

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	1/29, 2/3

WHAT THE MEASURE DOES: Increases the size of the Board of Bar Governors of the Oregon State Bar from 16 to 18 members by increasing the number of bar governors elected from districts from 12 to 14. Allows the board to establish special terms that are shorter than four years for the purpose of staggering the terms of members of the board. Includes “public body” and limited liability company within the term “person” for the purposes of the unauthorized practice of law provisions of ORS 9.160 to 9.166 and 9.280. Clarifies the jurisdiction of the Oregon State Bar concerning the unauthorized practice of law as it applies to the practice of law in this state, not outside the state. Repeals certain obsolete provisions relating solicitation of clients. Takes effect upon passage.

ISSUES DISCUSSED:

- The Oregon State Bar currently has disciplinary rules against all of the practices listed in the statutes being repealed
- Need to increase the size of the Board of Bar Governors to keep up with the increase in the number of attorneys practicing in Oregon

EFFECT OF COMMITTEE AMENDMENT: Clarifies the jurisdiction of the Oregon State Bar concerning the unauthorized practice of law applies to the practice of law in this state, not outside the state. Repeals the following:

- ORS 9.500, prohibition against solicitation by a person other than attorney of personal injury business
- ORS 9.505, prohibition against referring personal injury claims
- ORS 9.510, prohibition against soliciting business at factories, mills or other places
- ORS 9.515, provision allowing attorneys to refer claims
- ORS 9.520, prohibition against attorneys accepting solicited cases

BACKGROUND: The Oregon State Bar regulates the practice of law in Oregon. Lawyers must be graduates of a law school and have passed a bar examination in order to practice law in Oregon. The Bar’s governing body consists of a Board of Bar Governors with 16 board members, 12 of whom are lawyers elected from districts and four of whom are lay people whom the board appoints. The Oregon State Bar enforces Oregon’s laws against those who practice law in Oregon without a license. It also sets the standards for ethical conduct and enforces these standards for those who are licensed to practice law in Oregon.