on February 4, 2011. **NOTE:** There is a **$25** charge for this program, which includes a copy of Mike Long's book, *Lawyers at Midlife: Laying the Groundwork for the Road Ahead.* Payment must be received or your order will not be processed.
5.5 MCLE general credits

The One for All: What Every Practitioner Must Know About the Servicemembers' Civil Relief Act. - This CLE will help you understand the SCRAs provisions, your responsibilities to the court under the Act, and how to proceed if a servicemember is on the opposing side of your case or is your client. Speakers include a practitioner panel and a judges panel. Presented March 6, 2009.
3.25 MCLE general credits

TimeMatters - Basic and Advanced: Presented by Dee Crocker, this seminar discussed and demonstrated many of the features of this software including set-up, security, classification, phone call tracking, customizing forms, document management, and many others. Presented February 18, 2010.
5.25 MCLE general or practical skills credits

Tips for Managing Your Practice: Topics include implementing an effective docketing system, creating and using a conflict system, managing your time effectively, keeping files organized and up-to-date, processing mail to minimize lost documents, and missed deadlines.
1 MCLE general or practical skills credit. ***Expires 12/31/2011***

Tips in 60 Minutes: Office management tips, resources and web sites. Presented July 9, 2010. NOTE: This program is included in the 2010 Practice Management Update seminar listed on page 1.
1 MCLE general or practical skills credit

Tips, Sites, and Gadgets: Topics include tips to keep your office up-to-date and running smoothly, useful resources and Web sites; and gadgets that you can use to improve your law practice. Presented February 18, 2011.
1.5 MCLE general or practical skills credit

Trust Accounting: Your Financial and Ethical Responsibilities Presented May 12, 2011 by PLF Practice Management Advisors Beverly Michaelis and Dee Crocker, followed by Q & A session with OSB General Counsel. Topics include: setting up a lawyer trust account, key trust accounting concepts, proper record keeping, implementing safeguards, monitoring the IOLTA account, and accepting credit cards.
3.25 MCLE ethics credits

What Can You Do When Someone in Your Family Experiences Depression, Anxiety or other Health Issues? Featuring Dr. Cliff Johannsen who has extensive experience as a mental health practitioner. This program was part of the Challenges Families Face series and was held on February 20, 2009.
No MCLE credit

What Do You Want to Do With Your Law Degree and How to Get There: Featuring Hindi Greenberg, JD. Topics include: discovering career options, steps to career development, and stages of a legal career. Presented May 11, 2007. **NOTE:** There is a **$25** charge for this program, which includes a copy of *The Lawyers Career Change Handbook, - More than 300 Things You Can Do With a Law Degree.* Payment must be received or your order will not be processed.
4.5 MCLE personal management credits. ***Expires 12/31/2012***

What Lawyers and Judges need to Know About Compassion Fatigue – and the Strategies to Prevent It: Presented April 7, 2011 Lawyers and judges – particularly those in criminal, family, juvenile, and tort law – are frequently exposed to stories of human trauma, including domestic violence, child abuse, sex abuse, assault, devastating accidents and other horrific incidents. Exposure to this type of information can, over time, increase your risk of developing secondary traumatic stress and compassion fatigue. This CLE offers helpful strategies to prevent the development of compassion fatigue.

3 MCLE personal management credits

Work and Worth: Navigating Your Way in the Profession Featuring Debora Landforce, MS, this seminar discusses job satisfaction among women lawyers, recognizing a damaging work context, understanding what motivates you and why. Presented January 27, 2006.

1.25 MCLE personal management assistance credits. *Expires 12/31/2012*

PUBLICATIONS

Check appropriate ☐ below for publication(s) you wish to receive. Fill out name and delivery address information on attached order form.

- ☐ A Guide to Setting Up and Running Your Law Office *(2009 Revision)*
- ☐ A Guide to Protecting Your Clients' Interests in the Event of Your Disability or Death *(2009 Revision)*
- ☐ A Guide to Setting Up and Using Your Lawyer Trust Account *(2011 Revision)*
- ☐ Oregon Statutory Time Limitations Handbook *(2010 Revision)*

Updated revisions for all 4 handbooks are available on our Web site at www.osbplf.org.

Professional Liability Fund

CLE Order Form

All items below can be ordered at www.osbplf.org.

