

OCDLA LEGISLATIVE COMMITTEE BYLAWS: Version 12/01/11

Pursuant to OCDLA Board action on July 15, 2011, the former Legislative Committee was disbanded. A new committee and structure was proposed that would allow a more efficient and effective system for addressing the challenges of legislative sessions. The following new Legislative Committee by-laws were approved by the Oregon Criminal Defense Lawyer's Association (OCDLA) Board of Directors on October 21 and December 1, 2011:

I. THE LEGISLATIVE COMMITTEE

The OCDLA Legislative Committee (hereinafter "Legislative Committee") will consist of nine voting Members comprised of two Co-chairs, a Board Liaison and six additional OCDLA members, and two non-voting Ex Officio members.

A. Legislative Committee Duties and Purpose

1. To advise OCDLA lobbyist(s) on legislation having an important and direct impact the OCDLA's primary function as a 501(c)(3) non-profit organization.
2. To develop, propose, and prioritize legislation of interest to OCDLA members.
3. To direct the lobbyist(s) positions regarding proposed legislation.
4. To assist lobbyist(s) in preparing testimony before legislative committees, work groups and meetings with legislators.
5. To research new legislation for the legislation's impact on the practice of criminal and juvenile law, to prepare position statements, to obtain witnesses for testimony, and to attend and participate in weekly meetings during the legislative session and other meetings as deemed necessary by the Co-chairs and/or lobbyist.

II. CO-CHAIRS

The Co-chairs will be appointed by the OCDLA Board for a period not to exceed two years from the date of appointment. The Board may reappoint a current sitting Co-chair for a second period not to exceed two years from the date of reappointment. The two-year appointments shall be staggered. The board liaison shall not be eligible to be appointed a chair.

A. Co-Chair Duties, Functions and Limitations

1. To schedule and convene, in consultation with the Lobbyist(s), general meetings of the Legislative Committee. Delegation of the communication of the meeting may be given to the Lobbyist(s), but the responsibility lies with the co-chairs. The co-chairs shall set a meeting each week of Legislative Session, defined as a session initiated by the opening gavel in the House of Representatives and/or the

Senate of Oregon to Sine Die declaration in each chamber, unless in consultation with Lobbyist(s), it is determined that no meeting is necessary. The co-chairs will also call at a minimum two (2) pre-legislative meetings. The co-chairs shall attend each meeting of the Legislative Committee unless unavailable.

2. To preside over meetings of the Legislative Committee in a manner determined by the Co-chairs. The Co-chairs will use Roberts Rules of Order if deemed necessary by the Co-chairs to move the discussion or debate to a conclusion. The Co-chairs may neither make nor second motions while presiding over the meeting.
3. Ensure that decorum be maintained and all members of the committee are given appropriate time to present their views. Priority should be given to making sure all views are heard.
4. Consult with the Executive Director and/or the Board President on the activities of the Legislative Committee and to offer advise on Legislative Committee's positions on legislation to assist the Board President in the Board President's interactions with the Media and general public on the OCDLA legislative agendas.
5. Advise the Board on appointments of members to the Legislative Committee. The co-chairs will offer advise on what type of expertise is currently needed on the committee, and potential members who meet the need of the committee.
6. Advise the Board President, Lobbyist(s), and Executive Director if the co-chairs believes a decision of the Legislative Committee will have a negative impact on the image or status of the OCDLA for purposes of further Board of Directors action.
7. Report, in writing, to the OCDLA Board of Directors no later than 30 days from Sine Die of both chambers, a comprehensive review of the functioning of the Legislative Committee including the effectiveness of the members of the committee and the Lobbyists, major legislative achievements or losses, and areas needing Board action.
8. Hold and perform all responsibilities associated with a Legislative Committee Member, including responsibilities for a subject area of legislation.

