

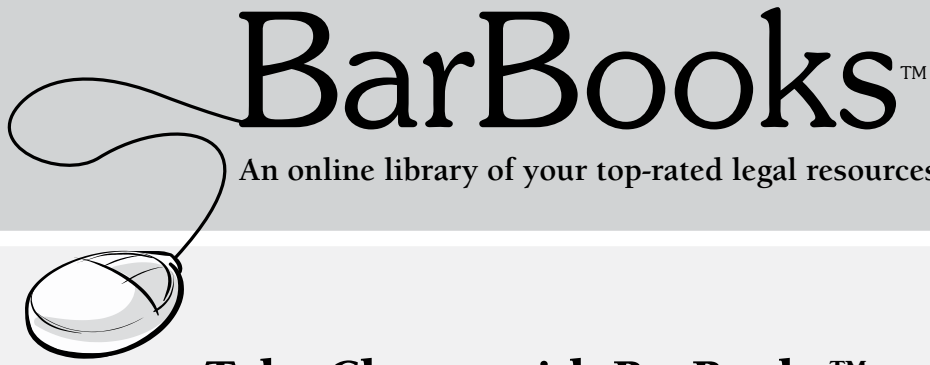
# 2010 OSB Legal Publications Catalog

## Our latest updates:

- Guardianships, Conservatorships, and Transfers to Minors, *page 5*
- Oregon Uniform Civil Jury Instructions, *page 10*
- Oregon Trial Objections, *page 10*
- Interpreting Oregon Law, *page 9*
- Federal Civil Litigation in Oregon, *page 9*
- Advising Oregon Businesses Vols. 3 & 4, *page 2*



Check out our online library and sign up at [www.osbar.org](http://www.osbar.org) today!



# BarBooks™

An online library of your top-rated legal resources written by and for Oregon lawyers.

## Take Charge with BarBooks™— Our Powerful Online Research Tool!

Over 700 Oregon law firms and 2,800 Oregon lawyers are using the BarBooks™ online library to jump-start their legal research and to prepare their cases more effectively and efficiently. Join the ranks of your research-savvy colleagues who are taking advantage of your top-rated legal resource written by and for Oregon lawyers.

With the BarBooks™ online library you will:

- Enjoy 40–50 percent off the retail price of any print book
- Gain instant online access to every OSB legal publication, including all supplements, revisions, and new books released during your subscription term
- Save valuable research time with immediate results using our keyword search feature
- Download over 1,100 forms and 850 jury instructions in Word or WordPerfect format to streamline preparation of documents for your clients
- Bookmark your research results and queries for easy access
- Research when it is convenient for you with 24/7 access, even on your handheld device.

For complete information, including pricing and how to subscribe, visit us at [www.osbar.org](http://www.osbar.org).

Oregon  
State  
Bar

Legal  
Publications

# Legal Publications Catalog Contents

This catalog contains books from the OSB Legal Publications Department. For a CLE Seminars products catalog, please call the OSB Service Desk at 503-431-6413 (800-452-8260, ext. 413), or download at [www.osbar.org](http://www.osbar.org).

<b>Administrative Law</b>		
Oregon Administrative Law . . . . .	1	
<b>Alternative Dispute Resolution</b>		
Arbitration and Mediation . . . . .	1	
<b>Appellate Practice</b>		
Appeal and Review . . . . .	1	
<b>Business Law</b>		
Advising Oregon Businesses Series . . . . .	2	
<b>Construction Law</b>		
Construction Law . . . . .	2	
<b>Contract Law</b>		
Contract Law in Oregon . . . . .	2	
<b>Criminal Law</b>		
Criminal Law . . . . .	3	
<b>Debtor/Creditor</b>		
Bankruptcy Law . . . . .	3	
Consumer Law in Oregon . . . . .	3	
Creditors' Rights and Remedies . . . . .	3	
Foreclosing Security Interests . . . . .	4	
<b>Elder Law</b>		
Elder Law . . . . .	4	
<b>Environmental Law</b>		
Environmental and Natural Resources Law . . . . .	4	
<b>Estate Planning &amp; Administration</b>		
Administering Oregon Estates . . . . .	4	
Administering Trusts in Oregon . . . . .	4	
Guardianships, Conservatorships, and Transfers to Minors . . . . .	5	
<b>Ethics</b>		
The Ethical Oregon Lawyer . . . . .	5	
Oregon Formal Ethics Opinions . . . . .	5	
<b>Family &amp; Juvenile Law</b>		
Family Law . . . . .	6	
Juvenile Law . . . . .	6	
The Rights of Children and Adolescents . . . . .	6	
<b>Insurance Law</b>		
Insurance . . . . .	6	
<b>Labor &amp; Employment Law</b>		
Labor and Employment Law: Private Sector . . . . .	6	
Labor and Employment Law: Public Sector . . . . .	7	
<b>Law Practice Management</b>		
Fee Agreement Compendium . . . . .	7	
<b>Legislation</b>		
20089 Oregon Legislation Highlights . . . . .	7	
2008 Oregon Legislation Highlights . . . . .	7	
<b>Medical &amp; Health Law</b>		
Oregon Health Law Manual Series . . . . .	7-8	
Volume 1: Consent, Confidentiality, and Reporting		
Volume 2: Life and Death Decisions		
Volume 3: Delivering Health Care		
Volume 4: Payment for Health Care		
<b>Real Property</b>		
Land Use . . . . .	8	
Read Estate Series . . . . .	8	
Documentation of Real Estate Transactions . . . . .	8	
Fundamentals of Real Estate Transactions . . . . .	8	
Principles of Oregon Real Estate Law . . . . .	8	
Real Estate Disputes . . . . .	8	
Regulation and Taxation of Real Estate . . . . .	9	
<b>Torts</b>		
Torts . . . . .	9	
<b>Trial Practice and Litigation</b>		
Damages . . . . .	9	
Federal Civil Litigation in Oregon . . . . .	9	
Interpreting Oregon Law . . . . .	9	
Oregon Civil Litigation Manual . . . . .	10	
Oregon Civil Pleading and Practice . . . . .	10	
Oregon Trial Objections . . . . .	10	
Uniform Civil Jury Instructions . . . . .	10	
Uniform Criminal Jury Instructions . . . . .	10	
<b>Workers' Compensation</b>		
Workers' Compensation . . . . .	10	

