



# Channel Surfing the Waves of Change Prompted by COVID-19

Gus J. Solomon Inn

May 17, 2022

# Who Wants to Be A Millionaire

NEW 5:00pm – 6:00pm 233 Game Show Network

Contestants tackle a series of multiple-choice questions to win large cash prizes in a format that twists on many game show genre conventions.



		5:00pm	5:30pm	6:00pm	6:30pm
Game Sho...	233	Who Wants to Be A Millionaire		Supermarket Sweep	Press Your Luck
Outdoor C..	234	Major League Fishing	Ultimate Fishing	We Love Fishing	Too Much Fishing
Oxygen	235	Buried in the Backyard		American Dead Girl: The Sarah Lynn Story	
Lifetime	236	Married at First Sight: First to File		My Killer Body	
Food Net...	237	Chopped	Queen of Tort(e)s	Essence of Elzar	The Food Wife









Which state is considering alternatives to the bar exam?

**A:** Oregon

**B:** Wyoming

**C:** Idaho

**D:** Rhode Island



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Who decides the rules for admission to the bar in Oregon?

**A:** The Oregon Board of  
Bar Examiners

**B:** The Oregon Supreme  
Court

**C:** The Professional  
Liability Fund

**D:** The Oregon  
Legislature





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# ORS 9.220

**An applicant for admission as attorney must apply to the Supreme Court and show that the applicant:**

- (1) Is at least 18 years old, which proof may be made by the applicant's affidavit.
- (2) (a) Is a person of good moral character and fit to practice law.  
(b) For purposes of this section and ORS 9.025 (Board of governors), 9.070 (Duties of president and president-elect), 9.110 (Board of governors to formulate rules), 9.210 (Board of bar examiners), 9.250 (Order for admission) and 9.527 (Grounds for disbarment, suspension or reprimand), the lack of "good moral character" may be established by reference to acts or conduct that reflect moral turpitude or to acts or conduct which would cause a reasonable person to have substantial doubts about the individual's honesty, fairness and respect for the rights of others and for the laws of the state and the nation. The conduct or acts in question should be rationally connected to the applicant's fitness to practice law.
- (3) **Has the requisite learning and ability, which must be shown by the examination of the applicant, by the judges or under their direction.** However, no rule shall establish any maximum on the number of times an applicant may apply for and take the bar examination whenever presented if the reason for refusing admission to practice law is failure to pass the bar examination.

**1.25 Essential Eligibility Requirements:** The board considers demonstration of the following attributes, and the likelihood that one will utilize these attributes in the practice of law, to be essential for all applicants seeking admission to the Oregon Bar:

- a. Knowledge of the fundamental principles of law and application;
- b. The ability to competently undertake fundamental legal skills commensurate with being a lawyer, such as legal reasoning and analysis, recollection of complex factual information and integration of such information with complex legal theories, problem solving, and recognition and resolution of ethical dilemmas; and
- c. Ability to:
  - i. Communicate honestly, candidly, and civilly with clients, attorneys, courts, and others;
  - ii. Conduct financial dealings in a responsible, honest, and trustworthy manner;
  - iii. Conduct oneself with respect for and in accordance with the law;
  - iv. Demonstrate regard for the rights, safety, and welfare of others;
  - v. Demonstrate good judgment on behalf of clients and in conducting one's professional business;
  - vi. Act diligently, reliably, and punctually in fulfilling obligations to clients, lawyers, courts, and others;
  - vii. Comply with deadlines and time constraints;
  - viii. Comply with the requirements of applicable state, local, and federal laws, rules, and regulations; any applicable order of a court or tribunal; and the Rules of Professional Conduct.



Which is NOT one of the three proposed permanent pathways to licensures of attorneys in Oregon?

**A:** Supervised Practice

**B:** Oregon Experiential Pathway

**C:** Diploma Privilege

**D:** Uniform Bar Exam

# Oregon Experiential Pathway

Modeled after New Hampshire's Daniel Webster's Honors Program

2L and 3L years focused on experiential learning and courses critical for practice

- Curriculum to be developed between the BBX and Oregon law schools
- Key components:
  - Mix of guided experiential learning (clinics or experiential courses) and externships
  - Practice-based courses like evidence, ethics, administrative law, statutory interpretation, criminal procedure, etc

Portfolio work produced throughout 2L and 3L year

- Feedback from BBX allows for course correction if applicant is not meeting standards
- Simulated real world work samples allow a true assessment of competence to practice

Following a ramp up period, open to all students who opt in

Permit out-of-state schools to apply once program is up and running



# Supervised Practice Pathway

Post-graduation apprenticeship for 1000-1500 hours of legal work under qualified supervising attorneys

Open to applicants from out-of-state or those that failed the bar exam

Produce portfolio of real-world work product for review by BBX

CLE Requirements



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What is NOT required for admission to the Oregon bar?