III. COMMITTEE MEMBERS, ADVISORY MEMBERS, EX OFFICIO MEMBERS

There will be nine voting MEMBERS of the Legislative Committee including the Co-chairs and Board Liaison. All voting Members will have equal voting rights on any issue before the committee. Excluding the Co-chairs, each Member will be appointed by the OCDLA Board of Directors in consultation with the Co-chairs of the Legislative Committee. Each Member will have specific responsibilities to the Legislative Committee. Some or all will be assigned a

specific topic area of potential legislation. The Member will be assigned specific research and writing assignments in that area during the legislative session. The Member will be responsible for providing the research and writing in a clear, concise and timely manner to the Legislative Committee and the Lobbyist(s). Each Member serves at the discretion of the OCDLA Board of Directors and are subject to removal from the Legislative Committee if they fail to meet the standards of care outlined.

Each Member will head a sub-committee responsible for legislation in a specific subject area, or general criminal practice, and will be available to take on a subject area as the need arises. Subject areas will be decided by the committee, by a majority vote. The goal is for Members to identify experts in the subject area and to recruit and mentor younger members of the OCDLA who have expressed an interest in a subject area or in legislative work in general. The sub-committees will research and prepare information for the committee and lobbyist(s). Ultimate responsibility for the preparation of the information rests with the committee member.

The sub-committee will consist of up to three non-voting ADVISORY members. Advisory members may become proxy voting members if a regular member is unable to attend a meeting and is so designated by the regular member. Advisory members may prepare assigned research and writing assignments and present them to the committee. The sub-committees will not have any recognized status outside of the Legislative Committee.

Non-voting EX OFFICIO members of the Legislative Committee will include the Executive Director of the OCDLA or designee, and the Executive Director of the Office of Public Defense Services (OPDS) or designee.

The Legislative Committee will be responsible for determining which pieces of legislation are the most important to the OCDLA and its membership. Each piece of legislation deemed by the lobbyist or Legislative Committee Member to have an impact on the core mission of the OCDLA and its members will be ranked by two-thirds vote in order of importance, with "1" being of the utmost importance and "5" being of no importance. All other votes will be passed by a majority vote of the Legislative Committee and if there is a tie on the vote, the matter dies for lack of a majority.

A. Committee Member Duties, Functions and Limitations

1. Attend every meeting of the Legislative Committee either in person or via electronic communications such as telephonically or through an internet site such as Skype. If a Member is unable to attend, they should notify the co-chairs of their absence prior to the meeting. The Member should notify and designate an Advisory member to attend the meeting in their stead as a proxy. If the Member fails to attend three (3) or more meetings without excuse, the Member is subject to removal from the Legislative Committee by the OCDLA Board of Directors.
2. Prepare position papers on specific legislation assigned for their review by researching the topic and critically analyzing the impact of the legislation on the core mission of the OCDLA and its members.

3. Present their findings to the Legislative Committee with recommendations on whether the OCDLA should take a position on the legislation and the priority the Committee should give to the advocacy for or against the legislation.
4. Confer with the other members of the Legislative Committee to determine which legislation is most important to the core mission of the OCDLA and its members.
5. Assist the lobbyist(s) in preparing for the lobbyist(s) testimony, work groups or conferences with legislators. The lobbyist(s) will assist said member in effectively communicating their position to the legislature.
6. Membership on the Legislative Committee represents a commitment to OCDLA, and willingly associating oneself to OCDLA's position and issues. A committee member may not lobby the legislature on an OCDLA issue contrary to the OCDLA position without approval of the committee. Only upon a majority vote of the committee shall such advocacy be allowed. Should the committee vote no, the committee member may only advocate on the issue by relinquishing his/her membership on the committee. For purposes of this section an "OCDLA issue" or "OCDLA position" means an issue selected or position arrived at, including the decision to remain silent on an issue, by the OCDLA Legislative Committee or the OCDLA Board of Directors.
7. Obtain expert testimony for hearings in front of legislative committees and coordinate with the lobbyist(s) in preparing that testimony. If there is a cost associated with the expert testimony, the member must get pre-approval for the cost from the Executive Director of the OCDLA prior to securing a final acceptance of any invitation.
8. Become the OCDLA's expert on legislation and its impact on the law in their specific subject area. As allowed by the Legislative Committee in consultation with the lobbyist, each member will present testimony to the legislature on their topic area.