# Publications

## *A Word of Thanks*

*OSB Legal Publications appreciates the efforts of our volunteer authors and editors, whose generous contributions of time, talent, and expertise make each legal publication a valuable resource for Oregon lawyers.*

### LEGAL PUBLICATIONS STAFF

**Rosina Busse**  
*Assistant Editor*

**Lorraine Jacobs**  
*Attorney Editor*

**Linda L. Kruschke**  
*Manager*

**Dean P. Land**  
*Attorney Editor*

**Solange Lédée**  
*Administrative and Marketing Specialist*

**Stacey Malagamba**  
*Production Coordinator*

**Cheryl L. McCord**  
*Attorney Editor*

**Karen L. Zinn**  
*Research Editor*

## **Administrative Law**

### **Oregon Administrative Law**

Written and edited by experienced lawyers who practice before a wide range of Oregon administrative agencies, this book and supplement thoroughly explain the essential components of Oregon's Administrative Procedures Act, including its comprehensive definitions, rulemaking procedures, contested case procedures, procedures for judicial review of rules, contested case orders, declaratory rulings, and much more.

- 2001 1 vol. with 2005 supplement and forms on disk [408.KT] \$120
- 2005 supplement with forms on disk [408.05KS] \$50

## **Alternative Dispute Resolution**

### **Arbitration and Mediation**

This book explains the procedures available to compel—or avoid—arbitration and offers strategies for engaging in effective mediation. It also discusses the factors to consider in choosing to arbitrate or mediate, and in selecting the arbitrator or mediator for your case. The 2008 cumulative supplement includes a new chapter comparing the Oregon Uniform Arbitration Act and the Federal Arbitration Act, and analyzing which may apply in an Oregon Arbitration, and much more.

- 1996 2 vols. with 2008 cumulative supplement and forms on CD [420.KT] \$245
- 2008 cumulative supplement with forms on CD and extra binder [420.08KS] \$145

## **Appellate Practice**

### **Appeal and Review**

A comprehensive guide to civil, criminal, and administrative appeals in the Oregon appellate courts, this book includes jurisdiction and procedures, guidance on writing briefs, and appellate advocacy. The 2002 cumulative supplement focuses on Oregon cases and statutes, and includes an updated compendium of relevant case law that sets forth a collection of basic authority for such recurring appellate issues as jurisdiction, preservation of error, standards of review, and harmless error. A summary of the most important proposed amendments to the ORAPs for quick reference is also included.

- 1993 1 vol. with 2002 cumulative supplement [415.KT] \$180
- 2002 cumulative supplement [415.02S] \$85

## Business Law

### Advising Oregon Businesses Series

Covering virtually every aspect of business law, this set is Oregon's foremost resource on business law.

### Advising Oregon Businesses

#### Volumes 1 and 2

Volumes 1 and 2 provide practical advice to help you answer all your business clients' questions. Topics include: business formation; proprietorships and partnerships; incorporation; financing; corporate maintenance; liquidations, distributions, and redemptions; corporate reorganizations and their tax consequences; and much more. Topics in the supplement include: changes in U.S. patent law procedures; analysis of Subchapter S taxation changes; shareholder rights in closely held corporations; and changes to Oregon's LLC Act.

- 2001 2 vols. with 2007 supplement [410.KT] \$225
- 2007 supplement [410.07S] \$135

#### Volumes 3 and 4

**Updated!**

Volumes 3 and 4 provide extensive coverage of some of the finer, more advanced aspects of business law. Topics include: executive compensation matters, retirement plans, company policies, insurance, business acquisitions, tax considerations, antitrust, trademarks and copyrights, patent law, trade secrets, domain names, confidentiality agreements, competitive restrictions, and franchises. The 2009 supplement includes two revised chapters, new sections on the income tax treatment of deferred compensation under nonqualified deferred compensation plans (including a discussion of IRC §409A), statutory changes affecting company policies, such as increased restrictions on the use of noncompetition agreements, and other statutory changes from past legislative sessions.

- 2003 2 vols. with 2009 supplement [411.KT] \$235
- 2009 supplement [411.09S] \$140

#### Volume 5

Most forms in volume 5 are replete with comments, citations to statutes and legal authorities, and alternative clauses to help you tailor the forms to your clients' needs. All 98 forms (including 22 new forms) are organized within sections, including partnerships, LLCs, corporations and corporate matters, business acquisitions, and intellectual property. Log on to [www.osbar.org](http://www.osbar.org) for a full list of forms.

- 2004 1 vol. without binder (with forms on CD) [412.KB] \$165
- 2004 1 vol. with binder and forms on CD [412.KT] \$175

#### SERIES DISCOUNT:

**Order the entire Advising Oregon Businesses series and save \$50!**

- All five volumes with forms on CD [413.KT] \$585

*Note: The series discount cannot be combined with the 15% multiple-title discount.*

### *Here are some reasons to shop at our online bookstore!*

- **Shopping at the press of a button.** Just a few clicks and your books are on their way.
- **No more guesswork.** See the table of contents and a partial sample chapter for each book.
- **We're always open.** Purchase books 24/7.
- **Shop with confidence.** The Legal Publications Bookstore is a secure site.

## Construction Law

### Construction Law

Designed for the lawyer who represents anyone involved in the construction industry, this two-volume book contains practice-oriented information on the following topics: legal relationships between owners, design professionals, contractors, subcontractors, and suppliers; licensing and registration; contracts; bids; insurance; liens; damages; performance bonds; rights and liabilities of sureties; employment, tax, and bankruptcy issues.

- 2004 2 vols. without binders (with forms on CD) [440.KB] \$170
- 2004 2 vols. with binders and forms on CD [440.KT] \$190

## Contract Law

### Contract Law in Oregon

From formation to execution, this book covers all of the intricacies of Oregon contract law, including: elements of a contract, remedies for breach, obstacles to contract formation, capacity, statute of frauds, parol evidence rule and integration, third-party beneficiaries, and contract defenses. The 2008 supplement includes information on: enforceability of arbitration clauses, admissibility of extrinsic evidence to establish ambiguity in a contract term, methodology for interpreting insurance policies, and much more.

