

Tips, Traps, and Resources

State Court Filing Fee Changes: Effective July 1, 2009, some state court filing fees have changed. There is no single circuit court fee schedule. Before filing papers in state court, check the court's Web site (www.ojd.state.or.us/courts/circuit/index.htm) or contact the court directly for correct fee amounts.

In addition, HB 2278B will result in other new fees and fee changes that will take effect October 1, 2009. Information on those forthcoming changes will be posted on the Oregon Judicial Department Web site at a later date.

UTCR Changes: Chief Justice De Muniz approved changes to the Uniform Trial Court Rules that became effective August 1, 2009. You can find the amended UTCRs at www.ojd.state.or.us/programs/utcr/documents/2009_UTCR.pdf. A summary of the changes begins on page 3.

Note to family law practitioners: New UTCR 2.130 establishes a procedure for segregating certain confidential personal information in family law proceedings. UTCRs 2.130.1, 2.130.2, and 2.130.3 create new Confidential Information Forms (CIF), which you can find in the UTCR Appendix at www.ojd.state.or.us/programs/utcr/documents/2009_UTCR_Appendix_of_Forms.pdf.

The UTCR committee's next meeting is scheduled for October 16, 2009. The committee welcomes proposals for changes to the UTCRs. Submit proposals by September 1, 2009, to utcr@ojd.state.or.us.

FTC Delays Enforcement of Identity Theft Requirements: In late April 2009, the Federal Trade Commission (FTC) informed the American Bar Association of its intent to extend identity theft prevention requirements to lawyers and law firms. Under the "Red Flags Rule" of the Fair and Accurate Credit Transactions Act of 2003 (FACTA), "creditors" are required to "develop and implement written programs to identify, detect, and respond to the warning signs of identity theft." Despite a federal circuit ruling holding that lawyers are not "creditors" under FACTA, the FTC has stated that it intends to enforce the rule within the legal profession, although it has now delayed enforcement until November 1, 2009. Read about the delay at <http://ftc.gov/opa/2009/07/redflag.shtm>. The FTC's Red Flags Web site (www.ftc.gov/redflagsrule) contains FAQ discussing the rule's application to law firms. Read the ABA President's response at www.abanet.org.

New Legal Listserv for Mac Users: If you use a Mac computer in your law practice or are interested in doing so, you may join the group at http://groups.yahoo.com/group/MacLaw_Oregon.

Check Scammers Still Targeting Lawyers: Some law firms are still falling prey to Internet check scams, as reported by the ABA at www.abajournal.com/news/bradley_arant_reportedly_scammed_out_of_more_than_400k. To learn more about this topic and how to protect yourself from being scammed, read "Check Scams Target Lawyers," *In Brief*, November 2008 (www.osbplf.org); "Lawyers Beware: Avoiding the Scams," *OSB Bulletin*, November 2008; "Trust Account Les-

DISCLAIMER

IN BRIEF includes claim prevention information that helps you to minimize the likelihood of being sued for legal malpractice. The material presented does not establish, report, or create the standard of care for attorneys. The articles do not represent a complete analysis of the topics presented, and readers should conduct their own appropriate research.

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sons,” *OSB Bulletin*, July 2008; and “Waiting for ‘Go’ Dough: A Primer on Disbursing Client Funds,” *OSB Bulletin*, June 2006 (www.osbar.org). You can forward e-mails you suspect of being fraudulent spam to the FTC at spam@uce.gov.

Extension of FDIC Insurance Limits: Deposits at FDIC-insured institutions are now insured up to at least \$250,000 per depositor through December 31, 2013. On January 1, 2014, the standard insurance amount will return to \$100,000 per depositor for all account categories except for IRAs and certain other retirement accounts, which will remain at \$250,000 per depositor. (This supersedes the October 3, 2008, changes.) The extension announced on May 20, 2009, does not apply to the Transaction Account Guarantees (TAG) Program. The unlimited coverage under the TAG Program is in effect only for depositors at participating institutions through December 31, 2009.

IOLTA accounts are covered by the TAG Program. An individual client’s funds deposited in IOLTA are fully insured regardless of the amount through December 31, 2009. Thereafter, the insurance limits of \$250,000 per depositor will apply unless further legislative action is taken. Separate or pooled interest-bearing accounts established for the benefit of clients who can earn net interest remain subject to the FDIC insurance limits. If you are holding more than the insured limit of \$250,000 for any one client in such an account, it may be necessary to allocate funds among multiple institutions to ensure that client funds are fully protected. For more information, go to www.fdic.gov/deposit/deposits/changes.html.