2010 Practice Management Update: An Introduction to Internet-Based Practice Management Software
☐ CD ☐ DVD

Access to Justice
☐ CD ☐ DVD

Avoiding Legal Malpractice Claims
☐ CD ☐ DVD

Avoiding Malpractice in Family Law
☐ CD ☐ DVD

Avoiding Malpractice When Filing and Serving a Defendant
☐ CD ☐ DVD

Bankruptcy Issues in U.S. District Court Litigation
☐ CD ☐ DVD

Best Practices for Avoiding Conflicts and Maintaining Confidentiality
☐ CD ☐ DVD

Building a Successful Practice Through Improved Client Communication
☐ CD ☐ DVD

Calendaring, Docketing, and File Tickling Systems
☐ CD ☐ DVD

Corel WordPerfect X3 Tips
☐ DVD

Employment Practices for Lawyers
☐ CD ☐ DVD

Enjoying Parenting
☐ CD ☐ DVD

Ethics of Practice Management
☐ CD ☐ DVD

Fee Agreements, Nonrefundable Fees, Billing and Collections
☐ CD ☐ DVD

File Management
☐ CD ☐ DVD

Gambling: A Family Matter
☐ CD ☐ DVD

Health Insurance Today, At 65, and In Retirement
☐ CD ☐ DVD

Increasing Revenue
☐ CD ☐ DVD

Individual and Small Business Cases in Chapter 11
☐ CD ☐ DVD

Job Search 2010
☐ CD ☐ DVD

Kids and Drugs: What Parents Need to Know
☐ CD ☐ DVD

Lawyers Using iPads
☐ DVD

Learning the Ropes 2011
☐ CD

Legal Productivity: Responsible Connectivity - How NOT to Be Consumed by Technology
☐ CD ☐ DVD

Legal Productivity: Seven Ways to Make Your Law Firm More Efficient
☐ CD ☐ DVD

Less Paper (The Paperless Office)
☐CD ☐ DVD

Make Every Penny Count
☐CD ☐ DVD

Malpractice Traps Involving Debtor/Creditor Issues in Real Estate and Business Cases
☐ CD ☐ DVD

Meeting the Needs of Aging Parents
☐ CD ☐ DVD

Microsoft Outlook 2007 Tips
☐ DVD

Microsoft Word 2007 Tips
☐ DVD

Money Matters
☐ CD ☐ DVD

Networking and Career Building for Lawyers
☐ CD ☐ DVD

Older Adults: Alcohol and Medication Dependence
☐ CD ☐ DVD

Oregon and Washington Construction Law: Comparison and Contrast
☐ CD ☐ DVD

Practical Contract Lawyering
☐ CD ☐ DVD

Practical Law Office Solutions for Sole and Small Firms
☐ CD ☐ DVD

Practicing in the Cloud - From Intake to Invoicing
☐ DVD

Practicing in the Cloud with RocketMatter®
☐ DVD

Practicing Law with Attention Deficit Disorder
☐ CD ☐ DVD

Professionalism and the Legal Profession
☐ CD

QuickBooks 2007 Tips
☐ DVD

Recognizing Child Abuse and Fulfilling Your Duty to Report
☐ CD ☐ DVD

Reducing the Pressure
☐ CD ☐ DVD

Retiring or Changing Careers? How to Leave Your Law Practice Well
☐ CD ☐ DVD

Road to Office Organization CLE Series
☐ CD ☐ DVD

Smart Isn't Enough: Improving Your Personal and Professional Effectiveness **$25**
☐ CD ☐ DVD

Solo By Choice in the Current Economy
$30 ☐ CD ☐ DVD

Strategies for Balancing Work and the Rest of Your Life
☐ CD ☐ DVD

Stress Hardiness for Lawyers and Judges
☐ CD ☐ DVD
Oregon Lawyers Assistance Foundation fundraiser, donations welcomed.

Order form and more programs on next page.

rev 11-2011

Professional Liability Fund

CLE Order Form www.osbplf.org

All items below can be ordered at www.osbplf.org.

