

Olympic-Size Gold for the CAO

by Peter R. Jarvis, David J. Elkanich, Rene C. Holmes

The Oregon State Bar's new Client Assistance Office, or CAO, has recently completed its first year of operation. And what a year it was.

For those who may be unfamiliar with its operation, the CAO can be thought of as the portal through which all would-be Bar complaints against lawyers must pass. During its first year of operation, the CAO handled approximately 3,500 complaints almost half of which were made by phone. Of this total, referrals to discipline were only found to be necessary in approximately 7.6% of cases. And the average time an inquiry was pending was 11.8 days, with over 50% of all inquiries being resolved on the day it was received..

But this is only part of the story. Among other things, the CAO has often been able to use its position to stop incipient problems before disciplinary violations occur and before clients or third parties are injured. When, for example, the CAO receives a call from a disgruntled client whose lawyer appears not to be returning phone calls or not to be providing the file to successor counsel on a timely basis, CAO representatives can call the lawyer, suggest appropriate corrective action and produce a true win-win result.

One can only hope that in the future, the CAO will expand its non-disciplinary resolution of complaints about lawyer conduct. Both the Bar and the justice system of which we are a part is better off if the public believes we are accountable to them. And the public is more likely to believe this is so if a helpful individual can address their needs now rather than waiting on potential discipline, or being told that the conduct is not severe enough to justify discipline, some time in the future. One might even hope that over time, the size of the CAO staff will equal or exceed the size of the disciplinary staff and that the CAO and the PLF could join forces to see to it that reasonable client and non-client expectations are met as quickly as possible and whenever possible. We all owe a debt of gratitude to Chris Mullmann, Associate General Counsel and CAO Manager, for a job well done and well begun.