- 2003 1 vol. with 2008 supplement [450.KT] \$175
- 2008 supplement [450.08S] \$75

## Criminal Law

### Criminal Law

With nearly 1,800 pages and with over 4,000 cases, this book has expanded to three volumes of case law, statutory law (current through the 2005 and 2006 legislative sessions), rules, and practice tips, including: aftermath of *Blakely* regarding a court's ability to impose a sentence above the standard range set forth in the sentencing guidelines; aftermath of *Crawford* regarding the admissibility of testimonial hearsay; and a new chapter dealing with the exclusionary rule. The legislative supplement covers: enhancement facts and sentencing-phase jury trials; drug crimes; disorderly conduct in the first degree; appearance by simultaneous electronic transmission; conditional discharge statute; restitution statutes; dangerous-offender statutes; and definition of victim. The supplement also includes forms on CD and a revised chapter on criminal forfeiture.

- 2005 3 vols. with 2006 legislative supplement and forms on CD [460.KT] \$290
- 2006 legislative supplement with forms on CD [460.06KS] \$45

## Debtor/Creditor

### Bankruptcy Law

This book discusses the relationship between the bankruptcy court and federal district court, alternatives to filing bankruptcy, how to commence a bankruptcy case, litigation tactics, rights and remedies of secured creditors, strategies for unsecured creditors, automatic stays, and plans for reorganization. The supplement incorporates new information on the Bankruptcy Abuse Prevention and Consumer Protection Act, which opened a new era in bankruptcy law and practice.

- 1999 2 vols. with 2007 supplement and forms on CD [425.KT] \$295
- 2007 supplement with forms on CD [425.07KS] \$175

### Consumer Law in Oregon

Easily advise your clients about their available rights and remedies and provide answers to a variety of questions that will help protect their financial interests. Includes in-depth coverage of changes to the following: Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; Consumer Leasing Act; Credit Repair Organizations Act; Electronic Fund Transfer Act; Equal Credit Opportunity Act; Fair and Accurate Credit Transactions Act of 2003; Fair Credit Billing Act; Fair Credit Reporting Act; Fair Debt Collection Practices Act; Odometer Act; Oregon's Lemon Law; Truth in Lending Act; Truth in Savings Act; and much more.

- 1996 2 vols. with 2005 cumulative supplement and forms on disk [445.KT] \$225
- 2005 cumulative supplement with extra binder\* and forms on disk [445.05KS] \$115

*\*Past purchasers of this book will receive one binder to add to their existing set.*

## Creditors' Rights and Remedies

Containing the latest developments in debtor-creditor law and a wealth of practice tips to make you an efficient and effective lawyer, this book includes: enforcing statutory and possessory liens, discovery, foreign judgments, exemptions, using the Internet to search for debtors and their assets, execution, garnishment, bankruptcy, assignment for benefit of creditors and receivers, and fraudulent conveyances and creditors' bills. The supplement includes: disposition of foreclosure sale proceeds; obtaining and enforcing writs of execution; claims against revocable trusts; new provisions governing manner of payment at execution sales; effect of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 on the Bankruptcy Code; and changes to the homestead exemption.

- 2002 1 vol. with 2006 supplement and forms on CD [455.KT] \$165
- 2006 supplement with forms on CD [455.06KS] \$65

## Debtor/Creditor cont.

### Foreclosing Security Interests

Although emphasizing the foreclosure of interests in real property, this book also discusses the foreclosure of security interests in personal property, as well as self-help remedies under the UCC. Topics include: when the right to foreclosure arises; when to elect a different remedy; statutory procedures; mortgagee's liability for environmental problems; creating and recording trust deeds; foreclosure by advertisement and sale or by judicial proceeding; anatomy of a land sale contract; forfeiture; strict foreclosure requirements; enforceability and dischargeability of federal tax liens; resolving lien-priority disputes both judicially and administratively; who may claim a lien, and against whom; what is lienable; perfecting the lien; judicial foreclosure procedures; secured party's remedies on the debtor's default; disposing of collateral; and consequences of noncompliance with procedural requirements.

- 1997 1 vol. with 2005 cumulative supplement and forms on CD [490.KT] \$175
- 2005 cumulative supplement with forms on CD [490.05KS] \$95

## Elder Law

### Elder Law

The first comprehensive guide to elder law in Oregon is designed exclusively for attorneys whose practice involves elder law, estate planning, health law, family law, or litigation on behalf of the elderly. The guide examines key issues affecting elderly clients, including planning for incapacity, using Social Security and Medicare, making long-term care choices, dealing with nursing home mistreatment, and planning for retirement.

- 2000 1 vol. with 2005 supplement and forms on disk [467.KT] \$215
- 2005 supplement with forms on disk [467.05KS] \$65

## Environmental Law

### Environmental and Natural Resources Law

With 44 chapters of detailed information, this book and supplement present discussions on national and Oregon environmental statutes, rules, and cases, Oregon and Ninth Circuit decisions, myriad practice tips, and Web sites. Topics include: Clean Air Act; Clean Water Act; noise control; underground storage tanks; solid, hazardous, and infectious waste; asbestos; toxic torts; environmental audits; site assessments; residential real property transactions; environmental management systems; contracting environmental services; wetlands; mining; fishing; Indian law; and more. Plus, the 2006 supplement covers new topics and laws, including: Sustainability (new chapter); environmental blogs; NEPA analysis of grazing permits; indoor radon abatement and lead exposure reduction; standards for site assessments and environmental audits; and much more.

- 2002 2 vols. with 2006 supplement [468.KT] \$205
- 2006 supplement with extra binder [468.06KS] \$115

## Estate Planning & Administration

### Administering Oregon Estates

From initiating a probate proceeding to managing and distributing estate assets, this book will guide you through the process. Learn all the details involved in administering and closing the estate in a smooth and timely fashion, including: alternatives to probate; initiating probate and small estate proceedings; Probate Code; procedures on making claims against estates; contesting a will; accountings, distributions, and closing; generation-skipping transfer taxes; intestate succession; plus forms and practice tips. The 2006 legislative supplement updates the ORS citations and forms in the 2004 edition with Oregon legislation on topics such as: Oregon special marital property; forfeiture of

a parent's share of property passing by intestate succession; the court's ability to enter a "limited judgment"; making an anatomical gift by listing on a "registry"; increased value limitations for small estate proceedings; and much more.

