

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 2
Yeas:	Barton, Garrett, Krieger, Olson, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	Cameron, Shields
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	3/27, 4/2

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 starting in 2011. 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. Takes effect upon passage.

ISSUES DISCUSSED:

- Prohibition in statute versus regulation
- Size of the board to keep pace with population growth.

EFFECT OF COMMITTEE AMENDMENT: Implements the increase in the size of the board in 2011 rather than 2010. Restores provisions relating to prohibition of solicitation of personal injury claims.

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 Bars’ 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.