

**Testimony before the Senate Judiciary Committee
In support of SB 381
On behalf of the Oregon State Bar**

February 17, 2015

Chair Prozanski, members of the committee:

My name is Helen Hirschbiel and I am the General Counsel for the Oregon State Bar. I am here today on behalf of the Oregon State Bar Board of Governors in support of SB 381.

Senate Bill 381 addresses two distinct and important issues related to governance of the Oregon State Bar.

First, this bill would create an additional position on the OSB Board of Governors for an out-of-state member. Lawyer-members of the board are elected from seven districts throughout Oregon based on the location of their principal offices in Oregon. This means that a member of the bar whose principal office is outside the state of Oregon is not eligible to run for the Board of Governors. Currently the Oregon State Bar has over 2,500 members who maintain their principal office outside of Oregon. Although these members have the same obligations as any other active OSB member, they are not currently represented on the OSB Board of Governors. This bill would create a position on the board to represent out-of-state members.

The second substantive change that SB 381 makes is to the timelines for curing non-payment of the Professional Liability Fund assessment. Specifically, the bill replaces the specific 30 and 60 day delinquency notice requirements with a more general requirement that the bar provide written notice of delinquency and a reasonable opportunity to cure the default. SB 381 also makes clear the board's already implicit authority to establish the deadline for payment of the assessment.

The primary purpose of these changes is to accommodate and simplify implementation of the bar's new association management software by allowing the bar to use fixed dates for deadlines, rather than a timeframe that may result in a deadline falling on a weekend or holiday. The system would then be able to generate automatic "late" notices based on these dates without having to be reprogrammed every year.

The Introduced version of the bill includes a third section related to the Board of Bar Examiners. However, after consulting with other interested parties, including the Chief Justice, we are requesting that this section of the bill be removed. To this end, the -1 Amendment you have would simply eliminate Sections 6 and 7 from the bill.

Thank you for your time, and I would be happy to answer any questions you might have.