Survival Tips for Organizing Your E-Mail and Practicing in eCourt
☐ CD ☐ DVD

Taking Care of Ourselves (While We're Busy Taking Care of Others)
☐ CD

Taking Control of Your Career
☐ CD ☐ DVD

The Attorney as Employer: Employment and Tax Law Considerations
☐CD ☐ DVD

The Next Stage: Plannning NOW for the Retirement YOU Want **$25**
☐CD ☐ DVD

The One for All: What Every Practitioner Must Know About the Servicemembers' Civil Relief Act
☐ CD ☐ DVD

TimeMatters – Basic and Advanced
☐DVD

Tips for Managing Your Practice
☐ CD ☐DVD

Tips in 60 Minutes
☐ CD ☐DVD

Tips, SItes, and Gadgets
☐ CD ☐DVD

Trust Accounting: Your Financial and Ethical Responsibilities
☐ CD ☐ DVD

What Can You Do When Someone in Your Family Experiences Depression, Anxiety, or other Health Issues?
☐ CD ☐ DVD

What Do You Want to Do With Your Law Degree and How to Get There **$25**
☐ CD ☐ DVD

What Lawyers and Judges Need to Know about Compassion Fatigue and the Strategies to Prevent It.
☐ CD ☐ DVD

Work and Worth: Navigating Your Way in the Profession
☐CD ☐ DVD

Name:________________________ Bar No.:__________________

Street Address: (UPS will not deliver to PO Boxes) ________________________

____

City/State/Zip: ____________________________________

Residential Address: ☐ Yes ☐ No (Required for UPS Shipping) Phone: __________________

If you do not have Internet access, check the box(es) above to indicate which materials and format you wish to receive. Return this form (and check if applicable) to: Julie Weber, Professional Liability Fund, P.O. Box 231600, Tigard, Oregon, 97281. Please Note: orders requiring payment will not be processed if payment is not included.

Rev 9-2011

Free From The Professional Liability Fund: www.osbplf.org

The practice aids listed below are ***available at no charge*** from the Professional Liability Fund ***at our web site*** www.osbplf.org. You may view, save, and ***print individual documents*** in PDF format, or ***download the entire collection*** of forms in Word for Windows.

For more information, go to **www.osbplf.org**, and click **Practice Aids and Forms** under Loss Prevention. 11/11

Adoption 2/10
Checklists for Stepparent,Adult, Independent,Agency & Foreign Adoption; Payment re Counseling

Bankruptcy 11/11
Bankruptcy Checklist & Resources

Business 11/11
Corporate Info Sheet
Disclosure Form ORPC 1: *Business Deals with Client*
Sale of a Small Business Checklist

Child Abuse Reporting 10/11
FAQs about Child Abuse Reporting

Client Communication 10/11
E-mail, Voicemail, Receipts, Transmittals, Client Status Report

Client Relations 10/11
Admin & Billing Brochures
Client Relations Checklist
Client Service Questionnaires
Handle Inquiries/Interruptions
Notice to Clt re Theft of Equipmt

Closing Your Law Office 7/11
Checklists and Forms, including
Law Ofc List of Contacts *(Fillable)*
Office File Tracking Sheet *(Fillable)*

Conflicts of Interest 11/11
Conflict Self Audit (*Fillable*)
Disclosure & Consent Checklists
Disclosure & Consent Letters
Conflict of Interest Systems
Declined Prospect Info (*Fillable*)
Disclosure Form ORPC 1
Ethics Opinion 2005-50 *Share Office*
Request for Conflict Search

Conservatorships 10/11
Conservatorship Cklist & Duties
Acknowledge Restriction of Assets

Construction Liens 08/11
Checklists (Fed, State, Constn)
Lien and Bond Intake Checklist

Contract Lawyering 03/11
Checklist and Resources

Criminal 11/11
Criminal Case Checklist
Immigration Checklist: Crim Case
Indigent Task Force Report

Departing a Firm 08/11
Articles & Checklists
Sample Letters & Ethics Opinions
Email Communication Tips

Disaster Recovery 8/11
After Disaster Strikes Checklist
Managing Practice Interruptions
Protecting Your Firm

Disclosure of Potential Malpractice 10/05
Disclosure Letter to Client, Articles
Ethics Opinion No. 2005-61

Disengagement Letters 10/11
Declining Representation; Closing Letter; Unpaid Fees; How to Fire a Client

Docketing & Calendaring 7/11
Calendaring and File Tickling Systems
Calendaring Note
Diary / Tickler Systems and Follow-Up
Docket Checklist and Sheet *(Fillable)*
Supplementary Local Rules

Domestic Relations 11/11
A packet of over 20 forms, with checklists, sample letters,and more

Engagement Letters 10/11
Contingent Fee Agreement & Alternate
Existing Client with New Matter
Engagement Letter & Fee Agreement
Retainer Agreement