New “Call” System for Family Law and Probate Cases in Multnomah County: Effective July 6, 2009, family law and probate attorneys and self-represented litigants with cases on the “Call” docket will be required to appear in person to report their readiness and expected time needs. Call/Trial Assignment will start at 9 a.m., not 8:30 a.m. Phone-in procedures the second business day before trial are being eliminated. Calls from court staff the day before trial that report judicial assignment of the case are being eliminated. Failure to appear for Call/Trial Assignment could cost a party the opportunity to participate in the hearing. One party can report for both sides only by agreement. The reporting party must inform the other of the judicial assignment after Call/Trial Assignment. For more information, go to www.ojd.state.or.us/mul/FamilyCourt/index.htm.

Mandatory E-Filing in King County: Effective July 1, 2009, attorneys filing documents with King County Superior Court in Washington must file them electronically (with a few noted exceptions). The Clerk’s Office no longer accepts fax filings. For FAQ, e-filing demonstrations and tutorials, the new e-filing application, information about waivers, and more, go to www.kingcounty.gov/courts/Clerk/E-filing.aspx. You can contact the E-services help desk at 206-205-1600 or eservices@kingcounty.gov. To subscribe to Clerk’s Office Alerts, e-mail listserv@lists.kingcounty.gov and type “subscribe clerks-alert-mailing-list” in the body of your e-mail.

Critical Security Update for Adobe Products: Adobe Systems recently issued critical security updates for Adobe Reader, Adobe Acrobat, and related products. To download the updates and for more information, go to www.adobe.com/support/security.

Laptop and PC Security: For 100 Tips, Tools, and Resources for Locking Down Your PC, courtesy of the e-Justice Blog, go to <http://tinyurl.com/ox38mp>.

Free Resources for “Suddenly Solo” Lawyers: The July 2009 issue of *Law Practice Today*, published by the ABA Law Practice Management Section, includes articles on marketing, technology, practice management, finances, and web resources for lawyers who are opening solo law practices. This special issue is free to everyone (even non-ABA members), and includes The Digital Edge podcast, “How Good Lawyers Survive Bad Times.” Go to www.abanet.org/lpm/lpt/archives/july09.shtml.

New ABA Resource – Discounted Rate: The Second Edition of *The Lawyer’s Guide to Practice Management Systems Software* is now available, complete with a CD-ROM of the book’s appendixes, sample checklists, questionnaires, and a case management system implementation and training plan. Save 15% when you buy this title along with *The 2009 Solo and Small Firm Legal Technology Guide: Critical Decisions Made Simple*, by Sharon Nelson and John Simek (speakers at the spring 2009 OSB/PLF CLE, “Practical Law Office Solutions for Sole and Small Firms”). The PLF also offers a 15% discount off the ABA non-member rate; use promotional code PAB8EOSB. To order, go to www.osbplf.org, click on ABA Products under Loss Prevention, then click on the ABA Web Store link.

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Upcoming Teleconference on Practice Management Systems: On August 20, 2009, Lorman Education Services is offering a live 1.5-hour teleconference, “Minimize Risk with Legal Case, Matter and Practice Management Systems,” covering all aspects of these systems, including leading software programs, SaaS (Software as a Service) platforms, and tips for successful implementation and integration. Panelists include Andrew A. Adkins III, author of *The Lawyer’s Guide to Practice Management Systems Software*, referenced in the above tip. To register, go to www.lorman.com/teleconference/teleconference.php?sku=385028&pc=18104.

OSB Oregon Civil Litigation Manual Supplement Now Available: The 2009 Supplement includes various aspects of the Oregon eCourt Program, including e-filing, an updated list of Oregon attorney fee provisions, current protocols for discovery of electronic evidence, and more than 100 forms available on CD. Order by phone, fax, mail, or online. Call the OSB Service Desk at 503-431-6413 or go to www.osbar.org/legalpubs.

New Online Training for Paralegals: *Know, The Magazine for Paralegals*, offers online classes for paralegal professionals on the topics of e-discovery, communication (business writing and presentations), and time management. CLE credit with the National Association of Legal Assistants (NALA) and the National Federation of Paralegal Associations (NFPA) is pending. Go to www.knowparalegal.com/Online-Training-Videos.html.

Help Clients Avoid Foreclosure Scams: The Federal Reserve is warning about an increasing number of foreclosure-related scams targeting consumers. The Federal Reserve Board of Governors has released a list of tips and resources to help consumers avoid becoming victimized by foreclosure scams, locate a reputable housing counselor, and report suspicious activity (www.federalreserve.gov/newsevents/press/other/20090305a.htm).

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