

**OREGON STATE BAR  
LEGISLATIVE PROPOSAL  
Part I – Legislative Summary**

**Re: Board of Governors – ORS Chapter 9 Omnibus Bill**

**Submitted by:** Oregon State Bar Board of Governors

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**Does this amend current law or program?** Yes  No  Specify

**Issue #1**

**Problem Presented:**

ORS 9.080(3) currently requires two-thirds of Board of Governors members to be present to establish quorum and conduct business. In the past, the two-thirds quorum requirement has created challenges to holding a meeting, especially during the summer when volunteer Board members are more likely to be unavailable.

**Solution:**

Amend ORS 9.080(3) to delete the statutory quorum requirement and permit the Oregon State Bar to establish its own quorum requirement through rules.

Additional background materials are available upon request. Please contact Susan Grabe ([sgrabe@osbar.org](mailto:sgrabe@osbar.org)) for more information.

**Issue #2**

**Problem Presented:**

Several sections of ORS Chapter 9 make reference to the bar taking actions in accordance with the bar's rules of procedure. In some cases, the relevant rules may not be part of the rules of procedure but are instead rules promulgated by the Supreme Court, such as with the Admissions Rules.

**Solution:**

Update the statute to correctly reference rules of the Supreme Court.

**OREGON STATE BAR  
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Part II – Legislative Language**

**Issue #1**

Amend ORS 9.080(3) by deleting the second sentence, which currently reads “At any meeting of the board, two thirds of the total number of members then in office shall constitute a quorum”:

(3) The board may appoint such committees, officers and employees as it deems necessary or proper and fix and pay their compensation and necessary expenses. ~~At any meeting of the board, two thirds of the total number of members then in office shall constitute a quorum.~~ It shall promote and encourage voluntary county or other local bar associations.

**Issue #2**

Amend ORS 9.200(1) to add the phrase “and the rules of the Supreme Court” to the end of the third sentence.

(1) Any member in default in payment of membership fees established under ORS 9.191 (1) or any member in default in payment of assessed contributions to a professional liability fund established under ORS 9.080 (2) shall be given written notice of delinquency and a reasonable time to cure the default. The chief executive officer of the Oregon State Bar shall send the notice of delinquency to the member at the member’s electronic mail address on file with the bar on the date of the notice. The chief executive officer shall send the notice by mail to any member who is not required to have an electronic mail address on file with the bar under the rules of procedure **and the rules of the Supreme Court**. If a member fails to pay the fees or contributions within the time allowed to cure the default as stated in the notice, the member is automatically suspended. The chief executive officer shall provide the names of all members suspended under this section to the State Court Administrator and to each of the judges of the Court of Appeals, circuit and tax courts of the state.

Amend ORS 9.539 to add the phrase “and the rules of the Supreme Court” to the end of the first sentence.

ORS 9.534 and 9.536 apply to admission and reinstatement proceedings to the extent provided in the rules of procedure **and the rules of the Supreme Court**. However, the Supreme Court shall review the decisions of the disciplinary board in all such matters.

Amend ORS 9.675(2) to add the phrase “and the rules of the Supreme Court” to the end of the third sentence.

(2) If a member does not file the certification and disclosures required by this section by the due date prescribed under subsection (1) of this section, the chief executive officer shall give the member written notice of default and prescribe a reasonable time to cure the default. The chief executive officer shall send the notice of default to the member at the member's electronic mail address on file with the bar on the date of the notice of default. The chief executive officer shall send the notice of default by mail to any member who is not required to have an electronic mail address on file with the bar under the rules of procedure **and the rules of the Supreme Court**. If a member does not file the certification and disclosures required by this section within the time allowed to cure the default as stated in the notice of default, the person's membership in the bar is automatically suspended. The chief executive officer shall provide the names of all persons suspended under this section to the judges of the circuit courts, the Court of Appeals and the Oregon Tax Court.

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