

## **Oregon State Bar Proposed Amendments to HB 2569**

The Debtor-Creditor Section requests amendments to HB 2569 for the following purposes:

To clarify the definition of “law practice,” to clarify the procedures to be used for signing of documents on behalf of a trustee, and to make minor grammatical corrections.

The specific amendments requested are as follows:

On page 1, in line 16, delete the words “authorized to do business in” and add the words “engaged in the practice of law.”

On page 1, delete lines 17 through 19.

On page 2, in line 4, delete the words “A law practice or” and add at the end of line 4, following the word “Bar,” the words “or a law practice that includes one or more attorneys who are active members of the Oregon State Bar.”

On page 2, in line 10, insert the word “An” after the parenthetical (d) and the word “agents” to “agent.”

On page 2, delete lines 33 through 39, and add new subsections (8) and (9) as follows:

“(8) If a law practice is the trustee pursuant to subsection (1)(a) of this section, an attorney who is an active member of the Oregon State Bar and is a shareholder, partner, member or employee of the law practice shall sign on behalf of the trustee any document that is permitted or required to be signed by the trustee under ORS 86.705 to 86.795, and the attorney shall make evident in the document the attorney’s name and Oregon State Bar number and shall state in the document that the trustee has authorized the attorney to sign on the trustee’s behalf.

“(9) If an individual attorney is the trustee pursuant to subsection (1)(a) of this section, any other attorney who is an active member of the Oregon State Bar and is a shareholder, partner, member or employee of the law practice in which the trustee practices law may sign on behalf of the trustee any document that is permitted or required to be signed by the trustee under ORS 86.705 to 86.795, and the attorney shall make evident in the document the attorney’s name and Oregon State Bar number and shall state in the document that the trustee has authorized the attorney to sign on the trustee’s behalf.”