- 2004 1 vol. with 2006 legislative supplement and forms on CD [405.KT] \$190
- 2006 legislative supplement with forms on CD [405.06KS] \$35

### Administering Trusts in Oregon

A pragmatic and thorough guide for lawyers, this book is an in-depth examination of the process of administering trusts, with a specific focus on Oregon law and practice. Chapters include information on: providing accountings to beneficiaries; compensation and timelines; receipts and disbursements; process for removing a trustee by court order; and how to determine a trustee's tax liability after the settlor dies. The 2007 revision also includes a chapter written by the chairs of the Oregon UTC Study Committee analyzing the new trust code and explaining each new code provision.

- 2007 1 vol. without binder (with forms on CD) [407.KB] \$165
- 2007 1 vol. with binder and forms on CD [407.KT] \$175

*"Administering Oregon Estates is the best of the OSB's set of CLE publications. At our office we refer to the book as "the black bible of estates." Thank you for all the work you put into making such a great resource for the practitioners of the State."*

— Darcy Kindschy, Ontario, OR

## Guardianships, Conservatorships, and Transfers to Minors

**Revised!**

Now in its fifth edition, this is a comprehensive guide to protective proceedings in Oregon. Topics include: Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; access to the basic pleading, notice, objection, and hearing procedures to be used for seeking and obtaining the appointment of a fiduciary in a protective proceeding; over 50 forms, including checklists for monitoring a protective proceeding to assist the lawyer and the fiduciary; 2009 legislation that permits DHS to disclose confidential information when necessary to protect the health or safety of a person who is the subject of a protective proceeding; and much more.

- 2009 1 vol. softbound with forms on CD [492.KB] \$105

## Ethics

### The Ethical Oregon Lawyer

No matter what your practice area, you need to follow the disciplinary rules—for yourself and for your clients. With the recent change from the old DRs to the new Oregon RPCs, you may wonder if the answers you knew have changed. This revised edition is the best source for answers to your ethics questions. Plus, each chapter highlights the major differences between Oregon's Rules of Professional Conduct and the RPCs of Washington, Utah, and Idaho. Topics include: advertising and solicitation; attorney fees and fee agreements; withdrawal from employment as attorney; client confidences; economic and personal conflicts; multiple-client conflicts; Professional Liability Fund; duty to cooperate; legal ethics issues for in-house and government lawyers; ethics issues for appellate lawyers; Oregon judicial ethics; diminished-capacity clients; competence, diligence, and zealotry in client representation; conflict-waiver letters; and negotiation ethics.

- 2006 1 vol. without binder (with forms on CD) [470.KB] \$145
- 2006 1 vol. with binder and forms on CD [470.KT] \$155

### Oregon Formal Ethics Opinions

Since January 2005, Oregon lawyers have had a new ethics code, the Oregon Rules of Professional Conduct. This book is updated and revised to conform to the new Oregon RPCs. The supplement includes four new opinions: lawyer acting as lawyer, broker, and loan officer; representing two unrelated clients in pending litigation of factually unrelated matters that share a common legal issue, either with or without conflicts waivers; ethical obligations of a court-appointed lawyer to an indigent client and ethical obligations of a lawyer who supervises other lawyers who have excessive caseloads; and calling a press conference to assert as fact the allegations forming the basis of a civil action. The 2007 supplement also includes ethics opinions that were approved in 2006, as well as updated ORPCs, tables, subject index, and opinions citator.

- 2005 1 vol. with 2007 supplement [475.KT] \$135
- 2007 supplement [475.07S] \$55

### Get 40% off books when you subscribe to BarBooks™

BarBooks™ online subscribers are entitled to a 40% discount off the purchase price of print publications. This discount may be combined with the 10% early-bird discount that is offered on all books when they are first released. *Cannot be combined with the 15% multiple-title discount.*

*After three years of practicing law in Oregon, the Oregon State Bar's electronic BarBooks™ subscription has been the single best addition to my tool box of legal research resources. The ability to quickly search or browse the volumes allows a more comprehensive and efficient review of material compared to using the hard copy version, and the ability to copy and paste out of the electronic version is a nice luxury and big time saver.*

— Kyle Schmid, Bend, OR

## Family & Juvenile Law

### Family Law

Completely revised in 2002 and recently updated, this three-volume book is essential for Oregon lawyers who practice family law. Learn about: marriage; annulment; separation; spousal and child support; child custody; visitation; domestic violence; enforcement; modification; discovery; property division; tax aspects; procedure; adoption; health insurance and retirement; paternity; unmarried couples; prenuptial, postnuptial, and marriage settlement agreements; appeal; and mediation. The cumulative supplement includes four revised chapters and over 900 pages of updated information. Highlights from the supplement include: information on Oregon's new domestic partnership laws, analysis of Oregon's new workplace leave law, examination of changes to the presumptions of a father's paternity of a child born in wedlock, requirements that health care coverage be provided as part of child support orders or modifications, paternity presumption that determines parentage of a child born within 300 days after a marriage is terminated, Prenuptial Agreement form, Mediation and Fee Agreement form, changes in property division after *Kunze and Kunze* and how this case changed the way a party rebuts the presumption of equal contribution, and much more.

- 2002 3 vols. with 2008 cumulative supplement and forms on CD [485.KT] \$285
- 2008 cumulative supplement with forms on CD [485.08KS] \$145

### Juvenile Law

Written by lawyers, judges, juvenile court staff, and child psychologists, *Juvenile Law* deals with issues relevant to both delinquency and dependency cases and offers a thorough examination of the Juvenile Code as well as the code's case law interpretations. In addition, 2007 legislation is incorporated, including paternity determinations by the juvenile court. And, as always, our expert authors have added many practice tips and comments that help make this book an essential tool for your practice.

