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October 1, 1992

Maurice J. Holland
Acting Executive Director
Council on Court Procedures
University of Oregon Law School
Eugene, Oregon 97403

RE: Proposed revisions to ORCP

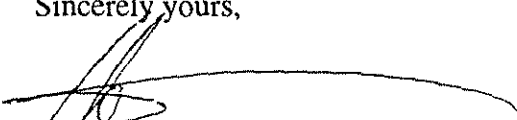
I have recently gotten caught up in my advance sheet reviews and became aware of the proposed revisions to ORCP. I have no germane comments as to any of the proposals, except to request that the "Lawyer Referral" wording be changed to read as follows:

"If you do not have an attorney and need help in finding an attorney to represent you in this action, you may call . . ." (Bold material is the suggested addition.)

I feel strongly that my proposed additional wording addresses a problem that I see in the initial proposal - the implication that a person needs to obtain a new attorney for a new legal action. I concur that a recommendation to obtain an attorney is appropriate, but I don't think the Bar, the Courts, or anyone else should suggest or recommend that a person with an established or former legal relationship seek out new counsel.

Thank you for your assistance and consideration of this point.

Sincerely yours,



Robert A. Browning
Attorney at Law

RAB:AO:26



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May 27, 1992

Gilna Henthorne
Council on Court Procedures
University of Oregon Law School
Eugene, OR 97403

Dear Gilna,

Enclosed is a copy of the proposed legislation that I discussed with you. In conversations with Fred, he had suggested that something be added to ORCP7E which would make reference to ORS180.260. Can I draft legislation to add the necessary language, or is that something that must be done by the council?

Thanks for your help in this matter.

Sincerely,

Bob Keyser

A BILL FOR AN ACT

Relating to service of summons; creating new provisions; amending ORS 180.260.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) Notwithstanding ORCP 7 E, no person shall serve a summons for a fee unless the person has filed with the Secretary of State a current certificate of errors and omissions insurance with limits of not less than \$100,000 per occurrence from a company authorized to do business in this state. Nothing in this subsection shall be construed to invalidate service otherwise in accordance with this rule. This subsection shall not apply to the sheriff, the sheriff's deputy or the employee of any attorney licensed to practice law in this state.