

Secretary of State  
Certificate and Order for Filing  
**TEMPORARY ADMINISTRATIVE RULES**  
A Statement of Need and Justification accompanies this form..

I certify that the attached copies\* are true, full and correct copies of the TEMPORARY Rule(s) adopted on May 21, 2009 by the  
Date prior to or same as filing date

Oregon Parks and Recreation Commission 736-140  
Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address E-mail Address Telephone

to become effective June 2, 2009 through November 28, 2009.  
Date upon filing or later A maximum of 180 days including the effective date.

**RULE CAPTION**

Adopting new rules governing Confidentiality and Inadmissibility of Mediation Communications as recommended and modeled by the Office of the Attorney General.

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

**RULEMAKING ACTION**

List each rule number separately, 000-000-0000.  
Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT: OAR 736-140-0010 and 736-140-0020

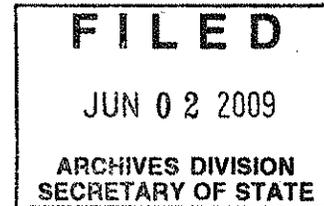
AMEND:

SUSPEND:

Stat. Auth.: ORS 36.224 (4), ORS 390.124

Other Auth.:

Stats. Implemented: ORS 36.224, ORS 36.228, ORS 36.230 & ORS 36.232



**RULE SUMMARY**

These rules govern the Confidentiality and Inadmissibility of Mediation Communications, and are developed using the model rules provided by the Office of the Attorney General to state agencies as recommended by the Office of the Attorney General and authorized by ORS 36.224 (4). They are being temporarily to protect the confidentiality of mediation communication for a mediation scheduled June 3, 2009. The agency is also filing a Notice of Rulemaking Hearing to prepare for permanent adoption of these rules. The unexpired temporarily adopted rules will be repealed upon the effective date of the permanent adoption of these rules.

Authorized Signer

Tim Wood, Director

Printed name

June 2, 2009

Date

\*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. ARC 940-2005

Secretary of State

**STATEMENT OF NEED AND JUSTIFICATION**

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Parks and Recreation Commission, Department, and Director  
Agency and Division

ORS 736-140  
Administrative Rules Chapter Number

In the Matter of: the temporary adoption of model rules provided by the Office of the Attorney General governing confidentiality and inadmissibility of mediation communications.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

**Adopting new administrative rules to govern the confidentiality and inadmissibility of mediation communications.**

Statutory Authority: ORS 36.224 and ORS 390.124

Other Authority:

Stats. Implemented: ORS 36.224, ORS 36.228, ORS 36.230 and ORS 36.232

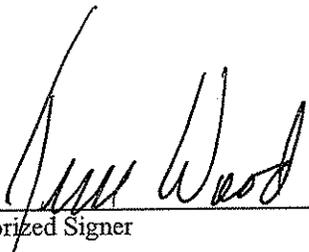
Need for the Temporary Rule(s):

A mediation is scheduled and the assigned Assistant Attorney General representing the agency recommended immediate adoption of the Attorney General's Model Rules governing confidentiality and inadmissibility of mediation communication to protect the communications generated during the upcoming mediation and for any future mediations in which the agency may participate.

Documents Relied Upon, and where they are available: Attorney General's Mediation Confidentiality Model Rules at <http://www.doj.state.or.us/adr/rules.shtml>

Justification of Temporary Rule(s):

A mediation is scheduled to occur between the agency and other parties June 3, 2009. The Assistant Attorney General representing the agency recommended immediate adoption of these model rules to protect any mediation communications generated during this and future mediations.



Authorized Signer

Tim Wood, Director

Printed name

June 2, 2009

Date