

Parent and Child Performance Standards Work Group
Oregon State Bar
Friday, March 17, 2017 (12:00 - 1:30 PM)
Meeting Notes

Attendees: Lea Ann Easton (Chair), Angela Sherbo, Shannon Storey, Leslie Harris, Megan Jacquot, Linn Davis, Inge Wells and Amy Zubko (Staff)

Did not attend: Joseph Hagadorn, Amy Miller, Liz Wakefield, and Amy Benedum

Minutes: There were no changes to the meeting notes from the February 13, 2017 meeting.

The group completed its review of the outstanding questions regarding Standards 2 & 7, Standard 4, and Standard 9. This was the last meeting of the work group.

The group decided to review and update Appendices C&D via email.

Standard 4

Two issues were raised in Standard 4. First, Standard 4(D) addresses how a lawyer or a non-lawyer staff person may speak to a represented party. Second, Standard 4(E) addresses the role of a lawyer at DHS-hosted case planning meetings or administrative reviews.

For Standard 4(D), the Child and Parent Standards were different. For the Child Standard, language regarding “professional courtesy” was removed.

For the language in both the Parent and Child Standard, Inge Wells provided some minor tweaks to the shared language.

In addition, language identifying the District Attorneys possible role was removed pending the passage of either HB 2345 (2017) or SB 525 (2017) in the Oregon Legislature.

For Standard 4(E), the following language will be added to both the Parent and Child Standards.

A lawyer who plans to attend should be aware that other represented parties may be present without their lawyers and should take necessary steps to comply with the Rules of Professional Conduct.

A lawyer who does not plan to attend should be aware that other represented parties will attend with their lawyers at the meeting and should take steps to protect their client’s interests.

Standard 9

Judge Jacquot submitted language for Standard 9(C) Commentary to address the use of Balfour briefs. The language was accepted and approved with the removal of the first sentence of the third paragraph due to redundancy.

Standard 2 & 7

Shannon Storey and Inge Wells, working off a draft from Angela Sherbo, submitted language addressing what happens when a client fails to appear and how it should be treated in Standard 2(H) and Standard 7(F). The consensus language was accepted by the group with a change to the 5th Action to mirror the language used in the 2nd Action in Standard 2.

Next Steps and Timeline

Lea Ann Easton, Amy Miller, and Liz Wakefield will review and update the Appendices by the end of the day on March 24th.

Lea Ann Easton will update the cover letter for the Performance Standards.

Amy Zubko will distribute a final draft in mid-April for review. Once the draft has been reviewed, and edits are returned, the document will be sent to Legal Publications for editing. Final formatting will be completed and links will be inserted at that point.