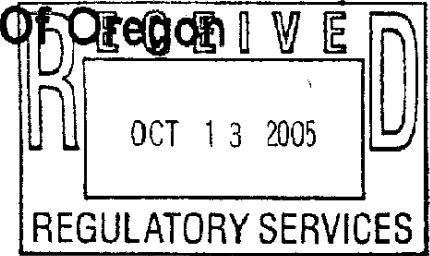


Oregon State Bar, Regulatory Services, PO Box 1689, Lake Oswego, OR 97035-0889

# In The Supreme Court Of The State Of Oregon



In The Matter Of The Application Of

**Jack Roberts**

For Reinstatement As An Active  
Member Of The Oregon State Bar

)  
)  
)  
)  
)  
)

**BR 8.1 Reinstatement**

## Application

I hereby apply for reinstatement as an active member of the Oregon State Bar and provide the following information in compliance with the Rules of Procedure of the Oregon State Bar. I understand that the following answers and statements are submitted under oath and that failure to answer any item or to fully disclose any fact or information called for in this application may result in the denial of my application for reinstatement and/or in disciplinary action.

### Personal History

**1 Full Name: Jack Robert Roberts** Bar # 78353

**2 Other names or surnames by which you have been known: N/A**

**3 Current addresses and telephone numbers:**

Residence Address: [REDACTED], Eugene, OR 97408 Phone: [REDACTED]

Business Address: 1401 Willamette St., Eugene, OR 97401 Phone: 541-242-2371

**4 List former addresses at which you have resided from the date you ceased to be an active member of the Oregon State Bar. Attach additional sheet if necessary. (Indicate dates resided):**

965 Sherwood Place, Eugene, OR 97401 (1996-2001)

**5 Date and Place of Birth: October 23, 1952 Sanford, North Carolina**

**6 Date that you ceased to be an active member of the Oregon State Bar and the reason(s) for the change in your membership status:**

Date: January 31, 1996

Reason(s): I had served in full-time elected office for six years and did not contemplate returning to the practice of law in the near future.

EXHIBIT 1  
PAGE 1 OF 4

### Employment History

- 11 Attach a list of your occupations or employment since you were last an active member of the Oregon State Bar. Include the following:
  - ✓ the name and address of each employer;
  - ✓ the nature of the business and your position;
  - ✓ the nature and extent of your law practice if you practiced in another jurisdiction;
  - ✓ the period of your employment;
  - ✓ the reason for termination of your employment.

*This list should account for the entire period since you last were an active member of the Oregon State Bar. Indicate periods of unemployment, service in the armed forces, enrollment in school or other activities where appropriate.*

- 12 Has anyone ever complained to any lawyer licensing authority or bar association (other than the Oregon State Bar), court or administrative officer about your professional services or conduct?  Yes  No

*If so, describe the facts, parties, court, case number, dates and disposition on an attached sheet.*

- 13 Have you ever been a party to a suit for legal malpractice?  Yes  No

*If so, describe the facts, parties, court, case number, dates and disposition on an attached sheet.*

- 14 During the period you were not an active member of the Oregon State Bar, did you engage in the practice of law in Oregon, or in any jurisdiction where you were not authorized by law to do so?  Yes  No.

*If so, explain on an attached sheet.*

- 15 Have you ever had a lawyer trust account check dishonored because of insufficient funds?  Yes  No

*If so, explain on an attached sheet.*

- 16 Have you ever held judicial office?  Yes  No

*If so, describe the office, the period and location of your tenure, and the reason for termination of office on an attached sheet.*

- 17 Have you ever been bonded?  Yes  No

*If so, has anyone sought to recover on the bond?*

- Yes  No

*N/A*

*If so, describe on an attached sheet the nature of the claim, the circumstances of your employment in the bonded position, the name of the bonding company, the amount of the bond and the disposition of the claim.*

- 18 Have you ever been denied a bond?  Yes  No

*If so, describe the facts on an attached sheet.*

*Attachment to Application for Reinstatement for Jack Roberts, OSB #78353 – Page 2***11. Employment History**

From the time I was last an active member of the Oregon State Bar my employment record has been as follows:

1. January 1995 through December 2002, I was Commissioner of the Bureau of Labor and Industries. I did not practice law while I was commissioner but I was the chief executive of the agency which was responsible for civil rights enforcement, wage & hour enforcement (including enforcement of child labor laws, prevailing wage laws and farm labor contractor regulations) and oversight of state apprenticeship programs. We also maintained and operated technical assistance programs for businesses. As labor commissioner, I issued final orders for contested case hearings involving enforcement actions undertaken pursuant to the foregoing responsibilities and enacted rules pertaining to the enforcement and interpretations of the laws under our jurisdiction. I terminated my employment when my second term of office expired at the end of 2002.