**A:** Graduating from an ABA  
accredited law school

**B:** Passing a character and  
fitness review

**C:** Passing the MPRE

**D:** Writing strongly  
worded letters





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# The Real Homeowners of Multnomah County

NEW 5:30pm – 6:30pm 71 Bravo

A docu-soap following the very real lives of Portland luxury condominium owners through the trials and travails of their homeowner association meetings.



		5:30pm	6:00pm	6:30pm	7:00pm
Bravo	71	The Real Homeowners of Multnomah County		The Real Housewives of Disney	
MSNBSea	72	News at 5pm with...	News at 6pm with Tom Jumbo-Grumbo		News at 7pm with...
E!	73	Hollywoo Stars & Celebrities: What Do They Kn...		Excess Hollywood	Bad Plastic Surgeries
HGTV	74	Househunters: PDX	Househunters: PDX	Love it or List it: Portland Edition	
Animal Pl...	75	Probationers & Poodles		Outback Snakebite	Dr. Vetperson

**the Real  
Homeowners**  
**OF MULTNOMAH COUNTY**





# 2021 HB 2534

- House Bill 2534 was signed into law on May 21, 2021, and became effective on September 25, 2021. 2021 HB 2534 § 7.
- HB 2534 requires homeowners associations and condominium associations to review governing documents and remove discriminatory language or certify the nonexistence of such language on or before December 31, 2022.
- HB 2534 amends ORS 91.270, and creates new provisions in ORS 94.550 – 94.783 and ORS Chapter 100.



**EXECUTIVE ORDER NO. 20-03**

**DECLARATION OF EMERGENCY DUE TO CORONAVIRUS (COVID-19)  
OUTBREAK IN OREGON**

**Executive Order  
20-03**

- Declaration of Emergency Due to Coronavirus (COVID-19) Outbreak in Oregon.
- Governor Brown issued EO 20-03 on March 8, 2020 and it became effective on that date.
  - EO 20-03 was extended multiple times, until terminated by EO 22-03 on March 17, 2022, effective April 1, 2022.

# 2020 HB 4212

- House Bill 4212 was signed into law on June 30, 2020, and became effective immediately on passage. 2020 HB 4212 § 49.
- HB 4212 was designed to be a comprehensive measure addressing various issues relating to COVID-19, including but not limited to:
  - Public body quorum and participation laws (§§ 1-2)
  - Garnishment modifications (§§ 3-5)
  - Judicial timeline & statute of limitation extension (§§ 6-8)
  - Emergency shelters (§§ 9-17)
  - Notarial acts (§§ 19-32)

# 2020 HB 4212 §§ 6-7

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- Section 6 authorized the Chief Justice of the Oregon Supreme Court to extend or suspend certain time periods during the COVID-19 state of emergency.
  - The Chief Justice's authority to revive an expired time period applied only in certain circumstances, *i.e.*, “in any case, action or proceeding **after** the case, action or proceeding is initiated in any circuit court, the Oregon Tax Court, the Court of Appeals or the Supreme Court[.]” 2020 HB 4212 § 6(1)(a)(A) (emphasis added).
- Section 7 extended the time to commence an action if the statute of limitations would've otherwise expired during the period when the Governor's emergency declaration was in effect.
  - “If the expiration of the time to commence an action or give notice of a claim falls within the time in which any declaration of a state of emergency issued by the Governor related to COVID-19, and any extension of the declaration, is in effect, or within 90 days after the declaration and any extension is no longer in effect, the expiration of the time to commence the action or give notice of the claim is extended to a date 90 days after the declaration and any extension is no longer in effect.” 2020 HB 4212 § 7(1).



# *Bond v. Shriners Hospital for Children, 3:20-cv-01943-SB (D. Or. Mar. 1, 2021)*

- Magistrate Judge Beckerman's findings and recommendations on Defendant's Motion to Dismiss, issued March 1, 2021.
  - Plaintiff represented by Nik Yanchar (Yanchar Law Office, LLC) and Hillary Taylor (Keating Jones Hughes, PC).
  - Defendant represented by John Kreutzer & Amanda Bryan (Bullivant Houser Bailey).
- Employment discrimination case filed on October 1, 2020 wherein last act of discrimination occurred June 12, 2019.
  - One (1) year SOL in effect at time per ORS 659A.875, as applicable SOL enlargement granted by 2019 SB 726 only applied to actions alleging prohibited conduct occurring after effective date of Act. 2019 SB 726 §§ 6, 10.
  - Ergo, Plaintiff Bond's SOL would've expired June 12, 2020 unless tolled or extended.
- Court agreed with Defendant that 2020 HB 4212 did not revive the statute of limitations for civil actions that were not timely commenced before June 30, 2020: "[t]he Legislature could have revived statutes of limitation that expired between March 8, 2020 [EO 20-03 eff. date] and June 30, 2020 [HB 4212 eff. date], or provided the Chief Justice with revival authority, but for reasons not apparent in the legislative record, it did not do so."