Entity Formation 10/11
Choice of Entity for Legal Practice
Ethics Opinion 2005-49 *Disclose Status*
Lawyers as PCs, LLCs & LLPs

File Management 01/11
Articles-Client Files Revisited and Setting Up an Effective Filing System
Declined Clients Info Sheet (*Fillable*)
Ethics Opinion No. 125
File Closing Checklist (*Fillable*)
File Documentation (*Fillable*)
File Retention and Destruction
New Client Information (*Fillable*)

Financial Management 7/11
Billing and Time Slips
Business Essentials
Cash Flow Worksheet (6 & 12 month)
Daily Time Sheets (*Fillable*)
General Ledger
Start-Up / Monthly Budgets (*Fillable*)
Portland Multnomah Business Tax

Guardianships 10/11
Guardianship Checklist and Duties

Immigration 11/11
Resources for Immigration Lawyers

Litigation 11/11
Sample Checklists, Letters, Time Limitation Charts, & Interview Forms

Mail Handling 10/11
Mail Handling-Paper Filing Systems

Moving A Law Office 10/11
Checklist

Nonengagement Letters 10/11
Not Representing / Not Monitoring
Funds Needed After Review
After Research or Investigation
Awaiting Further Instructions
Confirming Conversation

Office Manuals 5/09
Manuals: Office, Policy, Procedures
Using Form Books

Office Sharing 7/11
Checklists, guidelines, ethics opinions

Office Systems Audit 10/11
Audit Checklist

Opening a Law Office 8/11
Opening a Law Office Checklist
Article/Virtual Law Office

Partnership / Of-Counsel 9/11
Partnership Agreement Checklist
Associate Agreement Checklist
Ethics Opinion 2005-29 *Not to Compete*
Of-Counsel Relationships

Probate and Estate Planning 11/11
A packet of over 10 forms, including checklists and sample letters

Real Property 11/11
Landlord-Tenant Form
Lead Paint Disclosure for Leases/Sales
Residential Transactions Checklist
Trust Deed Foreclosure Checklist

Retiring from Law Practice 7/11
Checklist and Resources

Selling a Law Practice 7/11
Checklist and Resources

Staff 8/11
Utilizing Paralegals; Appointments
Departing Staff, New Secretary Checklists
Confidentiality in the Law Office
Delegation Memo (*Fillable)*
Office Ethics and Legal Liability
Article: *Finding Della*
Reception – Duties and Article

Technology 9/11
Application Service Providers
Checklist for Imaging Documents
Digital Signatures
Disclaimers for E-mail, Websites
How to Back up Your Computer
Managing Client E-mail
Our Paperless World/Electronic Records
Resources for Mac Users
Saving Text Messages

Trust Accounting 9/11
25 Ways Protect Firm - Embezzlement
Accepting Credit Cards; IOLTA Accounts
Client Ldgr Card & Journal (*Fillable*)
F.A.Q.s re: Trust Account
Notice of Enrollment to OLF re: IOLTA
Rules for Washington Practitioners
Trust Account Reconciliation (*Fillable*)
Trust Accounting

Workers' Compensation 11/11
Disputed Claim Settlement Disclosure
Intake Form
Workers' Comp Board Forms

The dates shown are revision dates.

☎ **NO PHONE ORDERS PLEASE.**
☎ **You may print these yourself.**

These practice aids are provided to help attorneys improve their practice. The material provided does not establish, report, or create the standard of care for attorneys. The material is not a complete analysis of the topic and each attorney should conduct his or her own appropriate legal research. All copyrights reserved except that permission is granted for Oregon lawyers to use and modify these documents in their own practices. These materials may not be republished, sold, or used in any other form without the written consent of the Oregon State Bar Professional Liability Fund. If you use these practice aids and have suggestions for improvement, please contact Barbara Fishleder at 503-639-6911 or 1-800-452-1639. If you have questions, please contact Julie Weber at 503-639-6911 or 1-800-452-1639.

If you do not have Internet access and would like to receive hard copies of the checked forms listed above, **MAIL** this form to:
Attn: Julie Weber, PLF, PO Box 231600, Tigard, OR 97281 **or** **FAX:** 503-684-7250.

Name Bar #

Firm Name *(If applicable)*

Street Address City State Zip

Phone

Notes

Notes

Notes

Notes

Notes

Notes