

NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Justice	OAR chapter 137
Agency and Division	Administrative Rules Chapter Number
Carol Riches	1162 Court St NE Salem, OR 97301
Rules Coordinator	Address
	Telephone
	(503) 947-4700

RULE CAPTION

Amends Model Rule Relating to Collaborative DR Provider Roster and Simplified Mediator Procurement Process

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

September 25, 2007	1:00 p.m.	158 12 th Street NE, Salem, OR 97301	Kyle Martin
Hearing Date	Time	Location	Hearings Officer

Hearing Date	Time	Location	Hearings Officer
		<i>Auxiliary aids for persons with disabilities are available upon advance request.</i>	

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND: 137-005-0040

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 183.341 and ORS 183.502

Other Auth.:

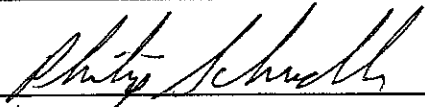
Stats. Implemented: ORS 183.502; Or Laws 1997, ch 670; Or Laws 2005, ch 334

RULE SUMMARY

The rule change amends the Attorney General's Model Rule relating to the selection and procurement of dispute resolution providers. The change allows a roster of collaborative dispute resolution providers and a simplified mediator and facilitator procurement process developed by the Department of Justice to be used by the agency when selecting all collaborative dispute resolution providers, whether by consensus or otherwise. Currently, agencies may use the simplified procurement process only when selecting a provider by consensus.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator): September 25, 2007

	Philip Schradle, Special Counsel to the Attorney General	Date <u>8/15/07</u>
Signature	Printed name	Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Justice
Agency and Division

OAR chapter 137
Administrative Rules Chapter Number

In the Matter of: Amendments to division 005 of the Attorney General's Model Rules

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Amends Model Rule Relating to Collaborative DR Provider Roster and Simplified Mediator Procurement Process

Statutory Authority: ORS 183.341 and 183.502

Other Authority:

Stats. Implemented: ORS 183.502; Or Laws 1997, ch 670; Or Laws 2005, ch 334

Need for the Rule(s): This proposed amendment to the Attorney General's Model Rule allows a roster of collaborative dispute resolution providers and a simplified mediator and facilitator process developed by the Department of Justice to be used by the agency when selecting all collaborative dispute resolution providers, whether by consensus or otherwise.

Documents Relied Upon, and where they are available: Minutes of Advisory Committee meeting of August 13, 2007, available from the Department's Rules Coordinator, Carol Riches, at 1162 Court Street NE, Salem, Oregon 97301.


Fiscal and Economic Impact, including Statement of Cost of Compliance:

The Department is unable to ascertain whether this change to OAR 137-005-0040 will have a fiscal impact or not. Agencies are not required to adopt the Model Rules and the rules will have no effect upon agencies that do not adopt them. It seems likely that some agencies will adopt the rules. Even if agencies do adopt the rules, any fiscal impact associated with the rules is expected to be minimal, if any. Units of local government and members of the public will not be affected by the rule changes, unless agencies adopt these rules.

How were small businesses involved in the development of this rule? Small businesses were not involved.

Administrative Rule Advisory Committee consulted?: Yes.

If not, why?:



Philip Schradle, Special Counsel to the Attorney General

Signature

Printed name

Date

8/15/07

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2005