# 2021 SB 813

- Senate Bill 813 was signed into law on July 14, 2021, and became effective immediately upon passage. 2021 SB 813 § 2.
- SB 813 was enacted to remedy the retroactivity problem in 2020 HB 4212 identified in *Bond v. Shriners Hospital for Children*.
- Section 1 of 2021 SB 813 amended the extension period in 2020 HB 4212 to expressly cover SOLs that expired “(a) [o]n or after March 8, 2020, and on or before the date 90 days after the declaration of a state of emergency issued by the Governor on March 8, 2020, and any extension of the declaration, is no longer in effect; or (b) During the time in which any other declaration of a state of emergency issued by the Governor related to COVID-19, and any extension of the declaration, is in effect, or within 90 days after the declaration and any extension is no longer in effect.” 2021 SB 813 § 1(4).



**EXECUTIVE ORDER NO. 22-03**

**TERMINATING COVID-19 STATE OF EMERGENCY; RESCINDING  
EXECUTIVE ORDER 20-03, EXECUTIVE ORDER 21-29, AND  
EXECUTIVE ORDER 21-36**

**Executive Order  
22-03**

- Executive order proclaiming and ordering that “Executive Order 20-03 is rescinded, and that the COVID-19 state of emergency declared therein is terminated, as of the effective date of this Executive Order.”
- Governor Brown signed EO 22-03 on March 17, 2022.
- Effective date of EO 22-03: April 1, 2022.
  - “The directives of this Executive Order shall be effective as of 12:01 a.m., April 1, 2022.” EO 22-03 § 1, p. 3.

# 2020 HB 4212 § 8

- Recall that 2020 HB 4212 §§ 6-7 applied to judicial proceeding extensions and extensions of applicable statutes of limitation, respectively.
- Section 8 provided, in full: “(1) ***Sections 6 and 7 of this 2020 special session Act are repealed on December 31, 2021.*** (2) The repeal of section 6 of this 2020 special session Act by subsection (1) of this section does not affect the release status of a defendant determined under section 6 (3) of this 2020 special session Act.” 2020 HB 4212 § 8 (emphasis added).



**EXECUTIVE ORDER NO. 21-36**

**CONTINUING STATE EFFORTS TO SUPPORT ONGOING COVID-19  
VACCINATION, RESPONSE, AND RECOVERY EFFORTS; EXTENDING  
EXECUTIVE ORDER 20-03; RESCINDING EXECUTIVE ORDER 21-15 AND  
EXECUTIVE ORDER 21-31**

**Executive Order**  
**21-36**

- Extending EO 20-03 and the COVID-19 state of emergency to June 30, 2022, unless extended or terminated earlier by the Governor.
- Governor Brown signed EO 21-36 on December 21, 2021, and it became effective on that date.



# PLF Guidance re: HB 4212 & SB 813

- On September 10, 2021, the Oregon PLF published a blog post on their website (authored by Sharnel Mesirow) discussing the unknown effects of 2020 HB 4212 and 2021 SB 813, concluding:



SERVICES ▾ CLAIMS ▾ COVERAGE ▾ EXCESS ▾ ABOUT ▾ FOR THE PUBLIC ▾

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## Unknown Effect of Legislation

HB 4212, Section 8, provides that Sections 6 and 7 are repealed on December 31, 2021. SB 813 does not repeal or amend Section 8 of HB 4212 or otherwise reference the automatic repeal of HB 4212, Sections 6 and 7.

It is currently unknown whether statutes of limitations will be extended for 90 days after the automatic repeal on December 31, 2021. The effects of HB 4212 and SB 813 on statutes of limitations (other than those specified) are unknown, and practitioners are cautioned NOT to rely on any provisions that purport to extend or toll statutes of limitations. **As always, the PLF strongly encourages lawyers to file lawsuits impacted or potentially impacted by HB 4212 early and not wait until the last minute to file.**

# 2020 HB 4212 §§ 1-2

- Section 1 of HB 4212 amended local government and special government body public meetings and operations to more effectively operate during COVID-19.
- It provided amendments and accommodations such as:
  - *Allowing public bodies to hold all meetings remotely;*
  - *Requiring the public body to make available a method by which the public can listen to or observe the meeting; and*
  - *Allowing members of the public to provide testimony or comment via remotely or via electronic means.*
- Section 2 of HB 4212 proscribed the termination date for the amendments promulgated by Section 1.
  - “Section 1 of this 2020 special session Act is repealed 30 days after the date on which the declaration of a state of emergency issued by the Governor on March 8, 2020, and any extension of the declaration, is no longer in effect.” 2020 HB 4212 § 2.