2. January 2003 through present, I have served as the executive director of the Lane Metro Partnership, a private nonprofit economic development agency formed by Lane County, the cities of Eugene and Springfield and the chambers of commerce of Eugene and Springfield. I have not practiced law while in this position. I am responsible for directing the activities of this agency in recruiting businesses to the Eugene/Springfield area and the balance of Lane County, as well as helping local businesses to expand within Lane County. I have assisted businesses in complying with state and local laws regulating their activities and have assisted local governments regarding ordinances and policies affecting economic development. I am still employed at this job.

**Additional Information**

25 Do you intend to engage in the practice of law or be employed in a law-related position upon reinstatement? **I don't presently intend to resume the practice of law but I am considering a law-related position by possibly running for the Oregon Supreme Court.**  
*If yes, explain where and in what capacity.*

• 26 Provide the following materials with your application for reinstatement:

A completed fingerprint card (provide all information requested on the card) and executed releases provided by the Oregon State Bar.

*The required forms have been supplied with your application packet.*

Applicant's Signature *Jeff Merrick* Date 10-12-05

State of Oregon )  
County of Lane ) ss.

I, the undersigned, being first duly sworn, state that: I am the applicant who signed the foregoing application; before signing the application, I read and understood each inquiry in the application. I realize that whether I am reinstated as an active member of the Oregon State Bar may depend largely upon the truth, falsity or completeness of my answers in this application; I will give any further information that may be required concerning my past record but, to my knowledge, the answers that I have provided in this application are true and complete; I hereby authorize the Supreme Court of the State of Oregon and the Oregon State Bar, or any agent or authorized representative thereof, to make a complete investigation of my character, financial responsibility and general fitness to practice law in Oregon and of the completeness of my answers provided in this application; and I hereby release and exonerate those so authorized, and any person or organization supplying requested information, from liability of any kind resulting from investigating or providing the information.

Applicant *Jeff Merrick*

Subscribed and sworn to before me this 12<sup>th</sup> day of October, 20 05



Notary Public for *Joan Mc Donald*  
My Commission Expires: 11-4-2009

• = attachment necessary    ○ = attachment may be necessary

Official 1994 Primary Election Voters' Pamphlet—Republican Candidates

# Governor

# Commissioner of the Bureau of Labor and Industries



**JACK ROBERTS**  
Republican

**OCCUPATION:** Lane County Commissioner.

**OCCUPATIONAL BACKGROUND:** Attorney in private practice, 1980-1989.

**EDUCATIONAL BACKGROUND:** New York University School of Law, LL.M. in Taxation (1980); University of Oregon School of Journalism, J.D. (1978); University of Oregon School of Journalism, B.S. (1975).

**PRIOR GOVERNMENTAL EXPERIENCE:** County Commissioner for Lane County (1989-present); Chair, Housing Policy Board (1990-present); Member, Metro Area Leaders Task Force on Human Rights and Affirmative Action (1990-present); Member, Intergovernmental Human Services Committee (1991-present); Member, Lane County Commission on Children & Families (1994-present).

**Did you know that—**

- In 1978, per capita income in Oregon was 101% of the national average?
- Today, our per capita income is just 92% of the national average?
- We are the only state on the West Coast—including Alaska and Hawaii—that is below the national average in income?
- If our per capita income had been equal to the national average during the last biennium, the State of Oregon would have collected \$400 million more in personal income taxes alone—virtually eliminating our Ballot Measure 5 deficit?