- 2007 1 vol. with binder and forms on CD [501.KT] \$285

### The Rights of Children and Adolescents

This booklet is an indispensable resource for anyone who needs a quick reference regarding where children and adolescents stand under the law. It covers a broad spectrum of issues, including: custody, visitation, and child support; ownership, management, and taxation of children's property; parents' and children's liability in tort and contract; children's access to government benefits; and much more. This book is a must-have not only for Oregon lawyers who represent children but also for any lawyer who has clients with children.

- 2006 1 vol. booklet [501.06B] \$35

*Note: This publication is not available online with the BarBooks subscription.*

*"The Family Law book is a comprehensive resource for the majority of issues involved in family law. It's the first source I use in researching all issues involved in representing my clients. A wonderful initial source for research and concise summary of Oregon law."*

— Rich Potter, Eugene, OR

## Insurance Law

### Insurance

A valuable resource for lawyers and other professionals whose work involves insurance practice. Topics include: understanding and interpreting policy language termination of a policy; pretrial discovery and evidence; extracontractual claims; actions against insurers; overlapping insurance and excess liability; conflicts of interest; steps to be taken following the loss; powers of the adjuster; PIP, automobile, marine, aviation, life, and property insurance; general liability coverage; comprehensive personal liability coverage; garage liability coverage; and coverage for environmental damage claims. The 2003 cumulative supplement adds practice tips, statutes, and recent case law.

- 1996 2 vols. with 2003 cumulative supplement [495.KT] \$225
- 2003 cumulative supplement [495.03S] \$95

## Labor & Employment Law

### Labor and Employment Law: Private Sector

An extensive compendium to state and federal law governing the duties of employers and the rights of employees, this revised book not only analyzes cases, statutes, and regulations that affect workplace rights and responsibilities, it also includes dozens of practice tips and a useful table of acronyms. Topics include: employment actions in tort and in contract; wages, hours, fringe benefits; equal employment opportunity; collective bargaining, unfair labor practices; recognition of labor organizations; labor disputes; veterans' and reservists' employment rights; independent contractors; safety and health; unemployment insurance; record retention; the ADA; family leave laws; and private sector labor relations not covered by federal law. Contains over 1,700 case discussions and citations.

- 2002 1 vol. without binder [505.02B] \$155
- 2002 1 vol. with binder [505.KB] \$165

## Labor and Employment Law: Public Sector

Over 15% of Oregon's workers are public sector employees, and this book conveniently brings the rules and laws governing Oregon's public sector employees and employers inside one cover. Topics include: the procedures and precedents of the Public Employee Collective Bargaining Act, how to take a case before the ERB, representation and unit clarification petitions, unfair labor practice complaints, negotiating collective bargaining agreements, PERS, restrictions on public officials, employee rights and employer responsibilities under Section 1983, civil service acts, and Oregon's personnel relations law. Contains over 750 pages and 1,400 case discussions and citations.

- 2002 1 vol. without binder [510.02B] \$155
- 2002 1 vol. with binder [510.KB] \$165

## Law Practice Management

### Fee Agreement Compendium

Because most lawyer-client disputes involve fees, every Oregon lawyer can benefit from this publication. Learn how to use fee agreements to protect yourself from malpractice claims; set up trust accounts to hold your clients' payment appropriately; communicate the agreement clearly and effectively; avoid the common traps that lead to fee disputes; and more. This book includes valuable information on ethics and malpractice, trust accounts, truth-in-lending considerations, billing costs, and IOLTA. Each chapter is followed by a series of fee agreements, which are prefaced by the contributors' tips for using the agreement effectively. All 44 fee agreement forms on the companion forms on CD are written in "plain language" to make them understandable to your client.

- 2007 1 vol. softbound with forms on CD [488.KB] \$95

## Legislation

### 2009 Oregon Legislation Highlights

With summaries and effective dates of over 400 bills and broken into 23 subject areas, this edition covers a number of areas of law that underwent significant changes in 2009. These changes include landlord-tenant, consumer, debtor-creditor, business, and tax law. This book is an excellent resource for the attorney who wants to be sure they are up to date on the latest changes to Oregon law.

- 2009 1 vol. softbound [520.09B] \$85

### 2008 Oregon Legislation Highlights

From administrative law to workers' compensation, the 2008 special-session edition summarizes and explains over 40 enacted bills in 21 chapters. This edition explains: new requirements for retailers of children's products; disparate impact discrimination in residential landlord-tenant actions; regulation of foreclosure consultants and equity conveyances; regulation of mortgage brokers and mortgage bankers; release restrictions for certain methamphetamine-related offenses; new withholding amounts on certain real property conveyances; clarification of the business energy tax credit; and much more.

- 2008 1 vol. softbound [520.08B] \$30

## Medical & Health Law

### Oregon Health Law Manual Series

This series of publications provides a practical explanation of the legal issues involved in the delivery of health care services in Oregon.

#### **Volume 1:** *Consent, Confidentiality, and Reporting*

This volume brings Oregon lawyers a detailed analysis of the combined effects of the new federal privacy rules and Oregon law. Also includes: patient safety, reporting, scientific research; 2003 legislation; practice tips; and 25 forms. If you use medical records for trial in Oregon, represent health care services, government agencies, or are involved in health care issues, you need this book.

- 2003 1 vol. softbound [525.03B] \$75

#### **Volume 2:** *Life and Death Decisions*

This volume is arranged chronologically to delve into Oregon law on health care decisions regarding the critical points in the human life cycle. Topics include: reproduction and abortion, substituted decisions such as the advanced directive, assisted dying, end-of-life decisions, and death. Nine forms are included.

- 1997 1 vol. softbound [526.97B] \$40

#### **Volume 3:** *Delivering Health Care*

This volume addresses the Oregon laws governing the delivery of health care. Topics include: health care facilities and other practice settings, certificate of need, medical staff organization and structure, provider organizations, tax-exempt organizations, tax-exempt finance, integrated delivery systems, and Medicare fraud and abuse. An excellent resource for any health care facility.

