

**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form

<b>FILED</b> 8-24-15 4:37 PM ARCHIVES DIVISION SECRETARY OF STATE
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Department of Justice

Agency and Division

137

Administrative Rules Chapter Number

Carol Riches

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Rules Coordinator

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**RULE CAPTION**Adopts Attorney General's Model Rules On Mediation Confidentiality To Implement 2015 Legislation.

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

Hearing Date	Time	Location	Hearings Officer
10-22-15	9:00 a.m.	Department of Justice, Redwood Conference Room 1215 State Street	Amy Alpaugh

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

OAR 137-005-0052; OAR 137-005-0054

**AMEND:**

OAR 137-005-0050

**REPEAL:**

OAR 137-005-0050(T); OAR 137-005-0052(T); OAR 137-005-0054(T)

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.**Statutory Authority:**

ORS 183.341, ORS 183.502, Or Laws 2015, ch 114

**Other Authority:****Statutes Implemented:**

ORS 36.110, ORS 36.220 through 36.238, Or Laws 2015, ch 114

**RULE SUMMARY**

This rulemaking action implements 2015 legislation. Before 2015, to obtain confidentiality in mediations involving private parties and state agencies, agencies were required to go through formal rulemaking to adopt mediation confidentiality rules developed by the Attorney General. 2015 legislation changes the process. The Attorney General is now required to promulgate mediation confidentiality rules and agencies may adopt the rules by reference without formal rulemaking. This rulemaking action adopts Attorney General Model Mediation Confidentiality Rules. It also amends OAR 137-005-0050, an existing Attorney General Model Rule concerning the Confidentiality of Collaborative Dispute Resolution Communications, to specify the new process for agencies to adopt mediation confidentiality rules and to clarify certain provisions concerning mediation confidentiality.

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

10-22-2015 5:00 p.m.	Carol Riches	Carol.Riches@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.