

Office of Regulations and Interpretations

Attention: conflict of interest rule

Room N-5655

US Dept. of Labor

200 Constitution Avenue NW

Washington, D.C. 20210

9-6-2015

BAR ASSOCIATIONS (especially Oregon)

The Bar associations are supposed to be regulatory agencies . The Bar associations are part of the Judiciary Branch of our government. The Bar Association mission statements are as follows:

We are here to help administer justice and assist the public. NOT SO

1. The standard contracts the Bar Associations approve do not in any way tell the purchaser what the attorney will actually do for the client. The contract simply states the attorney will represent-What does that mean actually? It is understood that the attorney is supposed to act in the best interest of the client. Nothing in writing states what that actually means.

The code is unclear and the confidentiality statutes hide massive malpractice that cannot be used as evidence as it is all confidential and may not be used against the attorney for malpractice. So, in settlements and arbitrations it is totally feasible for the attorney to lie and misdirect. The client has no recourse. The attorney contract gives the client 24 hours to withdraw or suffer consequences. A door to door vacuum salesman can have his contract revoked for 3 days.

Attorney is permitted to use the confidential information in response to a complaint, the consumer is not . So an attorney can well admit items in a complaint, yet the consumer cannot use those items in court against the attorney.

The Bar associations are acting as Trade groups. The Bar associations supply free assistance to all of the member attorneys and none to the public. The Bar actually plays the role of attorney for their members who are complained against. The Bar gives out false information to the public and is persistent in doing so, even in writing.

To prove perjury against an attorney, a client needs to prove the attorney meant to lie-how is that even possible. My attorney lied 2 times under oath on the same issue. I had to prove what was in his heart . Really?

Oregon carries this conflict of interest even further.

Oregon by statute makes all the Oregon attorneys purchase the malpractice insurance . That insurance company is in the actual Bar Building. That insurance coverage states that it is totally up to the insurance company to decide what happens in any filed claim. The conflict is clear, if the Bar complaint system finds against the attorney, the insurance policy is at exposure for funds to be paid out. Hence, very few complaint progress beyond the actual client filing.

It is almost impossible to get any assistance for the public. Even checking on bad behavior is a hurdle thru the Oregon Bar association. You must call, make an apt and then show up.

If, all is fair, disclosure and transparency should not be an issue. Why can't the public simply see the actual complaints and decide for themselves if they wish contact with a certain attorney. I.e. the Bar is protecting its members i.e. Trade Association behavior not regulatory behavior.

Even Mr. Brian Guestner the head of the ethics dept. had 40 complaints, none acted on. The FBI finally put him in jail . Oregon bar did not take action on any of the consumer complaints until The FBI had him arrested. Mr. Guestner was permitted to simply relinquish his license, the Bar did not take his license. A lot of people lost a lot of money because the Bar did not act. Nothing has changed.

Who regulates the regulator. The legislature doesn't even seem to read the proposed laws the Bar puts in front of them. This is an elite system and by the mere fact that the public is required to use that system, it is necessary for that system to be a level playing ground. The Oregon Bar even has an office to teach its members how to circumvent the Pro se litigant. That office is downtown Portland and is paid for by the Bar.

Where is the public's program to teach them how to overcome the unfairness in the attorney system?

Disclosures need to be made to the public. Contracts need to spell out what does represent mean and what can a client with an employee who has a fiduciary with that client expect and get from that Attorney. Attorneys thru the government has made multiple page contracts for Real estate agents, builders, contractors, insurance, dentists, doctors, etc etc etc. , now it is time to do the same with this class of contractual employee.

Read my complaint against my attorney. It will really open your eyes to the conflict. He can do no wrong. He even ran to be a judge and he has and may still serve as a pro tem judge.

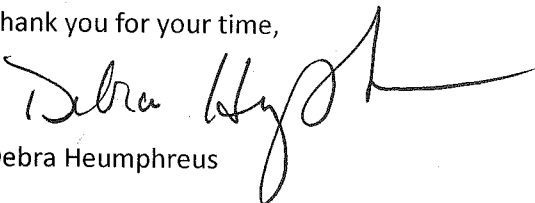
This is the reason the field is so justly disliked and the system is so mistrusted.

My attorney: Mark Kramer OSB 814977 Complaint filed Oregon State bar by

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Also see complaint: Michael Hoffman Oregon bar (by attorney in Medford Oregon) Mr. Hoffman is now in Mexico without a license, yet the Bar makes it clear Mr. Hoffman did not lose his license, he simply turned it in. Read that complaint. The Bar seems to go out of its way to hide bad behavior among its ranks. I feel this is Organized Crime under the Color of Law. There are a lot more complaints I have read and found amazing. I would greatly appreciate any consideration on this matter.

Thank you for your time,

  
Debra Heumphreus

9/6/2015