- 1998 1 vol. softbound [527.98B] \$60

**Volume 4:****Payment for Health Care**

This volume addresses the numerous Oregon and federal laws governing payment for health care. Topics include: managed care, including HMOs and PPOs; health insurance coverage and policies; state programs, including Medicaid and the Oregon Health Plan; health insurance claims and disputes; workers' compensation coverage; Medicare; medical providers as creditors; ERISA, COBRA, and state continuation; state health planning and insurance reform; and defending health care fraud and abuse cases.

- 2001 1 vol. softbound [528.01B] \$85

**SERIES DISCOUNT:**

**Order all four volumes and save \$35!**

- Volumes 1, 2, 3, and 4 (softbound) [529.KT] \$225

*Note: The series discount cannot be combined with the 15% multiple-title discount.*

## Real Property

**Land Use**

This book explains Oregon's unique land use laws and brings together current discussions of case law, statutes, and regulations in one valuable reference tool. Learn how the Goals will affect your client's project, how to work with local governments, and what to do if your case ends up before the Land Use Board of Appeals (LUBA). The supplement includes 1999 legislation and complete coverage of the status of Oregon law after *Dolan* and *Nollan*, and the legislature's statute of limitations for takings claims; the relationship between the 120-day rule and mandamus claims; the transportation planning rule; amendments to the farm and forest land statutes; the new moratorium statute and approval criteria for housing; and a revised chapter on local government procedures, including discussion of options when a decision is reversed or remanded by LUBA.

- 1994 1 vol. with 2000 supplement [515.KT] \$220
- 2000 supplement [515.00S] \$95

**Real Estate Series**

This series covers virtually every aspect of real property law and is an essential resource.

**Documentation of Real Estate Transactions**

With over 1,000 pages and seven new forms, this book contains the most essential forms and provisions, including a contract of sale, a commercial lease, a residential lease, and like-kind exchanges. Each form includes alternate provisions to help you tailor the form to suit your client's needs. And, as always, extensive practice tips from experienced lawyers add value and provide guidance in amending the forms.

- 2008 1 vol. without binder (with forms on CD) [541.KB] \$265
- 2008 1 vol. with binder and forms on CD [541.KT] \$275

**Fundamentals of Real Estate Transactions**

This publication provides in-depth coverage of both residential and commercial real estate transactions—from questions to ask during the initial client interview through responsibility in closing. Topics include: the lawyer's role, ethics, financial aspects, escrows and closing, title insurance, securities issues, foreign investment in U.S. real estate, warranties, bankruptcy issues, and environmental liability. The cumulative supplement includes a chapter on water rights and transactions, new case law, a revised checklist for real estate transactions, and much more.

- 1992 1 vol. with 2001 cumulative supplement [542.KT] \$155
- 2001 cumulative supplement [542.01S] \$85

**Principles of Oregon Real Estate Law**

This book explains the essential Oregon case law and statutes for real estate ownership and conveyances, including the creation and characteristics of estates in real property; concurrent ownership; the requirements of the statute of frauds and exceptions to it; the scope of marketable title; creating, enforcing and interpreting covenants, restrictions, and easements; the elements included as fixtures in conveyances; and Oregon's recording laws and priorities that arise under them. The 2003 cumulative supplement adds statutory changes through the 2003 Legislature, evolving case law, and commentary from the experts.

- 1995 1 vol. with 2003 cumulative supplement and forms on CD [543.KT] \$155
- 2003 cumulative supplement with forms on CD [543.03KS] \$85

**Real Estate Disputes**

Loaded with practice tips, casenotes, and forms, this book covers everything from contract theory and actions for rescission, to establishing liens and sheriff's sales. Topics include: changes in landlord-tenant laws, purchaser's remedies for breach of land sale contract, reformation, forcible entry and detainer, ejectment, suits to quiet title, suits for partition, adverse possession and prescription, eminent domain, boundary lines, encroachments, waste and injuries to land, judgments, execution, exemptions, and seller's liability. Cumulative supplement contains new chapters on commercial lease agreements and updates each chapter through 2001 legislation.

- 1993 1 vol. with 2002 cumulative supplement and forms on CD [540.KT] \$155
- 2002 cumulative supplement with forms on CD [540.02KS] \$90

## Regulation and Taxation of Real Estate

Focusing on the various ways that the development and sale of real property is regulated in Oregon, this book goes beyond the fundamental real estate transaction and covers a variety of complex real estate development issues for you to consider when giving practical advice to your clients. Includes topics such as ad valorem taxes, dedication of private land to public use, partitions and subdivisions, real estate licenses, representing homeowner associations, mobile homes, and building codes. The 2003 cumulative supplement updates the 1995 edition through 2003 legislation, and adds new case law, OARs, practice tips, and much more. It addresses perfecting liens for special assessments, vacation proceedings as land use actions, latest changes in the building code, interpreting the ADA as it applies to public accommodations, and more. Contains forms on disk, including forms for unstaged condominium projects and planned communities.

- 1995 1 vol. with 2003 cumulative supplement and forms on CD [544.KT] \$160
- 2003 cumulative supplement with forms on CD [544.03KS] \$95

### REAL ESTATE SERIES DISCOUNT:

Order the complete Real Estate Series and save \$95!

- All five books with supplements and forms on CD [545.KT] \$805

*Note: The series discount cannot be combined with any other discounts.*

## Torts

### Torts

*Torts* will help you plead—or defend—your case, from black-letter law and case citations to analysis and commentary from Oregon's foremost tort law experts. Topics include: intentional torts, sexual misconduct, defamation and invasion of privacy, negligence, malpractice, products liability, toxic torts, liquor liability, commercial torts, wrongful death, claims against governmental bodies, statutory torts, statutes of limitations and repose, vicarious liability, joint tortfeasors, and indemnity and contribution. These and many more questions are answered in *Torts*. Includes 2005 legislation.

- 2006 2 vols. without binders [550.06B] \$215
- 2006 2 vols. with binders [550.KT] \$235

## Trial Practice and Litigation

### Damages

This two-volume book discusses the types of damages awards that may be available to your client, as well as the elements of various claims and the requisite pleading and proof of each. The 2007 cumulative supplement updates the 1998 revision through several legislative sessions and recent case law, and includes discussions on: recent opinions of foreseeability; most recent case law on punitive damages; discussion of when nominal damages are recoverable; changes in definition of *prevailing party* in regards to attorney fee awards; and much more.