# 2021 SB 329

- Senate Bill 329 was signed into law on May 19, 2021, and became effective immediately upon passage. 2021 SB 329 § 19.
- SB 329 amends relevant provisions of the Oregon Condominium Act (ORS Chapter 100) and the Oregon Planned Community Act (ORS Chapter 94) to allow homeowners and condominium associations to conduct meetings remotely, and clarifies effective delivery of electronic notices.
  - For example, ORS 94.644(4) and ORS 100.420(4) now provide that meetings may be held as an electronic meeting as long as everyone has a chance to hear and communicate with each other simultaneously and certain notice requirements are met.
  - Other sections within the Oregon Condominium Act and the Planned Community Act were amended to clarify and harmonize the provisions regarding electronic meetings and notices.

A woman with blonde hair, wearing a red shirt and a dark jacket, is holding a black rifle with a scope. She is standing in front of a white vehicle, possibly a truck or a bus, with a wooded area in the background. The image is framed by a white border.

Marjorie  
**GREENE**

SAVE AMERICA, STOP SOCIALISM!

**FOR CONGRESS**

**SAVE AMERICA.  
STOP SOCIALISM.**

# Shark Tank

NEW 6:00pm – 7:00pm 2 KATU

Budding entrepreneurs pitch their ideas to a panel of investors hoping that one of the “sharks” takes the “bait.”



		6:00pm	6:30pm	7:00pm	7:30pm
KATU	2	Shark Tank		Law & Disorder	
PBS	3	PBS Newshour		Frontline	
KGW	4	KGW News at 6 - The Story		Hey, I Think You Can Dance	
KOIN	5	Horsin’ Around	Mr. Peanut Butter’s H...	Ethan Around	Birthday Dad
KGW Tr..	6	Dateline	Killer in Plain Sight	Killer in the Kitchen	Killer Kids



# SHARK TANK







# SHARK TANK



## What would licensed paralegals do?

- Enter into a contractual relationship to represent a client. For Family Law cases, this would be limited to representing individuals.
- Meet with potential clients to evaluate and determine needs and goals and provide advice.
- Assist clients in choosing, drafting, and filing forms.
- Assist clients in drafting and servicing of pleadings and documents including orders and judgments.
- File documents/pleadings with the court.
- Assist, draft, serve and complete written discovery.
- Attend depositions, but not take or defend. May assist with scheduling and compelling deposition appearances and preparing clients for being deposed and for taking a deposition.
- Prepare for, participate in, and represent a party in settlement discussions, including mediation.
- Assist in preparing for hearings, trials, and arbitrations.
- Prepare clients for court appearances and for judicial settlement conferences
- Attend court appearances and depositions with clients to provide support and assistance in procedural matters.
- Respond to the court on behalf of clients to inquiries when requested.
- Review opinion letters, court orders, and notices with a client and explain how they affect the client including the right to appeal.

Required Education or Education Waiver	Required Substantive Experience
Associate's degree or higher in paralegal studies Or Associate's degree in any subject plus a paralegal certificate Or Bachelor's degree or higher in any subject	1,500 hours of substantive experience in the last three years.
J.D. from an ABA accredited law school	6 months or 750 hours of substantive experience.
Paralegal credentials from a nationally-recognized paralegal association Or Military paralegal experience Or Equivalent licensure in another jurisdiction <sup>9</sup>	1,500 hours of substantive experience in the last three years.
N/A (Highly experienced paralegal education waiver)	Five years or 7,500 hours of substantive experience, with at least 1,500 hours in the last three years.
<ul style="list-style-type: none"> <li>• <u>All applicants</u> must have 500 hours of experience in family law and/or 250 hours of experience in landlord-tenant law for endorsement in those areas.</li> <li>• <u>All applicants</u> must complete 20 hours of designated pre-licensure coursework.</li> <li>• <u>All applicants</u> will be required to demonstrate competence in skills and knowledge necessary to engage in the activities within the scope of license, through either an exam or portfolio of work, or some combination of the two.</li> </ul>	



# SHARK TANK



# CAST

*(in order of appearance)*

Channel Surfer ... Roscoe Nelson

Regis Philbin ... Mark Ginsberg

Sarah Jones ... Annelisa Smith

Professor ... Kristen Tranetzki

Karen Richlady ... Jacqueline Swanson

Chad Trustafarian ... Judson Wesnousky

Groucho Crabapple ... Tyler Volm

J.D. Lawson ... Kathleen Profitt

Gloria Sumred ... Dana Sullivan

Kevin O'Leary (aka "Mr. Wonderful") ... Mark Ginsberg

Mark Urban ... Hon. Jamie Troy

Lori Greiner ... Annelisa Smith