



Tips, Traps, and Resources

POSTAL RATE INCREASE: New postal regulations went into effect on May 14, 2007. The new rules fundamentally change the way mail is measured and may result in significant cost increases, especially for parcels and overstuffed envelopes. The old weight-based methodology has been replaced by a shape-based pricing system that considers size, thickness, and weight. To control costs, you may want to switch from #10 envelopes and 8.5 x 11 envelopes to 6 x 9 envelopes to stay within thickness limitations. You may also want to consider using more two-sided printing and electronic submission of documents. A wide range of equipment is available to measure the dimensions of mail and calculate postage. For a full article on the postal rate increase, go to www.lawpracticemanagement.com/?p=276.

STATUTORY INTERPRETATION: In another recent case, *Mastriano v. Board of Parole* (May 24, 2007), the Oregon Supreme Court rejected the argument that cases involving statutory interpretation are not authoritative if they predate *PGE v. Bureau of Labor and Industries*, 317 Or 606 (1993), which established a new framework for statutory interpretation. The fact that a case predates *PGE* provides no basis, in and of itself, to disregard the case's interpretation of a statute, and such cases remain authoritative and binding on lower courts to the extent they are not otherwise overruled. You can find the opinion at www.publications.ojd.state.or.us/S53543.htm.

OREGON TORT CLAIMS ACT: In a very recent case, *Baker v. City of Lakeside* (June 28, 2007), the Oregon Supreme Court held that the 60-day "relation-back rule" in ORS 12.020(2) regarding filing and service applies to Oregon Tort Claims Act cases. If an OTCA case is filed within the statute of limitations and served within 60 days of filing the complaint, the case is timely filed. You can find the opinion at www.publications.ojd.state.or.us/S53925.htm.

NEW UNIFORM TRIAL COURT RULES: Proposed changes to the UTCRs became effective August 1, 2007. You can find the UTCRs at www.ojd.state.or.us/web/OJDPublications.nsf. Select Uniform Trial Court Rules from the dropdown menu, then click on View, then click on the link to Uniform Trial Court Rules (UTCRC).

NEW MULTNOMAH COUNTY MANUALS: The Multnomah County Attorney Reference Manual has been revised for 2007, and the Domestic Violence Court Procedures Manual has been updated effective May 2007. To download the manuals, go to www.ojd.state.or.us/mul/index.html. For the attorney reference manual, click on About the Court, then select Attorney Reference Manual in the dropdown menu. For

the domestic violence manual, click on Family Court, then select Domestic Violence Court Procedures Effective May, 2007.

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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.