- 1998 2 vols. with 2007 cumulative supplement [465.KT] \$255
- 2007 cumulative supplement [465.07S] \$120

## Federal Civil Litigation in Oregon

**Revised!**

Specifically designed for attorneys practicing in the federal district court in Oregon, this book includes detailed discussions of the Federal Rules of Civil Procedure in conjunction with the local rules for Oregon and relevant case law. Highlights include: new chapters on preservation, discovery, and presentation of electronic evidence, and e-filing, FRCP amendments taking effect in December 2009, effect of the Class Action Fairness Act of 2005 on federal jurisdiction over class actions, and discussion of recent Ninth Circuit cases on general and specific jurisdiction. This revision also includes over 2,500 cases.

- 2009 2 vols. with forms on CD [487.KT] \$315

## Trial Practice and Litigation cont.

### Interpreting Oregon Law

**New!**

Prepare yourself to argue for the proper interpretation of a statute, administrative rule, or constitutional provision on behalf of your client. Edited by Judge Jack Landau, an expert in statutory interpretation, this publication will guide you through the *PGE* statutory construction analysis as recently modified by *Gaines* so that you will be prepared to effectively argue your case at trial and on appeal.

- 2009 1 vol. softbound [496.09B] \$125.00

## Oregon Civil Litigation Manual

**Updated!**

The foundation that you need for effective civil trial procedure and practice in Oregon's state courts, the 2004 revision provides the critical information you need on numerous facets of civil litigation, from practice tips and court rules to case investigation, pleadings and parties, summons, discovery, trial motions, judgments, attorney fees, and collection of judgments. The 2009 supplement includes various aspects of the Oregon eCourt program, as well as e-filing, analysis of the judgment statute updates made during recent legislative sessions, postverdict review of punitive damages awards, an updated list of Oregon attorney fee provisions, and much more.

- 2004 2 vols. with 2009 supplement and forms on CD [430.KT] \$275
- 2009 supplement with forms on CD [430.09KS] \$115

## Oregon Civil Pleading and Practice

This ultimate resource for analyzing the ORCPs has been completely revised, describes how the courts interpret the ORCPs, and includes practice tips on how to use them. It also contains over 2,500 cases, 150 forms, and brief comparisons with federal rules in key areas when decisions need to be made about taking a case to state or federal court.

- 2006 2 vols. without binders (with forms on CD) [435.KB] \$235
- 2006 2 vols. with binders and forms on CD [435.KT] \$255

## Oregon Trial Objections

**New!**

Provides novice and seasoned litigators alike with a handy quick-reference tool, to be ready to state the proper objection to any questionable evidence at trial and to respond to objections raised by opposing counsel. Arranged in alphabetical order of objections, each possible objection in this new publication provides you with: the proper form of objection; the possible responses to an objection; an explanation of the objection and responses; a cross-reference to OREGON EVIDENCE, by Laird C. Kirkpatrick, for further research; the full text of the relevant Oregon Evidence Rule(s); and space for notes related to your current case or new case law.

- 2009 1 vol. spiral bound [521.09B] \$105

## Uniform Civil and Criminal Jury Instructions

These instructions are used by most judges in Oregon courts and by counsel throughout the state. *Books and forms on CD are updated annually.*

## Civil Volume

Cautionary • General Instructions • Negligence, Causation, Foreseeability, and Comparative Negligence • Agency • Motor Vehicles • Miscellaneous Torts • Employment Actions • Condemnation • Contracts • Damages • Landlord-Tenant • Verdicts

- 2005 1 vol. with 2006-2009 supplements and forms on CD [555.KT] \$245
- 2009 supplement with forms on CD [555.09KS] \$70

## Criminal Volume

General Instructions • Defenses • Offenses Against the State • Homicide • Assault, Menacing, Recklessly Endangering, and Coercion • Kidnapping and Custodial Interference • Rape, Sodomy, and Sexual Offenses • Family Offenses • Theft • Burglary and Criminal Trespass • Arson and Criminal Mischief • Robbery • Forgery • Riot, Harassment, and Disorderly Conduct • Weapons and Firearms • Vice • Controlled Substances • Traffic Offenses • Wildlife Offenses • Boating Offenses • Animals • Computer Crime • Miscellaneous • Environmental Crime • Sentencing Phase Instructions

- 2002 1 vol. with 2003-2008 supplements and forms on CD [565.KT] \$265
- 2008 supplement with forms on CD [565.08KS] \$50

## Workers' Compensation

### Workers' Compensation

This book provides you with the information that you need regarding the compensability of on-the-job injuries. Highlights include: statutory changes taking effect July 2009, the Oregon Safe Employment Act, under which circumstances attorney fees are awarded in workers' compensation cases, how a claim is processed, helpful tips for conducting an interview with an injured worker, and much more.

- 2008 2 vols. [570.KT] \$225

## About our forms...

All of our forms on disk and on CD-ROM are licensed to one attorney user. Additional licenses may be purchased for other attorney users in the same firm or organization. In most cases, additional licenses are \$20, except for *Advising Oregon Businesses* Vol. 5, *Documentation of Real Estate Transactions*, and *Uniform Jury Instructions*, Civil and Criminal, which are \$45. Additional licenses may be purchased with your initial order or at a later time. Please visit us at [www.osbar.org/\\_docs/legalpubs/LicenseAgreement.pdf](http://www.osbar.org/_docs/legalpubs/LicenseAgreement.pdf) to review the license agreement before purchasing additional licenses.

# ORDER FORM

Name \_\_\_\_\_ Bar # \_\_\_\_\_  
Firm Name \_\_\_\_\_ Phone \_\_\_\_\_  
Street Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

TITLE	CODE	QTY.	PRICE EA.	TOTAL
Example: Oregon Admin. Law	405.KT		\$120.00	N/A

**Additional User Licenses\***

Book				
Book				
Book				
Book				

Please attach additional sheets if necessary.

Items are subject to availability and are filled on a first-come, first-served basis. Prices are subject to change without notice.