**We need a Labor Commissioner who will make jobs and a growing economy the top priority of that office!**

**JACK ROBERTS offers both the private sector and local government experience that has been missing in state government.**

**As a county commissioner, JACK ROBERTS has earned the respect of political allies and opponents alike.**

*"Roberts is by far the most effective member of the board now, and among the best members in memory...His is a constructive brand of conservatism, free of doctrinaire anti-government ideology...While no one agrees with Roberts 100 percent of the time, he never equivocates and can always be relied upon to give critics a fair hearing."*

*—Eugene Register-Guard, 5/4/92*

**If a Roberts can be a Republican, a Republican can be Labor Commissioner.**

**VOTE FOR JACK ROBERTS!**  
(No Relation)

*(This information furnished by Jack Roberts for Labor Commissioner Committee.)*

FOR IMMEDIATE  
RELEASE  
September 10, 1988

For Additional  
Information  
Call Jack Roberts  
#345-3322  
or #484-1359

### ROBERTS BLASTS DIX FOR OPPOSING ANTI-GANG PROGRAM

EUGENE--Jack Roberts, Republican candidate for House District 41, applauded the unanimous approval by the Legislative Emergency Board of 40 additional beds at the McLaren School to incarcerate youth gang members, while criticizing his opponent, incumbent Rep. David Dix, for opposing the measure.

Ten days ago, at a meeting of the Crime and Corrections Subcommittee, Dix and Rep. Dick Springer, who is chairman of the House Judiciary Committee, said that a decision on the Governor's proposal for additional bed-space at McLaren should be put off until November so that they could have more time to "study" the issue.

"This is just one more example of why Dix and Springer are the most notorious pro-crime legislators in Salem," Roberts said.

Their opposition to anti-crime measures is not surprising, Roberts said, since both are heavily backed by the Oregon Trial Lawyers Association, which Roberts characterized as "the state's leading pro-crime lobbying group."

(more)

EXHIBIT 3  
PAGE 1 OF 2

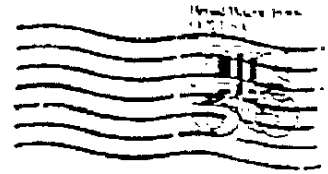
"As a lawyer myself," Roberts said, "I understand that our legal system depends on having some criminal lawyers, but that doesn't mean we should have criminal lawmakers. When people start taking their representation of criminals out of the courts and into the capitol, they've gone too far."

Roberts admitted that crime in Oregon represents a huge industry, and that drug money has a corrupting influence throughout our society, so it is not surprising that some of it finds its way into politics. He pointed out that laws protecting attorney-client confidentiality make it possible for a substantial amount of that drug money to be filtered through lawyers into political action committees such as that set up by the OTLA.

"That just means the rest of us have to be even more vigilant, to make sure that our elected representatives are really representing the law-abiding majority in our society, and not just the small percentage of criminals who make their fortunes preying on the elderly, the indigent and especially on children."



PO Box 10064, Eugene, OR 97420



The Springfield News  
1887 Laura Street  
Springfield, OR 97477

NEWS RELEASE

Printed by Jack Roberts for Representative Committee



EXHIBIT 3  
PAGE 2 OF 2

JOHNSON, CLIFTON, LARSON & BOLIN, P. C.

ATTORNEYS AND COUNSELORS AT LAW

ARTHUR C. JOHNSON  
JACOB K. CLIFTON JR.  
RICHARD L. LARSON  
JANE NELSON BOLIN  
MICHAEL PHILLIPS  
DON CORSON  
DOUGLAS G. SCHALLER

SUITE 1050 CITIZENS BUILDING  
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EUGENE, OREGON 97401-3176

(503) 484-2434

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BEND OFFICE  
SUITE 107 WALL STREET PLAZA  
700 N. W. WALL STREET  
BEND, OR 97701  
(503) 382-2950

September 15, 1988

COPY

Jack Roberts  
P. O. Box 10084  
Eugene, OR 97440

Re: Oregon Trial Lawyers Association

Dear Mr. Roberts:

I have seen your September 10, 1988 press release charging your opponent Representative Dave Dix and Representative Dick Springer with being "pro-crime legislators". While most of your press release is merely ridiculous, it is also in part libelous. Specifically, the following statements are false and could have only been made maliciously:

"Their opposition to anti-crime measures is not surprising, Roberts said, since both are heavily backed by the Oregon Trial Lawyers Association, which Roberts characterized as 'the state's leading pro-crime lobbying group.'"

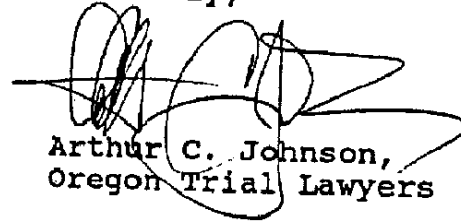
"He pointed out that laws protecting attorney-client confidentiality make it possible for a substantial amount of that drug money to be filtered through lawyers into political action committees such as that set up by the OTLA."