**SUBTOTAL:** ..... \$ \_\_\_\_\_

Subtract 40% if you are a BarBooks™ subscriber

**OR**

Subtract 15% if you are buying

7 or more titles. .... \$ \_\_\_\_\_

**SUBTOTAL:** ..... \$ \_\_\_\_\_

**SHIPPING & HANDLING:** .... \$ 7.00  
Tracking Code C

**TOTAL:** ..... \$ \_\_\_\_\_

\*See page 10 for more details.

For \$20 license, use code [417510F.CW].

For \$45 license, use code [417510B.CW].

## OSB SERVICE DESK:

Monday through Friday, 8:00 a.m. to 5:00 p.m., or visit [www.osbar.org](http://www.osbar.org)

### PAYMENT OPTIONS

- Check enclosed: Payable to the Oregon State Bar.  
 Please bill: Customer No. \_\_\_\_\_  
 Credit Card (VISA & MasterCard Only)

All the information below is required when paying by credit card.

Credit Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_  
Name on Credit Card (please print) \_\_\_\_\_  
Credit Card Billing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Authorized Signature \_\_\_\_\_

### FOUR WAYS TO ORDER

- ONLINE:** For fastest service, go to [www.osbar.org](http://www.osbar.org) for the bookstore.  
Note: BarBooks™ discount is not available if purchasing online.
- MAIL:** Mail **this order form** with payment to: Oregon State Bar, OSB Service Desk, P.O. Box 231935, Tigard, Oregon 97281-1935.
- FAX:** Fax **this order form** with credit card information to 503-968-4456.  
To avoid duplicate orders, do NOT mail a copy.
- PHONE:** To order products with a credit card, call the OSB Service Desk at 503-431-6413, or toll-free in Oregon at 1-800-452-8260, ext. 413.

### SHIPPING & HANDLING

Orders within the U.S. will be shipped for a \$7 shipping and handling fee. Express service and international deliveries are available for an additional charge. Call the OSB Service Desk for more information. Allow two weeks for normal delivery.

### RETURN POLICY

Returns with receipt (picking list) are accepted within 45 days from the shipping date. Defective products will be replaced. Full refund for books with no visible marks, creases, etc., and in salable condition. Please send to OSB, **Attention: Returns**, 16037 SW Upper Boones Ferry Road, P.O. Box 231935, Tigard, Oregon 97281-1935. Questions? Call 503-431-6413; toll-free in Oregon 1-800-452-8260, ext. 413.

# ORDER FORM

Name	Bar #
Firm Name	Phone
Street Address	
City	State
	Zip

*Items are subject to availability and are filled on a first-come, first-served basis. Prices are subject to change without notice.*

**SUBTOTAL:** ..... \$ \_\_\_\_\_

Subtract 40% if you are a BarBooks™ subscriber

**OR**

Subtract 15% if you are buying

7 or more titles. .... \$ \_\_\_\_\_

**SUBTOTAL:** ..... \$ \_\_\_\_\_

**SHIPPING & HANDLING:** ..... \$ 7.00  
Tracking Code C

**TOTAL:** ..... \$ \_\_\_\_\_

\*See page 10 for more details.

For \$20 license, use code [417510F.CW].

For \$45 license, use code [417510B.CW].

TITLE	CODE	QTY.	PRICE EA.	TOTAL
<i>Example:</i> Oregon Admin. Law	405.KT		\$120.00	N/A

**Additional User Licenses\***

Book				
Book				
Book				
Book				

*Please attach additional sheets if necessary.*

## OSB SERVICE DESK:

Monday through Friday, 8:00 a.m. to 5:00 p.m. or visit [www.osbar.org](http://www.osbar.org)

**PAYMENT OPTIONS**

- Check enclosed: Payable to the Oregon State Bar.
- Please bill: Customer No. \_\_\_\_\_
- Credit Card (VISA & MasterCard Only)

**All the information below is required when paying by credit card.**

Credit Card Number	Expiration Date
Name on Credit Card (please print)	
Credit Card Billing Address	
City	State
	Zip Code
Authorized Signature	

**SHIPPING & HANDLING**

Orders within the U.S. will be shipped for a \$7 shipping and handling fee. Express service and international deliveries are available for an additional charge. Call the OSB Service Desk for more information. Allow two weeks for normal delivery.

**RETURN POLICY**

Returns with receipt (picking list) are accepted within 45 days from the shipping date. Defective products will be replaced. Full refund for books with no visible marks, creases, etc., and in salable condition. Please send to OSB, **Attention: Returns**, 16037 SW Upper Boones Ferry Road, P.O. Box 231935, Tigard, Oregon 97281-1935. Questions? Call 503-431-6413; toll-free in Oregon 1-800-452-8260, ext. 413.

**FOUR WAYS TO ORDER**

1. **ONLINE:** For fastest service, go to [www.osbar.org](http://www.osbar.org) for the bookstore.  
Note: BarBooks™ discount is not available if purchasing online.
2. **MAIL:** Mail **this order form** with payment to: Oregon State Bar, OSB Service Desk, P.O. Box 231935, Tigard, Oregon 97281-1935.
3. **FAX:** Fax **this order form** with credit card information to 503-968-4456.  
To avoid duplicate orders, do NOT mail a copy.
4. **PHONE:** To order products with a credit card, call the OSB Service Desk at 503-431-6413, or toll-free in Oregon at 1-800-452-8260, ext. 413.

Administrative Law  
Alternative Dispute Resolution  
Appellate Practice  
Business Law  
Construction Law  
Contract Law  
Criminal Law  
Debtor/Creditor  
Elder Law  
Environmental Law  
Estate Planning & Administration  
Ethics  
Family & Juvenile Law  
Insurance Law  
Labor & Employment Law  
Law Practice Management  
Legislation  
Medical & Health Law  
Real Property  
Torts  
Trial Practice & Litigation  
Workers' Compensation

Oregon  
State  
Bar  
Publications

16037 SW Upper Boones Ferry Rd  
P.O. Box 231935  
Tigard, Oregon 97281-1935

**OSB Legal Publications**  
*Your top-rated legal resource written by and for Oregon lawyers.*