In fact the Oregon Trial Lawyers Association seldom if ever lobbies on crime issues. On the contrary, the organization exists to improve the representation of those injured by wrongful conduct, including victims of crime. The organization works to improve administration of justice and to further victims rights. Funds for our political action contributions are raised from lawyers who primarily represent injured workers and others who have suffered as a result of another's wrongdoing.

Jack Roberts  
September 15, 1988  
Page 2

Your charges are an insult to the lawyers who work in our courts for the rights of individuals. They are an insult to the members and staff of OTLA and even to your own profession of law. They are an insult to the many, many good individuals whom we represent. We request that in decency and fairness you withdraw the statements and issue a full apology.

Sincerely,



Arthur C. Johnson,  
Oregon Trial Lawyers

ACJ/ng  
cc: 975 Oak Street  
Eugene, OR 97401

EXHIBIT

4

PAGE 2 OF 2

JACK R. ROBERTS

ATTORNEY AT LAW

975 OAK, SUITE 790

EUGENE, OREGON 97401

TELEPHONE (503) 345-3322

September 20, 1988

Arthur C. Johnson  
Johnson, Clifton, Larson & Bolin, P.C.  
Suite 1050  
975 Oak Street  
Eugene, OR 97401

Re: Oregon Trial Lawyers Association

Dear Mr. Johnson:

I am in receipt of your letter dated Sept. 15, 1988. While I certainly do not agree with your characterization of any of the statements in my news release as libelous, I do believe that some clarification is in order.

As I explained to each of the reporters who contacted me regarding this release, my use of the term "pro-crime" referred to the effect, and not the intent, of the policies pursued by Representatives Dix and Springer, and, as I understand it, supported by the OTLA.

I also pointed out to the reporters that the majority of the OTLA's activities concern civil law issues such as tort reform and worker's compensation reform, not crime and corrections, and that the majority of OTLA members principally represent plaintiffs in civil cases, as you do, not criminal defendants.

Nevertheless, it is also my understanding from talking to local people who have lobbied the legislature for tougher laws on crime and illegal drugs, that they have been opposed at every turn by lobbyists and legislators supported by the OTLA. Given the size and influence of the OTLA, it did not surprise me that even a small percentage of its lobbying efforts could present a seemingly insurmountable barrier to private citizens lacking the same resources or connections.

If my information turns out to have been erroneous, and if the evidence shows that OTLA does not lobby on criminal issues, or that it has not supported those positions which I have characterized as having the effect, if not the intent, of promoting crime, then I will readily retract my statement and apologize for making an honest mistake.

So far, however, all I've heard has been righteous indignation, not contrary evidence.

-2-

As to the second statement you quote, regarding the possibility that some drug money might be filtered into the political statement through attorneys, I find it hard to believe that you believe this statement is false, much less libelous. You may not believe that it does happen, or may think that it is extremely unlikely or happens very rarely, but I don't think you can honestly say that it isn't possible.

Nonetheless, I will admit that speculation of this kind was unnecessary to the point I was trying to make, and that it has in fact distracted from it. Since in my news release I was criticizing people for the effect of their positions, regardless of their intent, I must accept responsibility for the effect of my words, regardless of my intent.

Therefore, to the extent that my statement has wrongly been perceived as implying or alleging wrong-doing on the part of specific OTLA members, or of the OTLA as a whole, I do apologize for that.

On a personal note, I have read that you seem to believe that I intended to include you directly in my remarks. Although I am not unmindful of the fact that you have personally contributed to the campaigns of both my opponents in the last two elections, I have never taken that opposition personally, nor do I now. I have certainly not intended any of my comments or remarks to be directed toward you personally, or to the many other lawyers--civil and criminal--who belong to the OTLA and whom I like and respect as friends and colleagues.

Therefore, to the extent that you personally felt insulted or injured by my comments, I apologize for that as well.

There is at least one consolation for all of this: given your great interest (at least as expressed to the press) in strengthening law enforcement and the criminal justice system in our state, you must be pleased that this controversy may finally have succeeded in getting these issues into the forefront of this campaign.

We may disagree on how best those issues should be decided, and that of course is what the voters will determine come November.

Very truly yours,

JACK R. ROBERTS

JRR:hs

EXHIBIT 5  
PAGE 2 OF 2